

TORTURE 2-3 2025

*Journal on Rehabilitation of Torture Victims and
Prevention of Torture*

Special section: Israel & occupied Palestine

VOLUME 35, N° 2-3, 2025, ISSN 1018-8185

TORTURE

Journal on Rehabilitation of Torture Victims and Prevention of Torture

Published by the International Rehabilitation Council for Torture Victims (IRCT), Copenhagen, Denmark. TORTURE is indexed and included in MEDLINE. Citations from the articles indexed, the indexing terms and the English abstracts printed in the journal will be included in the databases.

Volume 35, Nº 2-3, 2025
ISBN 1018-8185

The Journal has been published since 1991 as Torture – Quarterly Journal on Rehabilitation of Torture Victims and Prevention of Torture, and was relaunched as Torture from 2004, as an international scientific core field journal on torture.

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The Journal is free of charge.

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Front page: Mogens Andersen, Denmark
Layout by Pedro López Andradás

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One occupation – two realities: Psychosocial mechanisms that make genocidal acts possible

Pau Pérez-Sales¹

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Israel's occupation of Gaza: The genocide debate

A growing number of United Nations mandate holders and committees, along with major NGOs, have characterised Israel's campaign in Gaza as genocide—for example, the UN Special Rapporteur's Anatomy of a Genocide¹; UN independent experts warning that “a genocide is unfolding”; and subsequent NGO assessments by Amnesty International (Dec 2024), Médecins Sans Frontières (2025), Human Rights Watch (2024,2025); World Organisation Against Torture (OMCT) (2024,2025) and the Israeli NGOs B'Tselem and Physicians for Human Rights–Israel (July 2025), among many others. The International Association of Genocide Scholars' resolution (2025) on Gaza² established that *Israel's policies and actions in Gaza meet the legal definition of genocide*. The International Court of Justice has not yet issued a final merits judgment, although it has issued three provisional measures orders in the *South Africa vs Israel* case (26 Jan; 28 Mar; 24 May 2024), protecting rights under the Genocide Convention³. In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to

bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group.⁴

Collection and documentation of evidence of damage and genocidal acts

Beyond the legal characterisation of these acts, the United Nations system, academia and civil society have extensively documented the widespread harm inflicted on Gaza's population. Table 1 presents a GRADE-CERQual-informed synthesis of the available evidence on the impacts of the occupation of Gaza with a focus on health⁵.

Documentation by Israeli legal and medical human rights organisations

Furthermore, between January 2024 and July 2025 we identified and reviewed 22 reports, position papers, press releases, and situation updates from major Israeli human-rights organisations⁶. Across these sources, a consistent conclusion emerges: the humanitarian catastrophe in Gaza is framed not as an unintended by-product of hostilities but as the result of deliberate State policy—with organisations such as ACRI (2024a, 2024b), B'Tse-

1 A/HRC/55/73, 25 March 2024

2 <https://genocidescholars.org/wp-content/uploads/2025/08/IAGS-Resolution-on-Gaza-FINAL.pdf>

3 In the 26 January Order, the Court held that “the facts and circumstances mentioned [in the Order] are sufficient to conclude that at least some of the rights claimed by South Africa and for which it is seeking protection are plausible. This is the case with respect to the right of the Palestinians in Gaza to be protected from acts of genocide and related prohibited acts identified in Article III” (ICJ, 2024, para. 54). The interpretation of the Court expression “plausible” has been a subject of debate among international lawyers. The legal debate at that moment also included thresholds of proof and the central role of specific intent (*dolus specialis*), the scope of protected groups, and whether starvation/displacement and destruction of health infrastructure satisfy the “conditions of life” elements.

4 United Nations. (1948). Convention on the Prevention and Punishment of the Crime of Genocide. General Assembly Resolution 260 A (III), adopted on 9 December 1948.

Retrieved from <https://www.un.org/en/genocideprevention/genocide-convention.shtml>

5 Using CERQual principles, we graded confidence per table row based on structured judgements of limitations, coherence, adequacy, and relevance; due to scope and heterogeneity (peer-reviewed + institutional reports), this was not a full CERQual appraisal for each source.

6 These materials address six themes: (1) starvation and famine, (2) denial of aid and medical care, (3) destruction of Gaza's healthcare system and attacks on medical personnel, (4) forced displacement and ethnic cleansing, (5) accountability and failures of Israel's investigative mechanisms, and (6) broader assessments of occupation and potential genocide (see Supplementary Material 2).

Table 1. Health impacts of the occupation of Gaza: a GRADE-CERQual evidence synthesis

Area	Situation in Gaza	Confidence level	Brief justification (key sources)
1. Physical health under occupation	Increases in morbidity, mortality, and malnutrition linked to blockades, armed violence, and destruction of health infrastructure.	High	Converging evidence from WHO Executive Board/WHA reports (2024–2025), UN OCHA situation updates, OHCHR hospital-attacks thematic report, IPC famine analyses, and peer-reviewed articles.
2. Individual mental health	High prevalence of PTSD, depression, anxiety, and prolonged grief in populations chronically exposed to violence. Trauma is cumulative and persistent.	High	Peer-reviewed studies in Gaza pre and post October 7th (e.g., Qouta et al., 2003; El-Khodary et al., 2020; Aldabbour et al., 2024); institutional sources (UNRWA 2024; WHO/EMHJ 2025; MSF 2024)
3. Psychosocial and community effects	Destruction of social networks and community institutions (schools, mosques, cultural centres) and loss of livelihoods; prolonged displacement eroding survival.	Moderate-High	Converging evidence from UNRWA (education, camp/community services), OCHA (displacement, shelter), WHO Health Cluster (MHPSS service disruption), and peer-reviewed work .
4. Structural determinants of health	Occupation, blockade, checkpoints, territorial fragmentation, and militarisation of space operate as upstream determinants shaping morbidity, mortality, nutrition, and access to care.	High	Triangulation of UN OCHA access/movement reports (2024–2025), WHO oPt health assessments (2023–2025), UNICEF WASH situation updates, UNRWA service disruption reports, and macro-level analyses (World Bank Palestine Economic Monitor); peer-reviewed syntheses (The Lancet Palestinian Health Series; EMHJ/BMJ)
5. Access to essential services and goods	Systematic restriction and/or collapse of water, sanitation, food supply, medicines, fuel and electricity translate into excess preventable mortality and morbidity (malnutrition, infectious disease, unmanaged chronic conditions).	High	Triangulated evidence from UNICEF WASH and nutrition updates, WHO oPt health bulletins, WFP/IPC food security analyses, UNRWA situation reports, OCHA access constraints, and ICRC statements shows convergent, Gaza-specific documentation of sustained service disruption and denial of essentials; peer-reviewed editorials and correspondence in The Lancet and BMJ
6. Impact on children (health, nutrition, protection, education)	Children in Gaza face extreme risks of malnutrition, infectious disease, injury, disability, toxic stress, and interrupted development due to protracted blockade, large-scale displacement, attacks on civilian infrastructure including health centres and hospitals, and WASH collapse.	High	Converging UNICEF/UNRWA/OCHA/WHO evidence (2024–2025) documents extraordinary child morbidity/mortality, medical evacuations, WASH failures and acute food insecurity; peer-reviewed commentaries in The Lancet and BMJ reinforce paediatric risk framing.
7. Legal and human rights framework	Widespread violations of IHL/IHRL in Gaza, including unlawful attacks on civilians and civilian objects, obstruction of humanitarian relief, starvation as a method of warfare, and attacks on medical facilities and personnel.	High	Triangulated findings from the UN Commission of Inquiry (2024), OHCHR thematic reporting, ICJ provisional measures (2024), Special Rapporteur reports (e.g., right to food; oPt), and major NGOs (Amnesty, HRW); ICRC guidance and Geneva Conventions establish applicable legal standards. Conventions establish applicable legal standards.

WHO = World Health Organization; WHA = World Health Assembly; OCHA = United Nations Office for the Coordination of Humanitarian Affairs; OHCHR = Office of the United Nations High Commissioner for Human Rights; IPC = Integrated Food Security Phase Classification; PTSD = Post-Traumatic Stress Disorder; UNRWA = United Nations Relief and Works Agency for Palestine Refugees in the Near East; EMHJ = Eastern Mediterranean Health Journal; MSF = Médecins Sans Frontières (Doctors Without Borders); MHPSS = Mental Health and Psychosocial Support; UNICEF = United Nations Children's Fund; WASH = Water, Sanitation and Hygiene; WFP = United Nations World Food Programme; ICRC = International Committee of the Red Cross; BMJ = British Medical Journal; ICJ = International Court of Justice

lem (2024a–d, 2025a, 2025b), HaMoked (2024, 2025), and Gisha (2025a, 2025b) arguing that starvation, denial of aid, forced displacement, and systematic destruction of essential infrastructure constitute grave breaches of international humanitarian law, amounting to war crimes. Taken together, these reports converge that the civilian population in Gaza is subjected to policies that intentionally dismantle the conditions necessary for survival. Most of these Israeli NGOs demand urgent international intervention, effective accountability mechanisms, and the immediate lifting of restrictions to prevent further civilian harm and systemic destruction (B’Tselem, 2025a; PHRI & GHRC, 2025; Yesh Din, 2024).

Converging assessments by United Nations international institutions and human rights system

At the time of writing these lines, 141 resolutions, position statements, documents or calls had been issued by institutions linked to the United Nations system, as a body for consensus and governance, not counting statements by the Secretary-General or other high-rank representatives. They are summarised in Table 2 (also see supplementary material for the full list and detailed contents of each resolution). The thematic analysis of UN responses on Palestine occupation (2023–2025) shows strong convergence among all UN bodies—particularly the Security Council, General Assembly, Secretary-General, and OCHA—on urgent calls to protect Palestinian civilians, ensure humanitarian access, demand an immediate ceasefire, and maintain support for UNRWA and Palestinian refugees. These responses consistently center on the critical humanitarian situation facing the Palestinian population in Gaza and the West Bank.

Israeli suffering

We have also conducted a CERQual analysis of studies of the impacts of the October 7th attacks and the subsequent hostage crisis and Hamas actions since then, among the Israeli population. United Reports, international NGOs (Human Rights Watch, Amnesty International among others) and independent research has shown the deep individual and community damage (see Table 3).

The recent release of all the hostages and the handing over of the bodies of those who died opens up new processes that time will help to analyse.

The battle of narratives and truths

Focusing on what happened and who is responsible in occupied Gaza is inquiring into how *competing narratives* fight for authority—who gets to define what counts as “truth,” how that truth is

produced, amplified, and weaponised, and with what consequences for policy, public opinion, and people’s lives (e.g., in Gaza and in Israel). Digital platforms, transnational media, and state–nonstate coalitions accelerate claims far faster than verification can keep pace. The result is a strategic contest in which actors weaponise truth and falsehood—flooding the zone with competing framings, and selective datasets—to manufacture parallel worlds. There is an asymmetry between institutions tasked with truth-findings and the role of science in documenting with high standards of proof, and the enormous machinery of propaganda, very often automated in AI-generated media that create “truths” acceptable for citizens looking for self-serving ready-made explanations

The attitude of Israeli public opinion towards policies of a genocidal nature and their degree of social support.

We present in this Section an analysis of Israeli public opinion (2023–2025) triangulating across: (1) the Israel Democracy Institute’s Israeli Voice Index—a monthly national survey series published by IDI’s Viterbi Family Centre, including special “Swords of Iron” waves; (2) Pew Research Centre’s nationally representative surveys of Israelis (May 2024; subsequent waves); (3) the Palestinian–Israeli Pulse (Tel Aviv University’s Tami Steinmetz Centre & PCPSR); (4) INSS “Swords of Iron” surveys on war aims and confidence; and (5) high-frequency polling by major broadcasters—Channel 12 (Midgam), KAN 11 (Kantar), and Channel 13 (Maagar/Camil Fuchs). We note mode/sampling differences across series and therefore privilege convergent findings that replicate across sources⁷. In some of

7 Key source hubs: Israel Democracy Institute — Israeli Voice Index hub: <https://en.idi.org.il/centers/1159/32799>; Israel Democracy Institute — Surveys & Polls hub: <https://en.idi.org.il/tags-en/1465>; Pew Research Centre — Views of the Israel–Hamas War (May 30, 2024): <https://www.pewresearch.org/global/2024/05/30/views-of-the-israel-hamas-war-may-2024/>; Pew — Full PDF of the May 30, 2024 report: https://www.pewresearch.org/wp-content/uploads/sites/20/2024/05/pg_2024.05.30_israeli-views-war_report.pdf; Palestinian–Israeli Pulse — Sept 2024 summary (PCPSR): <https://www.pcpsr.org/en/node/731>; INSS — Swords of Iron Survey Results, July 2024: <https://www.inss.org.il/publication/july-2024/>; INSS — Swords of Iron Survey Results, December 2024: <https://www.inss.org.il/publication/survey-december-2024/>; Times of Israel — IDI poll on support for a deal to release all hostages and end the war (Dec 14, 2024): <https://www.timesofisrael.com/poll-majority-of-israelis-support-deal-ending-gaza-war-for-release-of-all-hostages/>; Reuters — KAN/Kantar poll on ceasefire proposal (June 4, 2024): <https://www.reuters.com/world/middle-east/netanyahus-biggest-coalition-partner-backs-prospective-gaza-hostage-deal-2024-06-04/>

Table 2. *Thematic Analysis of UN Institutional Responses to the Occupied Palestinian Territory, 2023–2025*

Thematic Area (focus on Palestinians unless stated)	UNGA	UNSC	HRC	UNSG	OCHA	UNSR	SCIP	WGED
Calls for Ceasefire and De-escalation of Violence	✓	✓		✓	✓			
Protection of Palestinian Civilians under International Humanitarian Law	✓		✓	✓	✓			
Ensuring Safe and Unhindered Humanitarian Access to Palestinians	✓	✓		✓	✓			
Mandate and Continued Support for UNRWA and Palestinian Refugees	✓			✓	✓			
Investigations and Accountability for Human Rights Violations			✓			✓	✓	
Condemnation of Illegal Israeli Settlements and Occupation Policies	✓		✓			✓		
Recognition of Palestinian Right to Self-Determination and Statehood	✓		✓					
Advisory Opinions and Legal Rulings by the ICJ concerning Israeli Practices	✓			✓				
Torture, Hostage-Taking, and Enforced Disappearances Involving Israeli and Palestinian Population						✓		✓
Restrictions on Movement and Blockade of Gaza and the West Bank				✓	✓	✓		
Access to Food, Clean Water, Sanitation and Health Services of Palestinian Population					✓	✓		
Protection of Medical, Civilian and Humanitarian Infrastructure				✓	✓	✓		

UNGA: United Nations General Assembly, UNSC: United Nations Security Council. HRC: Human Rights Council, UNSG: United Nations Secretary General, UNSR: United Nations Special Rapporteur, WGED: Working Group on Enforced Disappearance. SCIP, Special Committee on Israeli Practices. OCHA: Office for Humanitarian Affairs. All thematic areas relate to the Palestinian population in the Occupied Palestinian Territory unless explicitly referring to broader contexts.

the polls commissioned by media there are potentially self-selection biases. The results, thus, are always to be interpreted as tendencies.

Credibility attributed by the Israeli population to different sources of information about events in Gaza.

Israeli public opinion appears largely unreceptive to the testimonies of Palestinian organisations and victims, as well as to re-

ports issued by United Nations bodies and international human rights organisations.: only 15% of Israelis considered that Palestinians⁸ “can be trusted”. 70% of Jewish Israelis said they believe the Israeli Defense Forces (IDF) reporting on the extent of Pal-

8 <https://www.pcpsr.org/en/node/823>; Mondoweiss. (2025, August 7). Poll: 4 out of 5 Jewish Israelis are not troubled by the famine in Gaza. <https://mondoweiss.net/2025>

Table 3. *Impacts of the October 7 Attacks and Hostage Crisis on Israeli Civilians: A CERQual Evidence Synthesis*

Area	Key findings	Conf. level	Key sources
Civilian harm and mass casualties (southern Israel)	Large-scale killings and injuries of civilians on Oct 7, including shootings, and assaults across several localities.	High	UN COI A/HRC/56/CRP.3 (2024); HRW (2024) report on Oct 7; peer-reviewed mass-casualty analysis (Gozlan et al., 2024).
Hostage-taking and treatment of hostages	Abduction of hundreds of civilians from Israel to Gaza; ongoing unlawful detention and abuse reported	High	UN COI A/HRC/56/CRP.3 and CRP.4 (2024); HRW (2024) Q&A; Amnesty International (2024)
Sexual and gender-based violence (SGBV) during the attacks and in captivity	Commission findings indicative of conflict-related sexual violence in several locations on Oct 7 and against some hostages; verification constraints remain.	Moderate	UN COI A/HRC/56/26 and A/HRC/56/CRP.3 (2024) note indications/patterns of SGBV with evidentiary limits; HRW (2024) urges victim-centred investigations; additional Israeli academic/legal reports (2025) present further testimonies.
Indiscriminate rocket and mortar fire into populated areas	Documented barrages of unguided rockets toward Israeli towns lack distinction and are inherently indiscriminate.	High	Amnesty International (2024) Q&A; HRW (2023, 2024) legal analyses describing indiscriminate rocket fire as unlawful.
Mental-health impact on affected Israeli populations	Emerging cohort and population studies show marked increases in PTSD, depression, anxiety and grief among exposed groups (2023-4) decreasing with time (2025)	Moderate -High	Levi-Belz et al. (2024, 2025); Amsalem et al. (2025); Neria (2025) commentary; HRW survivor testimonies (2024).
Legal assessment under IHL and IHRL	Independent investigations conclude that Hamas-led armed groups committed multiple war crimes and crimes against humanity on Oct 7.	High	UN COI press releases and detailed findings (June 2024); HRW (July 2024) report; Amnesty (Dec 2024) findings.

UNCOI: United Nations Commission of Inquiry

estonian civilian casualties “to a very/fairly large extent,” while a majority of Arab Israelis said they do not (IDI, July 2025). A Channel 12 / Midgam snap poll, Sep 5, 2025 (n=722): 59% of Jewish respondents agreed with the statement “*reports of civilian suffering are exaggerated by enemies of Israel.*”

Views of the UN are broadly negative (76% unfavourable overall; 82% among Jewish Israelis, increasing to 84% and 91% in September 2025⁹), aligning with official public scepticism toward UN data and findings. Israeli human-rights NGOs publishing on the situation in Gaza are also viewed

sceptically: in 2023, 60% of Jewish respondents said such groups “cause damage to the State.” Consistent with this pattern, 64% of Israelis judged domestic media coverage as already balanced and not needing more humanitarian reporting on Gaza, and 69% considered CNN, BBC, and Fox News biased toward Palestinians.

Support of Israeli population to torture, genocide and apartheid policies

Alongside, with all due cautions and the methodological limitations exposed, but according to the polls and surveys reviewed, we have some consistent and disturbing data:

⁹ <https://www.pewresearch.org/short-reads/2025/09/05/8-in-10-israelis-view-united-nations-unfavorably/>

1. Suffering, atrocities and harm to the population of Gaza.

- **Concern among Israeli people about reports of famine/suffering in Gaza** (IDI, July 27–31, 2025). In IDI's Israeli Voice Index (July 27–31, 2025), 79% of Jewish Israelis said they are “not so troubled” or “not at all troubled” by reports of famine and suffering in Gaza, while 86% of Arab Israelis reported being “very” or “somewhat” troubled¹⁰. Results remained identical in the August 28–31, 2025 wave.
- **Palestinian victims in Gaza.** (aChord Centre, Hebrew University of Jerusalem, N= 1112; June 2025). 64% of Israelis believe that “there are no innocents” in Gaza (from 87% in supporters of Government to 30% among left-wing voters)
- **Overall view of the military response / proportionality.** Pew (fielded Mar–Apr 2024) found 39% of Israelis said Israel's response in Gaza was “about right,” 34% “not far enough,” 19% “too far.” In a 2024 SISR survey 47% of Jewish respondents thought *the Israeli army should not obey international laws nor maintain ethical values in war*¹¹
- **Perceived conduct toward civilians (IDI, July 2025).** A clear majority of Jewish Israelis considered that Israel is making substantial efforts to avoid unnecessary suffering; most Arab Israelis choose the alternative that Israel could significantly reduce suffering but chooses not to.
- **Humanitarian access to Gaza:** In Feb 2024, 68% of Jewish Israelis opposed allowing humanitarian aid even if provided by bodies not linked to UNRWA¹².

2. Support for apartheid.

- Pew 2014–2015 national survey (published 2016) showed that 79% agreed that Jews should have preferential treat-

ment over Arabs in Israel (85% among West Bank settlers). 48% of Israeli Jews agreed that all Arabs should be expelled or transferred from Israel.

3. Support for forced exile of all Gazans.

- Achord, an institute affiliated with the Hebrew University of Jerusalem, found that a 60% of Jewish Israelis supported the *cleansing* of Gaza (fieldwork August – September 2025). Polls by Channel 12 and Channel 13 soon after Trump's proposal “to exile Palestinians” found a consistent 69–72% support for “exiling/removing Gazans”. The Peace Index Survey from the Tel-Aviv University (March 2024) reported a 62% support to “evacuating Palestinians from Gaza, even by force or military means” confirmed by a Channel 13 flash poll (Sept 15 2025). The Israeli organisation Jews for Justice for Palestinians (JJJFP) concluded that combining all the surveys, there was a 74% support among Jewish Israelis to *expel all Palestinians from Gaza*¹³.

4. Support for acts of genocide among Israeli population.

- Penn State University conducted a poll (June 2025; n: 1005) on explicit support for genocide of the Palestinian people¹⁴. The full database has not been published and there are strong methodological concerns¹⁵. According to the Survey, and based on Biblical rhetoric, 50% of the population would support or approve genocide, understood as killing all Palestinians in Gaza¹⁶. The support was high-

10 Israel Democracy Institute. (2025, August 5). Israeli Voice Index – July 2025 (English data tables). <https://en.idi.org.il/media/28796/israeli-voice-index-july-2025-eng-data.pdf>;
Israel Democracy Institute. (2025, August 5). Large majority of Jewish Israelis: Israel making substantial efforts to avoid causing unnecessary suffering to Palestinians in Gaza. <https://en.idi.org.il/articles/60357>; Pew Research Center. (2024, May 30). Israeli views of the Israel–Hamas war. <https://www.pewresearch.org/global/2024/05/30/israeli-views-of-the-israel-hamas-war/>

11 <https://www.inss.org.il/publication/august-2024-survey/> (Question 21)

12 https://en.idi.org.il/media/23124/war-in-gaza-11-_data_eng.pdf

13 <https://jjfjp.com/a-grim-poll-showed-most-jewish-israelis-support-expelling-gazans-its-brutal-and-its-true/>

14 <https://www.genocidewatch.com/single-post/poll-show-most-jewish-israelis-support-expelling-gazans>; <https://archivinggenocide.com/penn-state-university-poll-findings/>; <https://jjfjp.com/a-grim-poll-showed-most-jewish-israelis-support-expelling-gazans-its-brutal-and-its-true/>

15 Internet-based survey; response rate 8.4%; used a system of dichotomous questions (yes/no) instead of the usual 5-points likert scale. The only methodological note is: <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fbpb-us-e1.wpmucdn.com%2Fsites.psu.edu%2Fdist%2F5%2F129010%2Ffiles%2F2025%2F06%2FSorek-Eliminatory-attitudes-method.docx&wdOrigin=BROWSELINK>

16 Support for Genocidal Actions: 47% supported the Israeli army acting like the biblical Israelites under Joshua in Jericho, interpreted as *killing all inhabitants of a conquered city*. Support for Expulsion from Gaza: 82% supported the forced expulsion of Palestinians from Gaza. Support for Expulsion of Palestinian Citizens from Israel: 56% backed expelling Palestinian citizens of Israel, creating a “pure” Jewish State. Belief in Modern-Day Amalek: 65% believed in a modern-day “Amalek” (a biblical

er among younger respondents (under 40), with over 60% supporting “killing all residents” among Traditional, Orthodox and Haredi Jews¹⁷. The results have been replicated in subsequent polls. Achord replicated the wording of the initial study in August and a new wave in September 2025, but including a neutral option and found consistently that 60% of Jewish Israelis still supported the “*complete cleansing of Gaza*”.

Tamir Sorek (2025), author of the Penn Study, interpreted the results not in a literal way, but according to his theory of a *Genocidal Imagination in Israeli Society*.

5. Support for coercive interrogations and torture of prisoners among Israeli population.

- B’Tselem (1998) released a pioneering and landmark study in May 1988 on support to torture among Israeli general population. The report included detailed description of *Shabeh*, a routine combination of torture methods used by the General Security Service (GSS)¹⁸. In a subsequent survey (n=600), 76% of Jews recognised shabeh as torture; 27% opposed its use in general; and 35% approved in ticking-bomb cases (Montell J, 2000). Since then, things seem to have changed. In 1999, the IFRC *People on War Survey* (n=600) reported that torture was “acceptable to obtain important military information” in 44%, with an increase (50%) in a follow-up seven years later (2016)¹⁹. The ICRC/Ipsos *Millennials on War Survey* (2019; Israel sample) question “*Is torturing captured enemy combatants acceptable under some circumstances, or never acceptable?*” found that only 23% of Israeli millennials answered “never acceptable” (lowest rejection among 16 countries)²⁰. The Peace Index (2015) found that support for physical meth-

ods (without a ticking bomb scenario) was higher than 55% in Jewish Israelis²¹. A Channel 12 / Midgam flash poll, Sept 3, 2025: In the context of detained Hamas members, 61% of Jewish Israelis supported “intensive physical pressure,” 24% opposed, 15% unsure, showing an increasing tolerance than in earlier years.

6. Attitudes of support for impunity and rejection of accountability mechanisms.

- Although none of the studies asked directly, markers of tolerance for misconduct by soldiers in salient cases can provide some light. A Channel 2 flash poll (Jan 2017; n= 666) showed 67% of Israelis supported a pardon for soldier Elor Azaria (see footnote)²²; 51% also opposed the final manslaughter verdict²³. A 2024 SISR survey found that 65% of Jewish (opposed to 21% of Arabs) considered that five soldiers suspected of severe abuses, including rape of a male detainee (see footnote)²⁴ should only be disciplined at command level and not face criminal prosecution²⁵. In an IDI, Aug 2025 Voice Index: 64% of Jewish respondents said “*investigating soldiers for alleged misconduct during war should be avoided until after absolute victory*”. Arab Israelis overwhelmingly disagreed.

enemy often associated with Palestinians); 93% of those who believed in a modern-day Amalek supported applying the biblical command to “wipe out Amalek.”

- 17 <https://deepnewz.com/israel/penn-state-poll-82-jewish-israelis-support-expulsion-gazans-56-expel-israeli-47-0d080350>;
- 18 https://www.btselem.org/publications/summaries/199802_routine_torture
- 19 https://www.icrc.org/sites/default/files/document/file_list/people_on_war_report.pdf
- 20 International Committee of the Red Cross. (2019). *Millennials on War* (Full report). Geneva: ICRC. https://www.icrc.org/sites/default/files/wysiwyg/campaign/millennials-on-war/icrc-millennials-on-war_full-report.pdf;

21 <https://www.972mag.com/views-on-torture-split-along-ethnic-lines-israeli-poll-finds/>

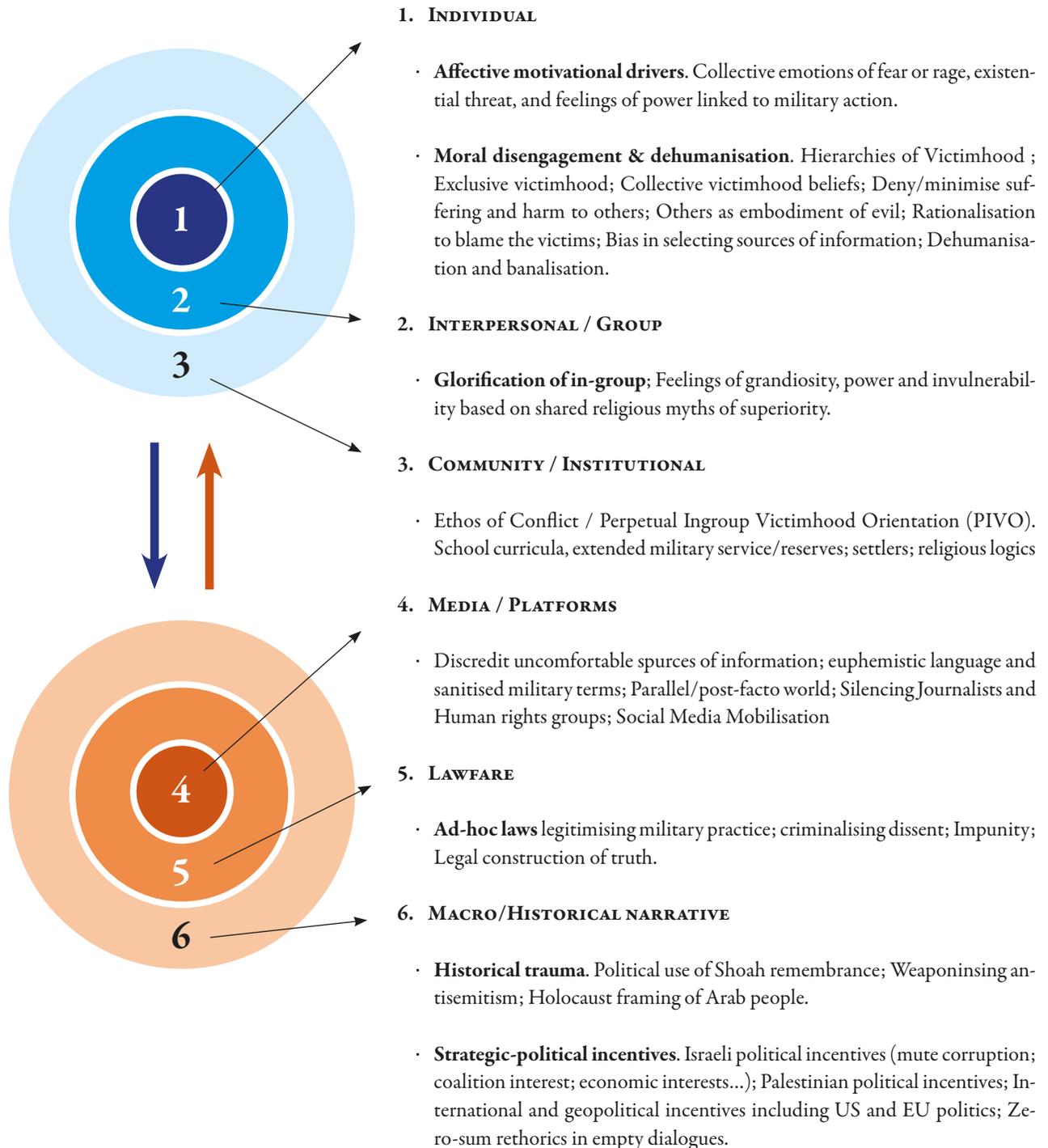
22 Elor Azaria, an Israeli Defence Forces (IDF) soldier, shot in the head defenceless Abdel Fattah al-Sharif, a Palestinian, that lay wounded on the ground in Hebron, after stabbing an Israeli soldier.

23 Times of Israel. (2017, January 5). Poll: 67% support pardon for Elor Azaria; majority oppose verdict. <https://www.timesofisrael.com>; Reuters. (2017, January 4–5). Poll shows majority favour pardon for Azaria. <https://www.reuters.com>.

24 They were IDF reservists at the Sde Teiman detention facility (Negev) accused of severe abuse of a Palestinian detainee—reported as a Hamas police officer—including aggravated sodomy (a charge equivalent to rape) and a sustained beating that, according to the indictment and Israeli coverage, broke ribs, punctured a lung, and caused an internal rectal tear. The incident occurred July 5, 2024. https://www.timesofisrael.com/liveblog_entry/house-arrest-of-5-soldiers-suspected-inside-teiman-abuse-case-extended-by-two-weeks; The soldiers are in house arrest while investigated. A military judge proposed mediation and the case had not yet gone to trial due to defence delays (July 2025). <https://www.haaretz.com/israel-news/2025-07-07/ty-article/.premium/judge-proposes-5-soldiers-accused-of-abusing-gazan-detainee-at-sde-teiman-enter-mediation/00000197-e49f-d615-ab9f-ed9f44680000>

25 <https://www.inss.org.il/publication/august-2024-survey/> (Question 14)

Figure 1. Mechanisms underlying radical pro-genocide positions



Hostage crisis

War aims vs. “bring them home”: 68% prioritise bringing the hostages home vs. 25% prioritising toppling Hamas; 49% say both goals cannot be achieved simultaneously (IDI, Apr 2025) and accuse the government of prioritising political objectives at expense of hostages lives.²⁶ 65% back a comprehensive deal freeing all hostages in exchange for ceasefire and full IDF withdrawal (IDI Aug 24–28, 2025). 72.5% say the Prime Minister should accept responsibility for October 7 and resign (now or after the war). More broadly, the government received low grades across multiple wartime issues (IDI, May 2024; Mar 2025)²⁷

Government performance and trust: 72.5% say the Prime Minister should accept responsibility for October 7 and resign (now or after the war). More broadly, the Government received low grades across multiple wartime issues (IDI, May 2024; Mar 2025). Furthermore, a national prospective cohort study among Israeli citizens (Levi-Belz et al., 2024) found that exposure to a potentially morally injurious betrayal by previously trusted leaders was associated with an approximately twofold increase in risk of PTSD and depression.

Again, although the public-opinion figures reported here derive from Israeli surveys, they differ in sampling frames, modes, and question wording. Several rely on opt-in online panels with post-stratification; subgroup estimates—especially for Arab Israelis—rest on small bases with wide confidence intervals. Some questions employ charged or Biblical framing that can prime punitive responses, and media ‘flash polls’ offer limited methodological disclosure. In brief, all point estimates should be treated as indicative and sensitive to wording and timing rather than definitive measures of stable attitudes. But in overall, Israeli public opinion since 2024–2025 shows limited empathy toward Gaza inhabitants and openness to most hard-line measures including torture, extrajudicial killings, apartheid or genocide. Even with acknowledged methodological flaws, the results are too stark to dismiss and point to a critical situation. The survey findings are profoundly alarming and raise serious ethical and humanitarian concerns that warrant attention from the international community²⁸.

²⁶ <https://en.idi.org.il/tags-en/1465>

²⁷ <https://en.idi.org.il/articles/58648>

²⁸ Although it might be hypothesized that similar questions should be posed to Palestinian citizens, there are no similar surveys on Gaza and West Bank populations. There are only some rigorous periodical data from the Palestinian Center for Policy and Survey Research (PCPSR) on support for 7 October 2023 attack, support for Hamas and the PNA and the desire of the Gazan population to emigrate, and flash surveys from the Arab Barometer (Palestinian political preferences and living conditions in West Bank & Gaza) and the Arab World for

How is it possible?.

Can academia provide some light on these worrying figures?. We adopt in this section a systems perspective to map the interplay of factors that helps explain these troubling figures. We will combine individual, psychosocial and community, collective, sociological and political aspects. Some of the elements we will detail have a higher level of evidence than others, but they are a sufficiently solid base to give food for reflection on what is going on. A summary is provided in Figure 1 which is just a guide to navigate the analysis that follows. Some mechanisms can be included in more than one category. For instance, *competing victimhood* is at the same time an individual mechanism of moral disengagement and a collective narrative that fosters social cohesion. In other words, this section must be read holistically: the figure reflects a system with mechanisms interact, compound, and reinforce one another.

Individual*Affective -motivational drivers*

In prolonged conflict, acute fear and a felt existential threat can make security-first narratives and the emotional relief of “regaining control” through force normalise ever-harsher measures. When lack of hope wanes and lives feel suspended, part of the population come to view extreme steps—including violence—as a way out (see Table 4).

Moral disengagement and dehumanisation

In conflict, even more in enduring and protracted conflicts, there is a debate on who are the “real victims”. In this competing victimhood scenario, empathy shrinks and support to hard measures increases, while if suffering is seen as shared, space for compromise with non-violent solutions increase. Furthermore the moral right to self-defence is linked to the alleged right to attack (see Table 5).

Denial of others’ suffering grows when the out-group is dehumanised and their accounts are dismissed as exaggeration or lies. Responsibility is shied with claims that “they brought it on themselves.” Moral stories cast the out-group as evil, so harsh measures seem not just allowed, but required. Furthermore, “both-sides” framing and selective forgetting blunt awareness of one’s own harms. To protect a positive self-image, communities reach for rationalisations, downplay harm, question intent, or look away. Empathy thins, and accountability feels less necessary.

Research and Development (AWRAD) and the Washington Institute for Near East Policy on Palestinian views of the US role in the war and, again, support to Hamas.

Table 4. *Studies supporting affective-motivational drives to hard-policies*

1. Emotions of threat, fear or rage (Cannetti-Nisim D, et Alt., 2009) and *existential threat* are associated with opposition to peaceful compromises.
2. Discourse around security and the right to be free from fear (Maoz, I. & McCauley, C., 2008). Authorities as granting collective security in front of the enemy as an ill-defined but omnipresent threat (Shalhoub-Kevorkian, 2015).
3. Feelings of power linked to military actions as a relief in front of fear, and helplessness. Different studies show that hope for victory predicts support for extreme war policies and violent intentions (Shani, M. et al., 2024; Kahalon et al., 2019).
4. Life project detained in time. Lack of hope and desire to end the situation by whatever means including the use of violence (Halperin, E. et al., 2011; Hasler, B. et al., 2023)..

Table 5. *Studies on moral disengagement and support to hard-policies*

1. Victim status. Hierarchies of Victimhood and who would be the true “victims”. In Israel/Palestine studies decades of research show that collective victimhood beliefs shape threat perception, empathy, and support for hardline policies; these effects are stronger when victimhood is framed as exclusive (our group *alone* is the victim) rather than inclusive (there are victims and suffering in both sides / the suffering of all victims deserves equal attention) (Bar-Tal, D, 2007, 2009; Vollhardt, J. R. 2009; Noor, M et al.-2012). Some studies suggest, by contrast, that while being remembered the Holocaust increases aggressive cognitions against Palestinians (Wohl, M.J.A et Alt, 2008), Holocaust survivors themselves and their offsprings tend to have guilty feelings rather than external aggression in front of atrocities (Nadler et Alt, 1985) when they do not feel threatened (Canetti, D. et Alt, 2018)
2. The moral right to “self-defence” linked to victim’s identity and status (Schori-Eyal, 2017).
 - Denial of the suffering of others. Including Dehumanisation [different mechanisms – use of language ; discrediting voices as exaggerated or false and others] (Maoz, I. et al. (2008))
 - Discrediting, denial and delegitimisation of victim’s voices. (Cohen, S. (2001))
 - Blaming the outer group victims for their victimhood. You brought it on yourself.
 - The other as the representation of *evil*. Self-protecting narratives to recall and confirm (self-fulfilling prophecies) all evil qualities in the other group. As you are fighting the evil (or the barbarians), your violence is not only morally correct, but morally required. (Bandura, A. 1999; Bar-Tal, D. 1990; Bar-Tal, D., & Teichman, Y. 2005)
 - The Two Evils discourse – Both sides have committed evil acts and it is balanced and wise to consider them as basically equivalent.
 - Selective amnesia for one’s group wrongdoings (Roccas et alt, 2004).
 - Self-preservation: the need to avoid individual and collective guilt through rationalisations that minimise in-group culpability, by downplaying harm, denying responsibility, or engaging in dissociation
3. Proximity to harm in a small society - “we all are victims”. A nationally representative telephone survey of Israeli adults (2006; n=500) found that 11.2% reported direct exposure to a threatening incident and 20.2% reported exposure of a family member or friend (Bleich et Alt, 2006). Among non-direct exposed persons, fear is predicted by negative self-labelling as victim, while decreases by self-labelling as survivor or fighter (Cohen-Louck et alt, 2025)
4. Self-serving bias in sources of information.
 - Selection of sources of information confirming ones’ worldviews, victimhood status and offenses, and nurturing a sense of outrage (Schori-Eyal, N., Halperin, E., & Bar-Tal, D., 2014, Brady et alt, 2021).
 - Avoiding uncomfortable information. A PRC Poll (2024) found that 72% of people favor removing war images of Palestinians from TV and media¹.
 - Desensitisation through affectless saturation of atrocity imagery. A longitudinal study with youth in Israel/PA found repeated media exposure to ethnic-political violence predicted an increase in violent responses through a desensitisation mechanism (Bruneau et Alt, 2017; Dvir-Gvirsman et Alt, 2014)

1 <https://www.pewresearch.org/short-reads/2024/08/26/many-israelis-say-social-media-content-about-the-israel-hamas-war-should-be-censored/>

Table 6. *Preliminary studies on Institutional and Community elements fostering genocide policies.*

1. Political discourses and versions of history in schools and educational institutions (Harbourn, 2024). As an example, Peled (2012) offers an extensive analysis of Israeli textbooks, arguing that they construct a strong biased collective identity that serves to justify occupation.
2. Prolonged military service, where young adults can be indoctrinated and reinforced in ideas linked to defence and war. For instance, Levy et al. (2008) found that military service melds the young soldiers' conceptions of citizenship, and is a powerful mechanism of legitimising a militarised and class-differentiated social order. Kimhi and Sagy (2008) also showed a routinisation of coercive roles in former soldiers assigned to roadblock duties. Furthermore, different studies show that exposure to combat hardens attitudes toward the Palestinians and reduces support for negotiation and compromise towards peace.. These attitudes translate into voting behaviour: combatants are likely to vote more for right-wing parties (Grossman G, 2015).
3. Settlements and other social / ideologically cohesive communal spaces (Bar-Tal, 1995; Perliger, A, 2015). Cohesive communities actively produce and enforce hard-line norms through day-to-day social processes, with shared values and rituals and progressive group polarisation and radicalisation linked to reduced out-group contact and proximity to conflict areas with heavy military presence¹.
4. Creation of an Ethos of Conflict as a general orientation for society and transmitted across generations (Sharvit, K. et al, 2007). The concept was coined by Bar-Tal (2013) in his seminal book to describe a socially shared belief system that (a) makes sense of chronic threat, (b) legitimises in-group goals and means, and (c) prescribes norms for “how we think/feel/act” toward others. A somehow similar concept is Perpetual Ingroup Victimhood Orientation (PIVO) as a stable belief system in which people chronically construe their ingroup as an enduring, uniquely targeted victim, across time and situations. It functions like a lens to read the context: and is linked to harsher conflict attitudes and lower support for reconciliation (Schori-Eyal, 2017). While Ethos of Conflict refers to an intergenerational societal narrative (macro level) that teaches you how to think, feel and do in a chronic conflict, PIVO has been formulated as an individual orientation cognitive globalised belief (micro level).

1 In Pedahzur, A., & Perliger, A. (2011). *Jewish terrorism in Israel*. Columbia University Press, the authors map **settler-linked extremist networks**, their ideology, socialisation sites, and tactical repertoires, defining them as “terrorist groups”. And updated document is International Crisis Group. (2024, September 6). *Stemming Israeli settler violence at its root* (Report No. 246).

People seek sources that confirm their views and avoid unsettling facts and raise tolerance for severe pro-genocide policies.

Moreover, in small, tightly connected societies, many people face direct or near-direct threats. A shared sense of “*we are all victims*” increases solidarity and resilience, but it can also narrow empathy across the divide and hardline measures then feel correct and protective.

Interpersonal/Group.

When times feel unsafe, shared identity elements—religion, traditions, music, history—bring people together. The use of emotionally charged and powerful identitarian concepts that reinforce collective identity and provide a sense of togetherness and security. (Zerubavel, Y, 1995). But at the same time, radical narratives of *glorification* linked to feelings of grandiosity, power and invulnerability, often linked to shared myths about being superior to others, chosen by God, entitled to sacred privileges and rights, promote extremist attitudes (see empirical studies by Selvanathan, 2020; Roccas, 2006).

Institutional/Community

Community institutions—schools and universities, the military and reserve units, settlements and other cohesive communities, religious organisations, local councils, and media—are everyday settings where identities are formed, where norms are reinforced, and lessons are passed across generations. Preliminary research show the links with genocide policies (see Table 6).

Media/Platforms

Media shape what people see and how they judge it. In polarised settings, audiences sort into partisan outlets. Selective exposure increases, with emotionally charged content. Although independent and public-service journalism helps to counter media bias and promote accountability, covert operations aimed at controlling the media disrupt this balance. They seek to exert influence without attribution or transparency. Tactics include planted stories, covert funding, editorial pressure, and advertorials masked as news (see Table 7).

Table 7. Media determinantes of hard-line and pro-Genocide positions.

1. Discredit of sources of information that report uncomfortable information. (e.g. smear Campaign against UNRWA, HRW or Amnesty International). These dynamics are fuelled by official discourse — for example, the 2016 “Transparency Law” targeting NGOs¹, which labels and stigmatizes them. Such measures seek to undermine public trust in critical information sources and in those who disseminate them.
2. Use of standardised, media-aligned euphemistic language that alternately employs threatening or sanitised militarised terms, as needed (e.g., civilian casualties labelled “terrorists”; “neutralised” rather than “killed”; “targets” instead of homes/buildings)². Research shows that language choices shape threat perception and legitimise harsher policies (Bar-Tal, D., 2007). Society gradually becomes habituated to manipulated realities and ad-hoc terminology, normalising and internalising such rhetoric.
3. Creating a parallel / post-facto world (i.e. health centres and hospitals are terrorist basis; doctors are portrayed as terrorist commanders; ambulances as combat transport, schools/UN facilities as weapons depots, residential blocks as “launch sites” or “terrorist infrastructure” and casualties in targeted bombing as “affiliates” (Dor, D., 2004).
4. Silencing of Journalistic and Human-Rights Oversight. The Committee to Protect Journalists (August 2025) summarizes 197 journalists and media workers confirmed killed: 189 Palestinians (in Gaza), 2 Israelis, and 6 Lebanese³. Similar figures are provided by Reporters without Borders⁴. As an example, in 2014, Israel’s public broadcaster refused to air B’Tselem’s radio spot reading the names of Gaza’s dead children; the High Court upheld the ban⁵
5. Orchestrated Social-Media Mobilisation. Coordinated digital influence through apps, bots/AI, and mission-based campaigns that simulate consensus and suppress counter-narratives. This targeted campaigns spread deceptive information⁶ and create a simulated international consensus around Israeli positions supporting narratives of dehumanisation that minimise civilian harm
 - Think-tanks monitoring social media. For instance ACT-IL, a smartphone app self-defined as an on-line community that acts⁷ to “detect and fight” antisemitism⁸. Act-Il claims to have millions of user worldwide, although no independent empirical examination of its impact has yet been conducted.
 - Manipulation of voting preferences. An international consortium of journalist uncovered “Team Jorge”, a team of contractors based in Tel Aviv who claim to have manipulated more than 30 elections around the world using hacking, sabotage and automated disinformation⁹. According to this research, the company controls a vast army of thousands of fake social media profiles on X, LinkedIn, Facebook, Telegram, Gmail, Instagram and YouTube. The company has an official registration in the Israeli Ministry of Defense⁸

1 Human Rights Watch. (2016, July 13). Israel: Law targets human rights groups (NGO “transparency” law). <https://www.hrw.org/>

2 Levy G, Levac A. To Understand What ‘To Neutralize’ Means, Look at This Broken Palestinian . Haaretz. Nov 13. 2015 ; The Guardian. (2024, June 24). *Israeli documents show expansive government effort to reframe debate via “Voices of Israel/Concert”*; The Intercept summary via Nieman Lab. (2024, April 16). *Leaked NYT Gaza memo tells journalists to avoid words “genocide,” “ethnic cleansing,” and “occupied territory”*.

3 <https://cpj.org/2023/10/journalist-casualties-in-the-israel-gaza-conflict>

4 <https://rsf.org/en/israel-gaza-war-list-journalists-killed-line-duty-palestine-israel-and-lebanon-gets-longer>

5 <https://www.theguardian.com/world/2014/jul/24/israel-bans-radio-advert-listing-names-children-killed-gaz>

6 Meta / Reuters. (2024, May 29). *Meta identifies networks pushing deceptive, likely AI-generated content* (network linked to Israeli firm STOIC). Reuters. <https://www.reuters.com/>; OpenAI / The Guardian. (2024, May 30). *OpenAI says Russian and Israeli groups used its tools to spread disinformation* (STO-IC). <https://www.theguardian.com/>

7 Users can download and install it and where users are given “missions” to comment on articles, send complaints, discredit pro-Palestinian positions etc.

8 <https://www.abbaeban.runi.ac.il/act-il>

9 Guardian, The. (2023, Feb. 15). *Revealed: The hacking and disinformation team meddling in elections (“Team Jorge”)*. <https://www.theguardian.com/world/2023/feb/15/revealed-disinformation-team-jorge-claim-meddling-elections-tal-hanan>

Institutional/State

Lawfare refers to the strategic use — or misuse — of legal systems, institutions, and processes as instruments to achieve military, political, or strategic objectives, often by delegitimising opponents or constraining their actions under the guise of legality. It enables “hard” policies by declaring coercive practices lawful. When severe measures are framed as legal, public support rises; when framed as illegal, it falls. Dissent is criminalised. Law can also be instrumentalised to produce impunity and white-wash human rights violations, providing a sense of legality to the population more prone to pro-genocide attitudes (see Table 8).

Table 8. *Empirical evidences and studies on lawfare and the legitimisation of violence and pro-genocide positions.*

1. Ad-hoc laws legitimising military practices and violent behaviours. Studies show that what is “legal” is presumed legitimate, irrespective of how abhorrent or egregious might be. Different survey experiments (none with Israeli samples) consistently found that when harsh measures (torture, drone strikes, bombing) are presented as lawful or routine, popular support rises; when described as illegal, support falls (Wallace, 2013).
2. Criminalising dissent¹ (e.g. Anty Boycott Laws including deny of entry visas to foreigners who advocate BDS campaigns). (ACRI, 2017; Brin, 2012)
3. Instrumentalising law as related to impunity. Yesh Din reports that in 2017–2021 1,260 complaints were filed against Israeli soldiers; only 0.87% led to prosecution. The NGO concludes the military law-enforcement system largely “whitewashes” offenses, sustaining a trigger-happy use of lethal force². UN assessments and reports link impunity to more unlawful killings and sustained violent practices (OHCHR, 2025)
4. Legal construction of truth. I.e. legal tools like the Nakba Law³ that privilege some collective memories while silencing or marginalising others (Gutman, 2021; Kapshuk, 2021).

- 1 Chachko, E. (2017, March 9). The Israeli anti-BDS travel ban in (legal) context. *Lawfare*<https://www.lawfaremedia.org/article/israeli-anti-bds-travel-ban-legal-context>
- 2 https://www.yesh-din.org/en/law-enforcement-against-israeli-soldiers-suspected-of-harming-palestinians-and-their-property-summary-of-figures-for-2017-2021/?utm_source=chatgpt.com
- 3 The Law proposed from criminal penalties to financial sanctions to organisations that commemorate the Nakba, in what scholarly work has labelled as “forced forgetting”.

Table 9. *Studies linking Holocaust suffering and transgenerational trauma with present-day violence and genocide.*

1. According to some Israeli / Jewish scholars, Holocaust / Shoah immense sufferings have been used for decades as a political tool to deflect criticisms, justify hard-policies and gain legitimacy for political purposes (Finkelstein, N. G., 2003). The Shoah is not only remembered; it is instrumentalised as political capital to build identity, discipline dissent, and justify state force¹.
2. Weaponising of antisemitism². Expansive, politicised definitions of antisemitism are used to delegitimise criticism of Israeli state policies, having a chilling effect on debates (Gordon, 2024; Tatour, 2024; Gould, 2020). This observation does not contest the reality or gravity of antisemitism; it just addresses policy implementation and safeguards for legitimate speech.
3. Continual mourning and (unresolved?) collective trauma (Schori-Eyal, 2017) have also been linked to hard-policies. Vamik Volkan (2001, 2013, 2021), has produced on unresolved trauma and grief and in which way impedes Arab-Israeli dialogues. Experimental studies show that flagging collective victimhood functions in reinforcing a particular collective identity narrative that, in turn, facilitates, in the long term, more exclusionary attitudes (Shelef, N. et al., 2024).
4. Holocaust-Equivalence Framing. Identification of present aggressors (Arabs) with past aggressors (Nazi perpetrators)³. Different studies show how from the 1940s–1970s and again in later right-wing discourse, Arab enemies were framed as the Nazis’ successors or Nazi sympathizers bent on Jewish destruction (Steir-Livny, L. 2016; Turner, M., 2019)

- 1 According to his analysis there are 4 linked phenomena: (1) The state curates memory in schools/rituals, sacralising the Shoah and reinforcing a sense of permanent threat. Leaders mobilize “permanent threat” narratives (2) “Never Again” is framed particularly to policy legitimization and to justify security-maximalist policies (wars, occupation, settlements). Jewish suffering is privileged; universalist readings (“never again for anyone”) are marginalised. Furthermore, sacralisation of memory risks a blank-check effect—current injustices get obscured under the aura of past victimhood.
- 2 See a comprehensive/balanced review in: https://en.wikipedia.org/wiki/Weaponisation_of_antisemitism
- 3 Netanyahu in a discourse to the Knesset (2023, Oct 21) said “Hamas is the new version of Nazism”. In a incendiary speech to the 37th World Zionist Congress accused the second world war Palestinian grand mufti of Jerusalem of having suggested the genocide of the Jews to Adolf Hitler.

Historical Trauma Narrative

Historical trauma – the legacy of the Holocaust.

This is a highly sensitive subject and we proceed with the utmost respect, mindful of diverse experiences and the deep historical and present roots of harm and trauma. Over the past three decades, some Holocaust scholars and researchers have examined how memories of the Shoah are mobilised for political capi-

tal to legitimise violence and exclusion (see Table 9). Antisemitism is discrimination, prejudice, hostility, or violence against Jews as Jews—and against Jewish institutions as such. It does not preclude legitimate criticism of governments or political actors, which becomes antisemitic only when it relies on anti-Jewish tropes, demonises Jews as a collective, or denies them rights as Jews. Critics also warn that expansive, politicised definitions of antisemitism are used to silence dissenting voices. Furthermore, social-psychological work links continual mourning and unresolved collective trauma to hardened conflict attitudes.

Table 10. *Selection of political incentives and constraints linked to hard violent policies.*

1. Israeli Political incentives and constraint. Among others, crises can mute corruption scandals, crowd out socio-economic discontent or counteract falling approval of Government, especially in relation to the hostage crisis (Berbebi and Klor 2008; Getmansky and Zeitsoff, 2014). Coalition maintenance: dependence on religious and ultranationalist partners; Intra-right competition to appear tougher than rival. Including framing conflict in civilisational or biblical terms; protecting/advancing West Bank settler's projects; : institutional and economic incentives around the Israeli military and defence sector.
2. Palestinian political incentives. Among others, acting into factional rivalry: Hamas vs. Fatah/Palestinian Authority competition for legitimacy (e.g., prisoner releases, “resistance” credentials); Gaza as an excuse to military actions to deter or message Hezbollah/Iran and other Arab countries.
3. International and geopolitical incentives. Among others: US domestic internal cycles, economic and military interest in escalation of conflict, and the business of reconstruction; European Union inability to solve internal contradictions between collective guilt towards Jewish Genocide and horror towards Palestinian Genocide. Use of collective guilt of past perpetrators (Germany¹ and other European countries) to ensure their position as allied or at least bystanders (Marwecki, D., 2020).
4. Negotiation dynamics and rhetorical frames. Among others: Use of victimhood narratives and zero-sum rhetoric (any gain for the other side is a loss for one's own) reducing to a minimum the space for compromise. “Reconciliation” without policy: peace-sounding language without real political will, leading to frustration of expectations and periodically bursts into violence.

1 Angela Merkel in a speech to the Knesset (2008, March 18) defined Israel's security as part of Germany's Staatsräson (reason of state), translating Holocaust memory and German guilt into a standing commitment of political/military backing in any circumstance.

Strategic–Political Incentives and Constraints

Finally we include several contested, case-specific propositions as theory-informed hypotheses about political incentives, international constraints, and negotiation frames. They draw on well-established mechanisms in political science and conflict studies, but rely here on grey literature and contemporaneous Israeli/Palestinian sources. We therefore present them in Table 10 not as causal findings but as plausibility claims to be tested against rival explanations, and updated as systematic evidence accumulates.

Conclusions

The unique collection of papers in this Special Section is an impressive academic effort that provides data and reflections on the on-going situation and grounded support to the claims that genocidal acts are being committed by Israel against the Palestinians, a conclusions shared by most major human-rights and legal organisations and United Nations human rights mechanisms. Pending a final decision, ICJ provisional measures also frame a grave risk that trigger State obligations to prevent genocide, an obligation owed by all States.

The analysis of public opinion polls and studies, plus an analysis of the community, social and political situation and the social mechanisms that make genocide possible, portray an extremely dangerous situation. The convergent evidence shows an acutely dangerous environment in which the ongoing genocide—already among the worst human-made disasters of our time—risks further escalation.

We have seen, in a detailed and documented analysis, that a multi-level mechanism network—from individual affect to legal–policy legitimisation interacts and accumulates over time.

The banalisation of violence. The Gaza conflict has produced a profound process of moral disengagement within Israeli society²⁹. There is a banalisation of suffering, where psy-

29 In cities such as Sderot, bombardments have become a form of spectacle: people gather at viewing points and pay to watch

chological distance and dehumanisation turn collective trauma into spectacle³⁰. Violence and death ceases to be a tragedy and becomes a mediated event—digestible, sharable, and thus socially permissible.

From trauma to collective indifference. The trauma of October 7, 2023, has functioned as a catalyst for collective social and moral closure. Instead of fostering reflection, it has reinforced defensive nationalism grounded in fear and revenge. Survey data reveal a widespread endorsement of punitive attitudes, including collective punishment, forced transfer, starvation and denial of Palestinian civilian innocence. This psychological and sociological shift—from victimhood to moral assumption of perpetration—reflects Bandura’s mechanisms of moral disengagement: diffusion of responsibility, moral justification, and displacement of ethical agency under the guise of survival, some very well known mechanism in contemporary genocides (including Balkans, Rwanda and the Nazi Holocaust).

Identity shifts and moral erosion. Public discourse in Israel has progressively moved toward the normalisation of extremist positions. Ideas that once belonged to the margins—such as ethnic cleansing or total annihilation of Gaza—now circulate in mainstream media and political speech. Scholars such as Daniel Bar-Tal and others reviewed in this editorial have been advising since the 1990’s of this progressive tendency in Israeli society in which absolute victimhood and righteousness extinguish empathy. Rationalisation mechanisms—selective comparison, context denial, victim-blaming—sustain violence without inner moral conflict and a loss of basic ethical and human values. Collective trauma becomes not only a justification but a core identity component, turning aggression into a form of moral cohesion.

Responsibility and dissent within Israeli society. Despite this dominant ethos, small groups continue to resist and denounce the drift toward genocidal logic. Yet their public

visibility is marginal, and repression of dissent illustrates how the boundaries of legitimate discourse have narrowed. From a psychosocial standpoint, endorsing violence now operates as a ritual of belonging: to question it is to risk exclusion. Media polarisation and securitarian politics reinforce this closure, producing a cognitive environment where critical reflection equates to betrayal. The transformation of dissent into deviance reveals a profound reconfiguration of democratic culture.

Learning from history. Security is not achieved by revenge. On the contrary, revenge perpetuates the cycle of violence and endangers the Israeli society. Real security requires stopping dehumanisation. The idea that in a society, like the Palestinians, there are “no innocents” is not only obviously false but dangerous: It normalises mass crimes, isolates Israel and erodes key alliances. Famine and starvation, justifying lawfare and normalising the killing of journalist destroys democratic principles of a society. The trauma of October 7th is real, but pain does not grant a license to deny the rights of millions and break international law.

Jewish ethics offer another path. Within Israel’s own moral and theological tradition lie resources to resist moral corrosion. The principle of *Pikuach Nefesh*—the duty to preserve human life above almost any other commandment—asserts that saving even one life outweighs national, religious, or political imperatives³¹. Likewise, *Tzelem Elohim*, the belief that every person is created in the image of God³², affirms the inherent dignity of all human beings, including those considered enemies³³. Reclaiming these ethical pillars would not weaken Israeli identity but deepen it, reconnecting collective security with moral responsibility. To remember that the protection of life is itself a sacred act is to challenge the normalisation of violence from within one’s own moral framework, rather than through external condemnation.

The impossibility of understanding. The very nature of such processes makes it impossible for those living through them to fully comprehend them in the present. They lack the necessary cognitive and emotional distance to avoid an intense—and entirely understandable—rejection of the data and analyses presented in this editorial. The lenses of an identity

explosions. Le Monde. (2025, 23 de julio). “*The best show in town*”: From a hilltop in Israel, observers have a sinister view of Gaza bombings. Le Monde. https://www.lemonde.fr/en/international/article/2025/07/23/the-best-show-in-town-from-a-hilltop-in-israel-observers-have-a-sinister-view-of-gaza-bombings_6743627_4.html

30 In cities such as Sderot, bombardments have become a form of spectacle: people gather at viewing points and pay to watch explosions. Le Monde. (2025, 23 de julio). “*The best show in town*”: From a hilltop in Israel, observers have a sinister view of Gaza bombings. Le Monde. https://www.lemonde.fr/en/international/article/2025/07/23/the-best-show-in-town-from-a-hilltop-in-israel-observers-have-a-sinister-view-of-gaza-bombings_6743627_4.html

31 Glustrom, S. (n.d.). *Saving a life (Pikuach Nefesh)*. My Jewish Learning. Retrieved October 7, 2025, from <https://www.myjewishlearning.com/article/saving-a-life-pikuach-nefesh/>

32 Shultziner, D. (2006). A Jewish conception of human dignity: Philosophy and its ethical implications for Israeli Supreme Court decisions. *Journal of Religious Ethics*, 34(4), 663–683. <https://doi.org/10.1111/j.1467-9795.2006.00289.x>

33 Dorff, E. N., & Crane, J. K. (Eds.). (2012). *The Oxford Handbook of Jewish Ethics and Morality*. New York, NY: Oxford University Press

built around violence color every perception and shape the entire interpretive framework. Only the passage of time—perhaps even one or two generations—will allow enough distance to question the dominant narrative and grasp the full extent of the harm inflicted. The new scenario that is opening up with the release of the hostages should mark a turning point and soften the sociological trends noted in this editorial. Only time will tell whether this is indeed the case and whether emotional, group, sociological and political de-escalation will prevail.

The role of the international community. Indifference or enthusiasm toward Gaza's destruction cannot be treated as an internal Israeli phenomenon. International actors, by accepting uncritical security narratives, indirectly normalise moral impunity. Global institutions should recognise public dehumanisation as a precursor to international crimes. And provide effective responses more than diplomatic statements.

The voices of conflict. In this analysis, two additional points deserve special attention: (1) The courage of the Palestinian organisations, some of them contributing to this issue, that even being criminalised and accused of being accomplices to terrorism, their workers targeted, their resources frozen and their professionals threatened, keep on documenting and helping having updated data. (2) The incalculable value of Israeli organisations that, in a near-impossible context from every angle, persist in raising their voices for human rights—even at the cost of a double exposure: to grief and to accountability. At a crossroads where they are viewed as both wounded and implicated, as part of the perpetrators for some, and as part of the victims for others, and asked, both for protection and for reckoning, and facing in daily seemingly unsolvable moral dilemmas, and still refuse to fall silent.

Ultimately, Israeli society stands before a critical threshold. Its capacity to uphold humanitarian principles amid collective trauma will determine whether it remains a democracy anchored in human rights or slides into a permanent state of exception. Understanding these dynamics is not only Israel's challenge but a global responsibility. To witness and remain silent is, itself, a form of complicity in the normalisation of an unfolding genocide.

In this issue

The core of this regular issue is a Special Section of papers drawn from a Call for Papers on torture in Israel and Israeli-occupied Palestine launched early this year, coordinated by a multinational team of eight Guest Editors: Jens Modvig (Denmark), Tania Herbert (Australia), Mahmud Sewail (Occupied Palestine), Malcolm Evans (UK), John Schiemann (US), Daniel Weishut (Israel) and Nora Sveaass (Norway). We publish this dossier to

advance our mission of leading rigorous, evidence-based debate on torture—even when the topic is politically charged and methodologically difficult—and in continuity with prior special sections on Rwanda, the Balkans, Guantánamo, and other contemporary conflicts where torture is a central issue.

Since the Call was launched, we undertook targeted outreach in Israel, proactively contacting human-rights organisations and inviting submissions from affected communities, including victims of the October 2023 attacks. On the Palestinian side, we also contacted Gaza and West Bank organisations, making available to those wishing to submit articles secure communication channels, style editing and translation support, and flexible deadlines. We also offered optional partnering with institutions (e.g., DIGNITY—Danish Institute Against Torture and SiRa-Spain). The aim is a rigorous, diverse record that foregrounds survivor testimony alongside clinical, legal, and human rights analyses.

The collection opens with the testimony of Hatem Abu Zaydeh, a health researcher who presents an autoethnographic account of his life and that of his family since October 7th, 2023.

Three papers cover the situation of Palestinian prisoners in a complementary way. Mahmud Sewail et al. (Palestinian Treatment and Rehabilitation Centre for Victims of Torture - Ramallah) present a post-detention study of 100 Palestinian detainees from the West Bank and Jerusalem; Maha Aon et al. (Palestinian Centre for Human Rights-Gaza) analyse a parallel post-detention sample of 100 prisoners from Gaza; and Layan Kateb and Rania Faqeh from Addameer Prisoner Support and Human Rights Association, document torture methods and their effects during detention through systematic lawyers' visits. Taken together, the studies converge on comparable techniques, intensity/frequency, as well as physical and psychological sequelae, enabling cross-contextual comparison and a cohesive picture of practices and harms across the occupied Palestinian territories. In addition, Grant Shubin contributes with a legal analysis of gendered power as an instrument of torture in Palestinian detainees, while Samah Jabr, Mental Health Coordinator of the Palestinian National Authority, reflects on torture as an apparatus of domination and the psycho-political logic underpinning its use against Palestinians.

The next two papers broaden the lens. The first revisits Walid Nimer Daqqa (1951–2024), the longest-serving Palestinian prisoner at the time of his death, and his essay "*Melting Consciousness: The Redefinition of Torture*" (available primarily in Arabic). Lera et al. provide a critical synopsis and commentary of the book—offered in English as supplementary material—arguing that Israeli prisons operate as a microcosm and

metaphor of Gaza, and distilling lessons for understanding practices under the ongoing occupation. Central to Daqqa's analysis is the panopticon, the all-seeing eye that produces perpetual visibility, anticipation, and self-discipline. Complementing this carceral reading, John Hawkins explores the architecture of controlled space and surveillance in Gaza—walls and checkpoints, aerial reconnaissance, biometric registries, and algorithmic targeting—arguing how these spatial technologies translate into, allegedly, psychological torture through hypervigilance, loss of agency, and the compression of time and space. Together, the two contributions extend the discussion from the microphysics of prison to the governance of territory, illuminating a continuous repertoire of coercive techniques.

The following contributions address child-focused dimensions of torture and related coercive practices. Drawing on field documentation by Defence for Children International – Palestine (DCIP), Kathryn Ravey presents empirical findings and a legal analysis of the deliberate use of hunger and starvation against children in Gaza. Joel B. (Al-Haq Center) examine evidence of Palestinian children used as human shields by Israeli forces, situating these practices within the prohibitions of international humanitarian and human-rights law and highlighting accountability gaps.

Addameer's legal unit contributes with a doctrinal brief on the architecture of apartheid and the progressive erosion of Palestinian rights, tracing how legal-administrative instruments enable detention and abuse. Dana Abu Qamar—a Palestinian lawyer who has faced reprisals for civic engagement—surveys how Western governments have sought to suppress solidarity movements and pressure journalists, activists, and human-rights defenders, framing these measures as punitive torture with significant psychosocial effects.

Complementing the Palestine-focused pieces, the Lebanese Centre for Human Rights reviews and provide their own data and legal analysis on attacks by the Israeli Army against medical personnel and health facilities in Lebanon as violations, among others, of the Geneva Conventions and International Humanitarian Law.

Two Israeli human-rights organisations—PCATI (Public Committee Against Torture in Israel) and Physicians for Human Rights-Israel —analyse the impact of a joint conference in Tel Aviv in November 2024 aimed at raising public awareness of the prohibition of torture and strengthening uptake of the Istanbul Protocol in clinical-forensic practice.

Finally, the issue also includes an extended summary of the UN Special Rapporteur on Torture Alice Jill Edwards' report on hostage-taking as torture, and a review by Nora Sveaass of Malcolm D. Evans' *Tackling Torture: Prevention in Practice*.

All the papers in the Special Section reflect the opinion of the authors and not necessarily the opinion of the Journal, publisher and Guest Editors.

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Living through the war in Gaza: An autoethnographic account of psychological, humanitarian, and physical suffering of Gaza's inhabitants during the war in Gaza

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Abstract

Introduction: This paper presents an autoethnography from a Gaza-based scholar who documents, in real time, the war's effects on himself and his family. It situates a personal trajectory—bombardments, repeated displacement, injury, bereavement, and the collapse of essential services—within the broader humanitarian emergency, arguing that first-person evidence is indispensable to grasp lived experience and cumulative harm. *Materials and Methods:* Using an autoethnographic case-study design, the author combines contemporaneous field notes, direct observations across hospitals and shelters, and family narratives with publicly available situational reports. Narrative analysis is applied to episodes of displacement, rescue and burial operations, access to health care, and day-to-day survival under siege, to derive thematic patterns of risk, harm, and adaptation. *Results:* The account documents: (i) continuous exposure to airstrikes, artillery, and drones; (ii) direct physical harm to the author (tank-shell blast injury with persistent symptoms), (iii) family losses—the death of a son, a brother, and the disappearance and later recovery of his detained daughter—as well as the discovery and burial of his mother; (iv) health-system collapse (closures, staff shortages, lack of imaging and essential medicines) that intensified preventable morbidity and mortality; (v) repeated displacement through overcrowded shelters and hazardous checkpoints; and (vi) resource deprivation (famine conditions, unsafe water, disrupted transport). These stressors produced profound psychological distress, exhaustion, and functional impairment, exemplifying cumulative, multisystemic impacts on civilians. *Conclusions:* Autoethnography provides granular evidence of civilian burden that aggregate statistics cannot capture. Lessons for readers and practitioners include: protect health facilities and corridors; prioritize family-centred psychosocial care after bereavement and detention; pair needs assessments with first-person testimonies to detect hidden harms; and design humanitarian responses that address cumulative risks (safety, nutrition, water, mobility, and continuity of care) rather than siloed needs. The narrated events engage potential violations of international humanitarian and human rights law; therefore, responses should pair humanitarian relief with accountability: independent investigations with evidence preservation and survivor protection; avenues to justice (domestic courts, universal jurisdiction, ICC where applicable); and reparations. The narrative underscores the ethical and scientific value of survivor-authored documentation in conflict settings.

Keywords: Gaza, Humanitarian crisis, Trauma, Civilian casualties

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

Introduction

The Gaza Strip, considered part of the historical Palestinian territories, came under Israeli occupation in 1967 (Ben Naftali et al., 2005). Following the Oslo Accords signed in 1993 between the Palestine Liberation Organization (PLO) and Israel, Israel partially withdrew from the Strip, and the Palestinian National Authority (PNA) was established as a step toward the formation of an independent Palestinian state on the occupied territories (United Nations Special Coordinator for the Middle East Peace Process [UNSCO], 1993, Annex II).

In 2006, legislative elections were held in which Hamas, a movement that opposes the peace settlement process, secured a majority (Agha et al., 2024, p. 4; Khalidi, 2020, p. 285; Scholey, 2008, p. 131; The Carter Center, 2006). In 2007, Hamas took control of the Gaza Strip, leading to a significant weakening of the PNA's authority (Khalidi, 2020, p. 288). Subsequently, a blockade was imposed on Gaza¹, and the territory was subjected to several Israeli military operations, most notably in 2008–2009 and 2014².

- 1 Following the imposition of the blockade on Gaza, the entry of goods was severely restricted, exports halted, and fuel supplies cut (Euro-Med Human Rights Monitor, 2023). Movement in and out of the territory became rare, and according to Human Rights Watch (2022) this blockage turned Gaza into an “open-air prison.” By 2022, 81.5% of the population lived below poverty line, unemployment rate reached 46.6%, electricity was only available for an average of 11 hours per day and 95% of the population did not have access to clean water (Hassoun et al., 2024; United Nations Office for the Coordination of Humanitarian Affairs [OCHA], 2022)
- 2 Israel conducted devastating military operations in the Gaza Strip during 2008–2009, known as Operation Cast Lead (Baconi, 2018, p. 155), and again in 2014, known as Operation Protective Edge (Cohen et al., 2017, p. 5). According to different reports (AI, 2008, HRW, 2008), during Operation Cast Lead (Dec 27, 2008–Jan 18, 2009), the Israeli Air Force carried out close to 3,000 air missions and released roughly 1,000 tons of munitions over Gaza (Finkelstein, 2018). Israeli forces repeatedly used air-burst white phosphorus (WP) munitions over densely populated areas of Gaza, causing civilian deaths, injuries, and fires; documented strikes included the UNRWA compound and al-Quds Hospital, where the UN Fact-Finding Mission found Israel failed to take feasible precautions and violated IHL in its choice of weapons and methods. Independent field investigations by Human Rights Watch concluded Israel's use was unlawful given foreseeable incendiary effects in populated areas, and Amnesty International (2008) reported “clear and undeniable” evidence of widespread WP use. While WP is not per se banned under treaty law, using it as an air-burst in urban settings can breach the LOAC principles of distinction and proportionality. The assault combined intensive strikes from the air, artillery, and naval shelling, as well as the deployment of tanks on the ground. Israeli

In the years preceding the most recent escalation, Hamas invested in strengthening its military capabilities (Francona, 2007). On October 7, 2023, the group launched a large-scale attack on Israel, citing violations at the Al-Aqsa Mosque and the ongoing blockade of Gaza as motivations for the assault (Bubola, 2023; Byman & Holtz, 2023).

In response, the Israeli government initiated a wide-scale military operation in the Gaza Strip (Central Intelligence Agency, 2025; Kunichoff et al., 2024). Reports by international and United Nations bodies have characterized the war as highly destructive, highlighting the sharp rise in casualties and the rapid deterioration of humanitarian conditions. The International Criminal Court (ICC) also opened a preliminary investigation into allegations of serious crimes, including accusations of genocide, following a formal request by South Africa (International Court of Justice, 2023).

According to the World Health Organization (WHO) (2025) the official count of Palestinian casualties, which includes both fatalities and injuries, in the West Bank and Gaza from October 7, 2023, to the end of March 2025, was approximately 174,371³. Just in Gaza alone the recorded number of fatalities were 50,423 and 114,638 reported injuries. Furthermore, more than 70% of Gaza's buildings were reported to have been destroyed, resulting in widespread suffering among the population, whether directly or indirectly affected⁴.

Methodology

This study falls within the domain of qualitative descriptive research. Given its focus on a personal experience and an analytical narrative of the everyday lives of Palestinians during wartime, which reflects the profound suffering and pain endured by Gazans on a moment-to-moment basis, the case study method-

military offensives in 2008–2009, 2012, 2014, and 2021 led to significant civilian casualties and lasting destruction in Gaza. Alongside the ongoing blockade, which the United Nations has repeatedly warned is making Gaza “unlivable,” these assaults have intensified the humanitarian crisis (United Nations [UN], 2018). The United Nations Human Rights Council (2015) reported that Israel had engaged in actions amounting to war crimes.

- 3 See WHO (2025) for daily casualty and injury statistics since October 2023
- 4 United Nations News (2025) stated that around 92% of housing units (about 436,000 homes) in Gaza have been damaged or destroyed by April, 2025. Only 40% of buildings in all of Gaza are standing in March 2025, with only 28% of the infrastructure in the north still intact (Lavin et al., 2025). The war has destroyed major infrastructures in Gaza such as medical facilities, water and sanitation facilities, displacement camps, schools etc. (Médecins Sans Frontières [MSF], 2024).

ology—complemented by narrative analysis—was deemed the most appropriate method. This methodological framework enables a nuanced exploration of the phenomenon in its natural context, offering a more accurate depiction of reality and a deeper understanding of the socio-political environment surrounding the subject of the study: the war in Gaza.

This combination provides a detailed understanding of the daily experiences of Palestinians in Gaza during present Israeli Army military operations. To ensure a thorough analysis, personal narratives are placed within their socio-political context. This is achieved by integrating qualitative data with statistical information, reports, and historical documents. This approach links personal experiences to the larger conflict, offering a comprehensive understanding of the war in Gaza.

Positionality statement

I write as a former contributor to the Journal, now a survivor of Gaza bombings, speaking from within the destruction that has engulfed my family and me. This testimony is likely shaped by trauma and displacement, yet remains guided by the same ethics of accuracy and dignity as my earlier work.

Findings

The campaign known as “Swords of Iron,” encompasses all dimensions: its objectives and military means; the targeted categories, including combatants and civilians of all ages; and critical infrastructure (United Nations International Children’s Emergency Fund [UNICEF], 2025; United Nations Relief and Works Agency for Palestine Refugees in the Near East [UNRWA], 2025, July).

The Israel Defense Forces (IDF) have employed every conventional weapons and munitions at its disposal, with the sole exception of their nuclear arsenal, which is estimated in 90 nuclear warheads⁵ (Nuclear Threat Initiative [NTI] (2024); Stockholm International Peace Research Institute [SIPRI], 2025) Although the principal force of the assault was delivered mostly by air, armed drones and by medium-range 155 mm artillery, the IDF has also deployed armoured units, massive D9 bulldozers, ground forces including sniper teams, and a full intelligence apparatus for surveillance and detainee interrogation

5 Israel have not yet signed or ratified the 2017 United Nations Treaty on the Prohibition of Nuclear Weapons (TPNW) and the Non-Proliferation of Nuclear Weapons Treaty (NPT) and it opposes the Fissile Material Cutoff Treaty (FMCT) (NTI, 2024) and they do not participate in the Middle East Zone Free of Weapons of Mass Destruction UN conferences that sets the norm for countries to commit to not use nuclear weapons (SIPRI, 2025, pg. 13)

(Amnesty International, 2024; Brumfiel, 2023; Gray, 2025; Stamatopoulou-Robbins, 2024).

This vast application of military tools inflicted enormous destruction and heavy human losses, resulting in sustained suffering and pain of varying degrees. Victims endured the loss of first and second-degree relatives, direct physical injury, repeated displacement with all its attendant hardships, severe shortages of basic food supplies, and extreme difficulty in accessing adequate healthcare. The constant threat of bombardment or injury—compounded by the incessant sound of explosions and overflights of combat aircraft and drones—deeply undermined any sense of security.

Moreover, everyday life became increasingly untenable due to prolonged power outages and the loss of all other energy sources; disrupted or severely limited communication; and the absence of transportation, as Israel prevented the entry of fuel (Human Rights Watch [HRW], 2024).

The daily hardships and agonies experienced by the Palestinian people in Gaza—reflected in my own personal observations—are shared, in varying degrees, by the vast majority of the territory’s residents.

The sounds of bombardment, gunfire, and air force

The Gaza Strip has been subjected to intense and continuous bombing since October 7, 2023. Incessant detonations, the roar of combat aircraft and drones, and small-arms fire have dominated the soundscape (Bishara, 2024; Human Rights Watch, 2023). To understand the scale of the bombardment, it is important to examine the specific types of attacks and their impact. The Israeli Air Force (IDF) has conducted hundreds of daily airstrikes, with over 592 craters from 2,000 lb Mark-84 bombs recorded in just the first six weeks (Kunichoff et al., 2024; Stein et al., 2023). Among these, the most terrifying are the close-range blasts caused by strikes from fighter jets and, on occasion, attack drones—whether within a few kilometres or at greater distances.

These explosions inflict massive energy, as the guided munitions used range in weight from approximately 100 g to 950 g (Kunichoff et al., 2024). Their primary targets are typically inhabited residential structures or agricultural land, as well as personnel directed drone missiles audible across several kilometres.

The devastating effects of these attacks are evident in specific incidents. For instance, on October 25, 2023, six one-ton bombs dropped on the Jabaliya Camp killed hundreds, mostly women and children (Gritten, 2023; ISPT0783⁶, 2025).

6 <https://airwars.org/civilian-casualties/ispt0783->

Figure 1. Map with different locations mentioned in this paper.



Map generated with OpenAI, Oct 13, 2025.

The nearest explosion I experienced occurred on 30 October 2023, when two missiles struck the home adjacent to ours (Muharram) family residence from the southern side without any prior warning, killing two occupants and nine neighbours in surrounding houses. On the evening of 17 November 2023, I experienced another explosion where two more missiles hit the home of the Zayn family on the western side of our street—

merely eighteen meters from our own house—resulting in 16 civilian fatalities, predominantly children, women, and an elderly man. These events align with reported large-scale air-strikes across northern Gaza during this period (UNRWA, 2025, January 4).

The accompanying red flash of these detonations was as horrifying as the sound itself, illuminating the surroundings like lightning, while dust and smoke engulfed the area for no less than fifteen minutes.

Occasionally, aerial bombardments produced “carpet bombing” effects⁷, whereby fighter air forces saturate entire city blocks or dispersed dwellings with heavy rockets weighing between half a ton (1000 pounds) and one ton each (2000 pounds) (Kunichoff et al., 2024; Office of the United Nations High Commissioner for Human Rights [OHCHR], 2024-a; Qiblawi, 2023; Stein et al., 2023).. Carpet or area bombing refers to the use of massive quantities of bombs over a wide area, intended to devastate infrastructure and break civilian morale (Douhet, 1921/2019; Bonura, 2011). Such practices are prohibited under Article 51 of Additional Protocol I to the Geneva Conventions, which forbids attacks targeting civilians (ICRC, 1977) On 25 October 2023, six oneton rockets were dropped on a residential block east of Jabalia Camp—according to Israeli military sources—resulting in hundreds of casualties, the majority of whom were women and children. A similar assault occurred on 1 November 2023 against the (Abu ‘Aida) family quarter west of Jabalia Camp, claiming 96 lives, mostly women, children, and the elderly. Israeli military statements claimed both strikes targeted highranking leaders within Palestinian armed factions, though the stated objective of the second attack has not been officially disclosed (Al-Mughrabi & Rose, 2023; Bertrand & Lillis, 2024; HRW, 2024).

Artillery barrages and armoured Units: Artillery fire ranks second in both intensity and terror. Usually, Howitzer artillery of 155 mm calibre delivered salvos of three to six shells at intervals of several minutes, typically from positions within 1,000 m of Israeli troop concentrations—either to shield those forces or to “prepare” populated areas by warning civilians ahead of armoured advances. Artillery rounds include nonlethal sonic and smoke projectiles used as final warnings. Each shell produces three distinct sounds: the launch from the gun emplacement near Gaza’s eastern or northern border, the whistle of the projectile in flight, and the impact explosion at the target. The launch is the loudest, while the whistle instils the greatest dread, mainly when the target lies nearby.

⁷ See Douhet (1921/2019), Bonura (2011), and ICRC (1977) on the doctrine and prohibition of area bombing

Armoured tanks likewise fire a variety of projectiles during their advances, and their heavymachine guns sprayed continuous fire in all directions—even when stationary—contributing further to the permanent sound of explosions.

Low altitude aircraft and unmanned aerial vehicles (Drones): Low-flying combat aircraft induced additional terror, their approach raising fears of imminent strikes, often compounded by “dummy raids” that sent entire neighbourhoods into panic at the prospect of incoming missiles. Reconnaissance drones—locally known as “Alzanana”—added a perpetual droning sound, broken only by inclement weather; multiple drones frequently patrolled simultaneously at varying altitudes, heightening anxiety over potential anti-personnel missile launches.

Geographic Scope of Audibility: Given the compact geography of the Gaza Strip (approximately 360 km² in area, some 41 km in length, and between 6 km and 12 km in width), the reverberations of explosions and aircraft is being exacerbated and can be heard by a large proportion of Gaza’s population, whether in the northern or southern regions, creating a continuously terrorladen soundscape that never relents.

Exposure to direct and indirect harm

By the end of March 2025, the number of Palestinian casualties resulting from Israeli military operations in the Gaza Strip had reached approximately 50,000 fatalities and over 110,000 injuries, including around 17,000 children and 11,000 women. According to WHO (2025), since October 7, 2023, an average of 91 individuals are killed in Gaza daily, comprising 28 children, 15 women, and 7 elderly, with a child being killed every 52 minutes. The WHO Global Health Cluster (2025) reported that, on average, approximately 200 individuals sustain injuries daily. Reports indicate that more than 10,000 of the injured individuals lost one or more limbs (Save the Children International, 2024, p. 3). According to the Palestinian Central Bureau of Statistics (PCBS), the number of individuals who sustained permanent disabilities and now require ongoing medical care has reached no less than 26,140 by the end of 2024⁸. Among them are an estimated 13,455 to 17,550 with severe limb injuries, and between 3,105 and 4,050 amputation cases, the majority involving lower limbs (PCBS, 2024).

These figures suggest that nearly every family in the Gaza Strip has experienced the loss or injury of at least one member. WHO (2024) reported that all children in the Gaza Strip have either endured multiple psychological traumas or are ex-

hibiting symptoms of post-traumatic stress disorder (PTSD). The magnitude of these losses becomes more staggering when contextualized against Gaza’s population of approximately 2.2 million by the end of 2023 (Al-Kilani, & Abu-Rass, 2025).

On the morning of November 17, 2024, Israeli surveillance aircraft dropped warning leaflets over my residential area, located west of Jabalia refugee camp in northern Gaza, urging residents to evacuate southward. This was accompanied by artillery shelling with smoke munitions; three shells landed in a wooded area near our home. Despite the warnings, there was no visible mass displacement, and I remained at home. At 10:23 p.m., our neighbourhood was subjected to heavy bombardment, with missiles directly hitting the home of our neighbours—the Al-Zain family—located just 15 meters from our house. The strike resulted in massive destruction, despite the fact that, to my knowledge, the targeted family had no political affiliations or links to any Palestinian factions. Fortunately, the damage to our home was limited to shattered windows and broken doors, and there were no physical injuries among my family members.

Figure 2. The remains of our family house after three bombings in four months (source: author).



⁸ In less than 23 months since the conflict began, 21,000 new instances of disability, both permanent and temporary, have been reported (Euro-Mediterranean Human Rights Monitor, 2025)

I rushed out to participate in rescue efforts, despite a total communication blackout. One resident used a bicycle to alert civil defence teams. Despite the danger and proximity to the strike site, some neighbours began retrieving the wounded and the deceased. Half an hour later, a second wave of shelling forced rescue teams and volunteers to retreat, although several individuals remained trapped under the rubble.

Subsequently, the nearby area known as “Al-Tayyeb Hall” was targeted in an airstrike using the “fire belt” technique. At that point, we realised that a ground invasion was imminent. I decided, along with my family, to relocate to my brother’s nearby home and take shelter in the ground-floor apartment, which we assumed would be safer. Several family members joined us, while my 80-year-old mother chose to remain in her home. Artillery and aerial bombardments continued past midnight, accompanied by massive explosions and flying shrapnel, causing widespread panic—especially among the children.

At dawn, we decided to flee to Palestine School, run by UNRWA, which appeared to offer relatively greater safety. A neighbour already taking shelter there welcomed us and offered us some food, despite the scarcity of resources. Later, the

rest of our family joined us, while others headed to shelter centres or relatives’ homes.

That same day, I returned to our home to retrieve our vehicle and essential supplies. I noticed traces of blood and shell fragments near the house, confirming the imminent danger. I quickly gathered what I could and left via side streets (Figure 2).

While staying with family at a relative’s home, a massive explosion occurred during the afternoon prayer, followed by two additional blasts within seconds. This caused a partial ceiling collapse and rubble to fall on our heads. We soon discovered that my 15-year-old son, Mohammad, was trapped under the debris, along with an 11-year-old girl and a 47-year-old woman—both of whom were our relatives. After approximately thirty minutes of rescue efforts, all three were found. Tragically, Mohammad had died due to a skull fracture (see Figure 3).

We were taken to Al-Awda Hospital, which was severely overcrowded and lacked sufficient medical staff. Despite ongoing bombardment, I decided to remain at the hospital overnight to await the burial ceremony the following day.

The death of my brother and the disappearance of my mother: On the morning of November 19, 2024, I went to the Indonesian Hospital, where the number of casualties had dramatically

Figure 3. *My family before the war. Since then, my elder son has been killed, my second and third boys have been severely injured and will have permanent sequels for their entire life, my elder daughter was detained and interrogated for four months and my younger daughter saw one of her kinder friends die and has not been able to sleep since (source : author).*



increased. Families were gathering to say their final farewells to their loved ones in an atmosphere of profound grief. During the burial ceremony, I learned of the death of my brother, Muneer (aged 53), after his body was found in an orchard near his home. This occurred while my siblings were searching for our mother, who had gone missing the previous night after leaving the shelter centre.

As we left the cemetery, an artillery shell landed approximately 150 meters away, confirming that the ground invasion of the camp was drawing near.

The collapse of healthcare infrastructure in Gaza

The escalation of hostilities in Gaza following October 7, 2023, has precipitated an unprecedented collapse of healthcare infrastructure, transforming an already compromised medical system into one characterized by near-complete systemic failure.

Pre-conflict healthcare infrastructure: Baseline vulnerabilities

Gaza's healthcare system prior to October 2023 demonstrated significant structural deficiencies that positioned it for potential systemic failure under stressful conditions. The Palestinian Central Bureau of Statistics (PCBS, 2024) documented a healthcare infrastructure comprising 35 hospitals with 2,614 beds, yielding a ratio of approximately 1.3 hospital beds per 1,000 population. This metric represents a critical deviation from international standards, where developed nations typically maintain three to eight beds per 1,000 people (OECD, 2023), indicating pre-existing capacity constraints that fundamentally compromised the system's resilience. Healthcare workforce distribution further illuminates systemic vulnerabilities. While 7,088 registered physicians and 12,195 registered nurses served Gaza's 2.2 million residents, resulting in a physician-to-population ratio of 2.8 per 1,000 (PCBS, 2024), this workforce operated within a fragmented infrastructure of 29 government hospitals and 64 non-governmental facilities (PCBS, 2024). The operational context was further complicated by demographic pressures, including high population density (5.5 people per household) and significant socioeconomic challenges, notably a 45.3% unemployment rate among those aged 15 years and over (PCBS, 2024). These baseline conditions established a healthcare system operating at the margins of functionality, with limited capacity to absorb additional stressors.

Systematic destruction and infrastructure degradation

Following October 7, 2023, the Israeli army systematically targeted most healthcare institutions across the Gaza Strip, including major and private hospitals, primary healthcare centres, and

paediatric and maternity hospitals⁹. By mid-2025, WHO reported 640 attacks targeting health facilities, 197 impacting medical transports. At least 301 health workers and 70 patients were killed or detained by Israeli forces (WHO, 2025). By July 2025, no fully functioning hospitals remained in Gaza, with only one Health Service Delivery Unit still operating (WHO, 2025). Ninety-four percent of hospitals were reported damaged or destroyed, neonatal care capacity collapsed by 70%, and shortages became acute: 70% of essential medicines were depleted, and half of all medical equipment was damaged (WHO, 2025; UNFPA, 2025).

This deliberate targeting significantly increased the number of casualties whose lives could have been saved had appropriate medical care been available. It also contributed to a rise in indirect mortality rates, particularly among pregnant women and children, due to malnutrition and the lack of basic healthcare services¹⁰. The Ministry of Health in Palestine reported that by August 2025, there have been 235 malnutrition-related deaths, which includes 106 children. Every single child in Gaza is at risk of famine, which is more than 930,000 children. By July 2025, over 5000 children under the age of five have been admitted to a hospital due to severe malnutrition, and 18% of them have life-threatening complications from malnutrition (WHO, 2025, July 27). The catastrophe has further exacerbated by the prevention of medical supplies and medications from entering the Strip, except for brief ceasefire periods during which the World Health Organization was permitted to deliver limited shipment.

The healthcare system collapse has exhibited distinct epidemiological patterns that disproportionately affect vulnerable demographic groups, creating long-term public health implications that extend beyond immediate conflict trauma. Paediatric populations have experienced particularly severe impacts, with over 12,000 children sustaining injuries requiring long-term rehabilitation services, including more than 1,000 who lost one or both legs within the first two months of intensified conflict (Nabulsi et al., 2025).

Testimony on the healthcare system collapse

Between December 16 and 24, 2023, I personally conducted multiple field visits to the emergency and reception department at Al-Shifa Medical Complex, the largest hospital in the Gaza

9 See WHO (2025), OHCHR (2025), and UNFPA (2025) for data on attacks against health and the collapse of Gaza's medical system." UN experts have termed this targeted destruction of healthcare "medicide" OHCHR, 2025).

10 See OCHA (2025) and WHO (2025) for data on malnutrition and famine-related child mortality.

Strip, located in northern Gaza Governorate¹¹. By July 2025, WHO (2025, July 1) reported that Al-Shifa hospital was operating at bare minimum capacity, overwhelmed by 100–150 trauma patients every hour. With beds full, many are treated on the floor, and some die in the emergency room or on the operating table. Fuel shortages and lack of electricity have shut down the dialysis unit, while ICUs and operating rooms rely on small generators.

At the time, I had been residing in the hospital as a displaced person for over a month. The emergency department represented a microcosm of the broader humanitarian suffering resulting from the brutal war.

The department was reopened on December 16, 2023, under extremely limited conditions. It operated with only a modest supply of medical equipment—barely enough to fill one-third of a truck—provided by the World Health Organization and staffed by volunteer medical personnel numbering no more than 20 to 30 individuals per shift. During my visit on December 24, I witnessed the department overflowing with the wounded, lying across beds, floors, and hallways. Some suffered from severe or moderate injuries, while those with minor wounds were left unattended for hours, as priority was given to life-threatening cases.

Nurses moved constantly between patients while the cries of the injured and groans of pain echoed throughout the facility. Desperate pleas for assistance from patients' companions were constant. What struck me most—and left me deeply disturbed—was the large number of wounded children, including three suffering from severe burns, whose moans of pain never ceased.

At the far left section of the department, patients with head injuries were being treated in what was referred to as the “Neurology Unit.” While waiting for the only available doctor, who was shuttling between Al-Shifa and Al-Ahli (Baptist) hospitals due to the acute shortage of medical staff, a relative of a patient informed me that the man in the adjacent bed had not responded for several hours. When the doctor finally examined him, it was sadly confirmed that he had passed away, despite the initial appearance of a minor injury—a small fragment lodged at the back of his head.

No food or drink was available for patients, their families, or even the medical teams, and everyone had to find their own means of sustenance. Adjacent to the department's entrance, a small room was designated for the preparation of deceased bodies for burial. I never saw it empty during any of my numer-

ous visits, reflecting the ongoing and relentless death toll across Gaza City and its surroundings.

My injury: A near-death experience:

On the first day of 2024, I survived a life-altering injury from an Israeli tank shell—one of the painful surprises any Palestinian in Gaza might experience. After learning that Israeli forces had withdrawn from the Al-Shati area, I left my shelter at Al-Shifa Complex to search for my cousin in Al-Shati Camp, having lost contact with him following intense airstrikes in November 2023.

En route, I helped an elderly woman injured during the war—who had lost several family members—reach a field clinic for her medical appointment. I then continued north through streets lined with overwhelming destruction, eventually finding my cousin's house damaged but without casualties, which eased some of my fears.

As I headed toward Jabalia Camp via Al-Quds Open University, heeding warnings about snipers near the Al-Muqawasi and Al-Fayrouz towers, a massive explosion from an Israeli tank shell hurled me through the air amid heavy gunfire. Despite being hit, I remained conscious. A few young men cautiously helped me reach the emergency department at Al-Shifa.

Dr. Saeed Al-Saudi, one of only two physicians on duty at the time, could examine me. I was heavily wounded in the head, left shoulder, lower back and spinal cord. I had tinnitus, dizziness, partial cognitive disorientation, and a severe headache, but there was no way to make a diagnosis of the injuries, as any image test was unavailable due to the destruction of the imaging units during the Israeli army's incursion into the hospital in November 2023.

Direct engagement with the wounded and the dead during evacuation, rescue, and burial operations

The ongoing conflict in Gaza has placed unprecedented psychological and physical burdens on civilians directly involved in rescue, evacuation, and burial operations. In many cases, people risk their own lives by entering unstable, bombed-out structures and working amid ongoing bombardment to pull survivors from beneath the rubble¹². These efforts take place in condi-

11 See WHO (2025) on Al-Shifa hospital's critical conditions in July 2025.

12 Humanitarian workers, healthcare personnel, paramedics, medical transportation and civilian rescue workers have repeatedly become targets for both airstrikes and direct gunfire in Gaza (Wajahath et al., 2025). By August 2025, Gaza had lost 408 humanitarian workers to violence—among them 280 from the United Nations Relief and Works Agency and 34 from the Palestine Red Crescent Society (Amnesty International, 2025). Article 15 of Additional Protocol I of the Geneva Convention (UN, 1977) and the Statute of the International Criminal Court (UN, 1998, Article 8, b[xxiv], e[iii]) states that intentional

tions characterized by systematic infrastructure destruction, extensive displacement, and the collapse of formal emergency response systems.

The seventh day of the war—Friday, October 13, 2023—marked one of my most psychologically and physically harrowing experiences, not only during this conflict but across my entire existence. After a night filled with the relentless sounds of shelling and explosions, I received a call on my mobile phone at around 6:00 a.m. The caller was my cousin, who is also the husband of my late sister, who passed away from illness in 2008. I immediately sensed that something tragic had occurred within the family or among those close to us. This was confirmed when he informed me, in a trembling and subdued voice, that the home of his elder brother, Ibrahim “Abu Ahmad,” located in the Al-Yarmouk neighbourhood in western Gaza City, had been struck in an air raid. The attack resulted in the death of Ibrahim, his wife, and three of his grandchildren, as well as three daughters of my deceased sister, one of their wives, and her young daughter. He also told me he was currently at the emergency department of Al-Shifa Hospital, accompanied by seven-year-old Ahmad, who had sustained severe injuries, and my niece Ruba (18 years old), who was critically wounded.

Attempting to ease his evident state of shock, I assured him I would come as soon as daylight allowed—within two hours. However, he called again about an hour later, deeply distressed, to report that Anas, my eldest nephew, was still missing. I immediately set out for the hospital. On the way, near Al-Jalaa Street, I briefly stopped to inspect the scene of the strike. It turned out that the neighbouring house, belonging to the Al-Dalu family, had been targeted. It was reduced to rubble, and all its inhabitants were killed in their sleep at approximately 2:30 a.m. I later learned that my cousin’s family, including the slain children of my sister, had arrived at the house only an hour before the airstrike, having just evacuated from Al-Shati Refugee Camp.

Upon arriving at the emergency and reception department, I was confronted with a horrific scene that embodied the catastrophic reality of war. The bodies of the deceased were stacked in front of the building and inside an adjacent tent. Dozens more were laid out in front of the mortuary and the adjacent shrouding room. The wounded filled every bed, while others lay on the floor due to the overcrowding. After a strenuous search, I found my cousin at the end of a corridor, attending to young Ahmad, who was in a deep coma from a skull fracture, and Ruba, who could barely respond to my questions. My cousin

in appeared completely exhausted and informed me that only one relative was available near the deceased, and he asked for my help in identifying the bodies.

A Ministry of Health employee accompanied me during the identification process. I was able to recognise my three nieces: Reem (22), Rasha (17), and Nadia (14). However, I could not immediately identify Alaa (25) due to severe cranial damage. Initially, I refused to identify my cousin’s wife, Um Ahmad Sarhan, because of our close familial ties. Instead, I sent a message to my wife, asking her to find a relative to assist with the identification. Unfortunately, due to communication and mobility restrictions, this was not possible. During my search for Anas, who remained missing, I examined severely charred and dismembered remains that were impossible to identify.

There was only one person available to help transport the bodies, but he was preoccupied with searching for his own family. When I requested assistance from the medical staff, they provided me with only one stretcher to transfer the bodies, one by one, to the morgue, several dozen meters away. With the help of some young men who had lost family members, I managed to transport five bodies. However, I collapsed from exhaustion while carrying the last one.

Upon returning to the reception department to finalise the official procedures, I was approached by several grieving individuals. One informed me that one of the five bodies was his daughter—not my cousin’s wife—who had mistakenly been buried alongside the deceased from the Al-Dalu family. I allowed them to identify the body to confirm its identity. About an hour later, with the help of passersby, we returned the bodies to the shrouding room. There were 12 corpses ahead of ours in the queue, and each had to be processed individually. During this process, I fainted again from severe exhaustion.

Repeatedly, I tried to contact my family and friends to help coordinate the burial, but communication networks were down. Around the same time, Israeli aircraft dropped leaflets over Gaza and the northern region instructing residents to evacuate southward via Wadi Gaza. This added significantly to my distress and deepened my sense of disconnection from my family. Amid these difficult circumstances, I managed to find a funeral transport vehicle. The driver, moved by my situation, agreed to take the bodies to Al-Batsh Cemetery in the Shuja'iyya neighbourhood without requesting any payment, only asking for prayers for himself and the *martyrs*.

I unloaded the bodies at the cemetery alone, but residents from the nearby neighbourhood quickly responded to my call for assistance. They brought tools, water, and clay to help with the burial. We buried the *martyrs* two per grave, and I ensured that my nieces were laid to rest according to their ages. While

attacks on civilian or military medical personnel and medical transportation is a war crime under international law.

burying one of them, I fainted for a third time, prompting the young men to complete the burial in my stead.

On my way back to Al-Shifa Hospital—on foot due to the absence of transportation—I witnessed mass displacement along Salah al-Din and Al-Jalaa Streets. The scene resembled a new Palestinian exodus, one possibly more traumatic than those of 1948¹³ and 1967¹⁴. Despite the Israeli military's designation of the southern region as a "safe zone," they targeted three convoys of evacuees on Salah al-Din and Al-Rashid Roads, killing more than 70 civilians—most of them women and children—and injuring over 200 others.

On October 23, 2023—the 17th day of the war—a deadly massacre took place in my own neighbourhood, wiping out entire families. At precisely 11:45 p.m., less than a minute after an Israeli reconnaissance drone ("Quadcopter") launched a projectile, a massive explosion shook the area like an earthquake. It was later confirmed that an airstrike had targeted the four-story home of the Al-Laddawi family, completely levelling it. Several of my close friends lived in the building. I participated in the search for survivors and the recovery of bodies. I found a young man in his twenties trapped under the rubble. I reassured him and assisted in evacuating a *martyr* whose identity I could not determine at the time—he was later identified as my niece's husband. I also helped rescue an injured woman who was still alive beneath the debris and covered another deceased woman before evacuating her body.

Elsewhere in the neighbourhood, I found the remains of my friend Raed "Abu Al-Fahd," whom I recognised by his smile despite his shattered body. With the help of local youth, we managed to retrieve him with incredible difficulty. I also assisted in rescuing another injured woman from the Musa family's home, who, despite her injuries, was able to walk. The following morning, with the participation of civil defence teams and local residents, more victims were recovered, though three individuals remain missing as of this writing.

The massacre claimed the lives of 35 people—23 from the Musa family and 13 from the Al-Laddawi and Al-Najji families—including 28 women and children. Twelve others were injured, with several suffering limb amputations. Seven residential units were completely destroyed, 12 neighbouring apartments were damaged, and the area's infrastructure was heavily impacted. What transpired on that dreadful night has been occurring daily—often more brutally—across towns and cities throughout the Gaza Strip, exacerbated by the collapse of the healthcare and civil defence systems, the destruction of equipment, and the complete blockade on fuel entry since the first day of the war.

Repeated displacement and movement between shelters

According to a UNRWA (2025, June 27) report, over 90% of Gaza's population have been displaced since the conflict began¹⁵. Many were forced to flee more than ten times. Displacement in Gaza, amid a suffocating blockade and critical shortages of basic necessities, has become a daily ordeal¹⁶. This suffering is exacerbated by the need to evacuate homes or shelters abruptly, often without prior warning, leaving residents unable to carry essential belongings¹⁷. Frequently, displaced individuals could only take with them whatever could be packed in a few minutes—typically light clothing and small bags.

Displacement destinations varied and included shelters in schools and health centres operated by the United Nations Relief and Works Agency for Palestine Refugees in the Near

13 In 1948, during the creation of Israel, over 700,000 Palestinians were uprooted from their homes and displaced across West Bank, Gaza Strip and other Arab nations. It is referred by Palestinians as Nakbah or the "catastrophe" (Pappé, 2006)

14 Since 1967, Israel's occupation of Gaza has imposed military control and policies of "de-development" (Roy, 2016) that stripped Palestinians of land, water, and labor resources (Finklestein, 2018). The occupation has been maintained through force, repression, and daily intimidation, leaving Gaza under conditions of continued dispossession and denial of basic rights and freedoms (Finklestein, 2018).

15 Data from Internal Displacement Monitoring Centre (IDMC) (2024) found that 1.7 million Palestinians in the Gaza Strip had been displaced by the end of 2023. However, individuals displaced who did not move outside their governorate were unaccounted for in IDMC's data collection.

16 Since the conflict began people in the Gaza Strip have been forced to leave their homes either due to bombardments, complete depletion of resources due to the blockade or sudden evacuation orders from Israel. By May 2025, evacuation orders or "no-go" designations from Israel had covered 281.9 of Gaza's 365 square kilometers—about 80% of the territory—leaving only 20% of the remaining area for the whole population of Gaza (Médecins Sans Frontières [MSF], 2025, May 27). The increasing number of evacuation orders from Israeli Forces have compressed Gaza's population into ever-shrinking zones where access to water, food, and shelter remains critically insufficient, with minimal protection from continuous bombardment (OHCHR, 2025, April 11).

17 Human Rights Watch (2024, November 14) report alleges that Israel failed to protect civilians by issuing inadequate evacuation orders giving people insufficient time to prepare. Additionally, Israel attacked safe areas for families fleeing their home, restricted aid, and deliberately destroyed civilian infrastructure.

East (UNRWA)¹⁸, government-run facilities¹⁹, international institutions, as well as informal gatherings in makeshift tents or primitive structures made of nylon and plastic (Awad, 2024).

In northern Gaza, particularly at my relatives' home, where my family and I had taken refuge from November 18 to the beginning of the humanitarian truce on November 24, 2024, a climate of extreme tension prevailed. Artillery shelling intensified, and airstrikes targeted several areas of Jabalia, especially in the northern and eastern parts. The bombardment came dangerously close to our residence, with shrapnel falling around us, especially in the nearby Ajjurmeh Street. The sound of fighter jets was constant, often accompanied by the launch of smoke shells, which triggered fires in nearby homes.

Under such conditions, sleep was nearly impossible, day or night, amidst constant fear and anxiety. My concern grew even greater as the health of my son, Osama, - who had been injured days earlier—began to deteriorate severely. He could barely move, only leaving his bed when absolutely necessary and only with assistance. He became unresponsive, stopped speaking, and consumed minimal food or drink. He also suffered from dizziness and loss of balance, all clear signs of worsening condition.

At dawn on November 22, 2024, after Osama lost consciousness while being awakened for dawn prayer, I decided to evacuate the family to the southern city of Khan Younis, aiming to take him to Nasser Medical Complex for urgent care. I wanted my family to relocate to the UNRWA-run Industrial School shelter in Khan Younis, where one of my brothers was staying. Though my wife hesitated at first due to the dangers of moving, she agreed after I insisted that Osama's life was at serious risk. The family departed in an emotionally charged moment via a private vehicle toward "Kuwait Roundabout," which leads to the "Netzarim" checkpoint—controlled by Israeli forces and used to screen those attempting to reach the south.

I felt a degree of emotional relief after the family's departure, though I did not return home. Instead, I began searching for a safer shelter. I moved between various schools, the Yemeni hospital, a UNRWA clinic, and a UN distribution centre for food aid. Ultimately, I decided to stay at the clinic, which appeared to be

the safest option at the time. However, the conditions there were far from ideal. The space was severely overcrowded, forcing some families to stay in corridors, corners, and stairwells due to the lack of available sleeping space. The environment was marked by foul odors, noise, and a high risk of disease outbreaks, especially given the difficulty in accessing the limited restroom facilities serving thousands of displaced individuals.

I spent the first two nights sleeping on three chairs on the second floor. Although it was extremely uncomfortable and I had no blanket or pillow, I managed to get some rest.

On the morning of November 24, a six-day humanitarian truce was declared. At exactly 7:00 a.m., the sound of shelling ceased, tanks withdrew from the western side of Jabalia refugee camp, from the vicinity of the Indonesian Hospital, and from the areas surrounding the Al-Nada and Sheikh Zayed Towers. Aerial bombardments also halted. However, the Israeli army did not withdraw from the Gaza Strip. Its military vehicles remained stationed in the northwestern parts of Gaza, particularly near the coast of Jabalia and Beit Lahia, as well as in the buffer zones between Gaza City and the northern governorate, and south of Wadi Gaza.

On the first day of the truce, I left the UNRWA clinic shelter in Jabalia to search for my mother, who had been missing for several days. I headed west toward the Al-Faluja neighbourhood and paused momentarily at Abu Sharakh roundabout, contemplating the immense devastation, before continuing to our family homes. Along the way, I encountered a friend who informed me that my siblings had found my mother (80 years old), but to my shock, she had passed away several days prior.

I rushed to the location and was overwhelmed by the destruction. All seven family apartments, my mother's home, four shops, and a maintenance workshop had been completely destroyed. My siblings and a few of my sisters had arrived before me and guided me to the spot where my mother had died. I reached it with difficulty, climbing over the rubble, and found her lying on the first flight of stairs in the eastern building. She had evidently bled heavily from a back injury. Despite the six days that had passed since her death, her body remained intact and showed no signs of decomposition.

My brothers retrieved her body from under the debris and wrapped it in a woollen blanket. She was moved to a neighbour's metal workshop so that family and loved ones could say their final farewells. Due to the rubble and lack of accessible transportation, we bypassed official procedures and burial formalities, as access to hospitals was impossible. We used a donkey-drawn cart, and with five of my brothers and neighbours, transported her to the nearby Al-Faluja cemetery. There, we

18 According to the UNRWA (2025, May 16) between October 2023 and May 2025, UNRWA run facilities have been attacked 842 times with 311 of them either completely destroyed or damaged. These attacks have led to the death of 767 individuals and injuring 2,419 sheltering in these facilities. The casualty figures are subject to change as rescue teams cannot yet reach many bombed sites, and recovery workers continue to unearth bodies from beneath the rubble.

19 Government schools have been turned into shelters for internally displaced people (OCHA, 2025, April 15)

dug a grave on the western side, performed the funeral prayer, and buried her in a deeply painful farewell.

Later, I walked toward Salah al-Din Street, heading for the Kuwait roundabout, which leads to the checkpoint near the site of the former Israeli settlement of Netzarim, the division point between the northern and southern Gaza Strip. I hoped to reunite with my displaced family after weeks of separation. With no transportation available, I walked nearly 5 to 6 kilometres on foot. Upon arrival at the roundabout, I asked several vehicle and cart drivers whether Israeli soldiers were present at the checkpoint and if any arrests were being made—contrary to what the truce had stipulated—but no one had definitive answers. I was hesitant and fearful of being detained, as I am a former political prisoner and a veteran of the First Intifada.

I decided to investigate for myself, approaching within 50 meters of the checkpoint. The road—relatively new—divided the northern and southern Gaza Strip, with continuous movement of Israeli military vehicles. I observed several displaced families gathered, waiting to be allowed through. I returned to the Kuwait roundabout in search of clearer information. Amid sporadic gunfire, I made another attempt. This time, I approached more closely, finding a few women and injured children standing near the concrete barricades. I confirmed the presence of soldiers directing displaced people using loudspeakers.

At that moment, I realised how difficult and dangerous crossing would be, and decided to turn back. After only a few steps, a soldier behind a sand mound—about 20 meters away—called out to me using a loudspeaker in clear Arabic, likely a Palestinian citizen of Israel or a Druze soldier. A cart driver nearby urged me not to turn back and to continue walking. When I returned to the roundabout, he explained that passage to the south was allowed, but returning north posed great danger. At that point, I witnessed dozens of Israeli military vehicles retreating eastward via the Netzarim axis, while intermittent gunfire and loudspeaker commands echoed through the area.

Meanwhile, I received a call from my wife informing me that our daughter, Aseel (19 years old), had been arrested by the Israeli army at the Netzarim checkpoint a week earlier while the family was evacuating southward. Her whereabouts were still unknown. The news hit me like a thunderbolt, compounding the series of traumas: the deaths of my mother, brother, and son, and the destruction of our homes. My wife and I tried to determine her fate by contacting the Red Cross and several lawyers from within Israel, to no avail. Two weeks later, we received a phone call from a recently released detainee informing us that Aseel was being held in Damon Prison in Haifa. She was reported to be in a stable psychological condition and coping well with the other female prisoners.

Fortunately, her detention did not last long. She was released after 52 days as part of a prisoner exchange deal, through the Kerem Shalom crossing, along with approximately twenty other male and female detainees. Her release was a moment of great emotional relief for the remaining members of the family, easing some of the immense burden we had endured during the war. However, our joy was incomplete. At the moment of her arrest, Israeli female soldiers confiscated all her valuable possessions and money—everything the family owned at the time—estimated at approximately fifty thousand U.S. dollars in old family jewellery and cash. Aseel was not alone in being robbed; testimonies indicate that hundreds of millions of dollars and gold were seized or stolen from hundreds of detainees.

Despite the repeated humiliation, interrogation by Shin Bet agents, and the physical and psychological suffering endured during her detention and transfers between holding centres, Aseel was considered fortunate compared to others. According to the Israeli newspaper Haaretz, 46 detainees died during interrogation, and hundreds were subjected to severe torture and abuse, leading to serious fractures and permanent disabilities (Kubovich & Peleg, 2024). International organisations such as Amnesty International (2024), Human Rights Watch (2023, December 18), the Euro-Mediterranean Human Rights Monitor (2024, November 17), and OCHA (2024, October 10) documented devastating accounts of abuse, starvation, denial of medical care, and even extrajudicial executions (Amnesty International, 2025, August 18; Integrated Food Security Phase Classification, 2025, July 19; OCHA, 2025, August 13) particularly at checkpoints like the Netzarim corridor²⁰ (Bartov, 2025; Kubovich, 2024), or during the raid on Al-Shifa Hospital in March 2024 (Dagdeviren, Akyon & Unal, 2024; Healthcare Workers Watch, 2024).

All indications during the humanitarian truce (November 24 – December 1, 2023)—which saw the release of approximately 100 Israeli hostages in exchange for nearly 300 Palestinian prisoners (Masoud & Laizans, 2023)—suggested that the Israeli political leadership intended to resume the war with even greater brutality.

At exactly 7:00 a.m. on December 1, Israeli artillery began shelling multiple areas around Jabalia Camp, and warplanes resumed their intense bombardments of buildings inside the camp. That morning, I returned to the UNRWA clinic located

²⁰ Netzarim Corridor is a seven-kilometre-wide (4.3-mile-wide) strip of land that cuts across Gaza from Israel to the Mediterranean and in 2024 has been expanding towards northern Gaza. It has been turned into a no-go zone for the Gazans and IDF conducts its military operations in this area. (Amnesty International, 2024; Bartov, 2025).

in central Jabalia, which was considered one of the relatively safer places under those conditions. Thick smoke bombs were falling on the northern and eastern areas of the camp, clearly signalling the Israeli army's intent to invade. Shells struck Al-Ternes Street, the Abu Rashid pool area, and the Al-Faluja neighbourhood. The Israeli army, through repeated phone calls, ordered residents of high-rise buildings in the camp centre to evacuate in anticipation of imminent bombardment. Three tall buildings were destroyed, following a pattern the Israeli military had employed since the start of the ground invasion: targeting towers to facilitate troop advancement or destroy suspected observation posts used by Palestinian fighters.

Several shells landed near the clinic, one of which hit the roof of the adjacent Jabalia police station, reinforcing my conviction to leave the area. I headed toward Gaza City in search of a safer shelter, especially in light of mounting calls from the Israeli army for residents to evacuate Jabalia Camp and move to the Al-Tuffah and Al-Daraj neighbourhoods (see in Figure 1).

The city was overwhelmed with displaced persons living in tents amid open sewage and poor sanitation. Overcrowded UNRWA clinics and schools offered little respite. A perceptive young man directed me to "Fahd Al-Sabah" school, noting it was less crowded and better managed.

As bombardment intensified and tanks approached western Jabalia, I moved between shelters—spending nights near exits with minimal food and water, avoiding unusable toilets. On December 3, I relocated to "Fahd Al-Sabah" school, then to Al-Shifa Medical Complex despite sniper risks. There, I witnessed donkey carts carrying the bodies of three women, a man, and ten children—buried as "unknown victims" with no family present. I eventually settled in a room designated for caesarean deliveries.

En route to retrieve my car, I encountered families recovering bodies from airstrikes and a father desperately seeking an ambulance for his dying daughter. At one intersection, sniper fire struck nearby; I evacuated an injured man writhing in pain. Al-Shifa quickly filled with tens of thousands, facing severe water scarcity and food shortages.

On May 11, 2024, I received an evacuation notice for Jabalia and lived in my car at Safatawi Clinic for 21 days. Three weeks later, I witnessed residents returning to the ruins, repairing homes and erecting tents despite burned shelters.

The seventh displacement came on October 7, 2024, when Israeli artillery launched smoke shells without warning into Jabalia City. Drones targeted young men waiting for aid trucks twenty meters from our home, critically injuring a child playing nearby. As shelling intensified and a neighbouring civilian house was hit, I fled with only a small bag to a nearby house.

At dawn, finding even the UNRWA clinic evacuating westward amid close gunfire, I realized the military operation aimed to besiege approximately 150,000 civilians in northern Gaza. I decided to flee toward Gaza City's western neighbourhoods, secretly returning home to collect essentials before leaving in my vehicle as Israeli tanks reached the camp's outskirts.

Loss or scarcity of basic needs and difficulty in transportation

The Israeli government announced, on the second day of the war, the cutting off water and electricity supplies to the Gaza Strip²¹, the closure of all crossings, and the prohibition of any material entry, including basic foodstuffs, medicines, fuel, and all daily necessities (Kershner, Boxerman & Yazbek, 2023). This marked the beginning of a new life without electricity or clean water for drinking or human use²², with nearly complete reliance on walking or using donkey-drawn carts for transportation²³.

During the ceasefire periods (November 24 - December 1, 2023) and (January 27 - March 18, 2025), the Israeli government allowed only humanitarian aid to enter, along with limited quantities of medicines and fuel (Human Rights Watch, 2023; Jafarnia, 2025). Additionally, some essential commercial goods were permitted, but in a regulated and intermittent manner. Moreover, military cargo planes from various countries dropped food aid by parachute during the first months of 2024 (United States Central Command [USCENTCOM], 2024). The siege reached its peak in the first quarter of the same year in the northern Gaza Strip, where the Israeli army prevented the entry of any humanitarian aid, except for a very limited number of flour shipments, which were frequently looted or stolen by hungry people or some unscrupulous traders, all under the watch of the Israeli army, as soon as they left the checkpoints controlled by the army, such as the "Nablusi" checkpoint in western Gaza and the "Kuwait" checkpoint in the east, on the

21 According to WHO WASH Cluster (2025) 100% of the electricity supply to Gaza has been shut down.

22 UNICEF (2025) reported that out of the 217 facilities for producing drinking water in Gaza, only 87 (40%) were currently functional, but without fuel (which has been blocked by Israel from entering Gaza since March 2025), these facilities will stop functioning. By June 2025, 93% of households experienced water insecurity (OCHA, 2025, June 24)

23 The conflict in Gaza has severely damaged transport infrastructure, with total losses estimated at US\$2.5 billion. Around 81% of the classified road network—including primary, secondary, and tertiary roads—and 62% of the entire road system, such as agricultural routes, have been damaged or destroyed. The damage to roads alone accounts for approximately US\$607 million of the total losses (United Nations in Palestine, 2025, p. 43).

“Netzarim” axis (United Nations Office for Project Services [UNOPS], 2025).

From January until mid-April 2024, no food materials of any kind entered the northern Gaza Strip, leading to a real famine (Famine Early Warning Systems Network [FEWS NET], 2024). The residents had to rely on small quantities of barley or ground corn, as well as some wild local plants with green leaves, such as “Khibiza” and “Umm Ali,” which were cooked over firewood or flammable materials. In these harsh conditions of hunger, poverty, and suffering, with most families scattered between the northern and southern parts of the Gaza Strip, I consumed very little food on my own—only one or one and a half meals in the late afternoon. This was the case for most Palestinian families in Gaza, many of whom had lost one or more of their family members, their homes, or were forced to move between shelters (Amnesty International, 2024, you are subhuman report).

One day, I went out searching for a small amount of sugar. I searched in every corner of the Jabalia Refugee Camp market, then headed to the city of Jabalia, but to no avail. Eventually, I found a kilogram of sugar, but its price was 60 shekels (approximately \$ 18), whereas before the war, it had been around 2.5 shekels. This exorbitant price was applied to all other goods if they could be found, with the complete disappearance of all vegetables and fruits due to the razing of agricultural lands²⁴, except for lemons, and minimal amounts of carrots and potatoes at astronomical prices (Hassoun et al., 2024).

During my travels, I noticed signs of exhaustion, fatigue, and hunger on the faces of citizens, young and old. I heard words of frustration and complaints about the harsh conditions, along with curses directed at those responsible for this catastrophic war. During one of my trips in search of transportation in al-Jalaa Street, west of Gaza, due to my inability to walk and the severe exhaustion, an aircraft flew overhead to drop aid by parachute, releasing five relatively large parcels. Unfortunately, two of them fell into the Sheikh Radwan pool, which was filled with sewage water, while the other three survived and landed on the edge of the pool in the Abu Iskander neighbourhood, east of Sheikh Radwan. This was not the first time mistakes were made during aerial drops; some parcels fell on the heads of the hungry or passersby, causing several deaths, or they fell onto the solar panels of the Al-Ahli Hospital in Gaza, destroying them, even though there was no alternative due to the prohibition of fuel entry. Some parcels fell into the

sea or in areas near Israeli military sites, making approaching them dangerous due to sniper fire or artillery shelling.

By April 2024, my weight had dropped sharply and by December 2024, it was even lower. I was barely able to perform the simplest daily activities. The issue was not just the lack of food but also its quality, as the food rations contained no sources of proteins or animal fats (such as meat, eggs, or milk), and lacked the necessary vitamins and rare minerals. The diet was limited to legumes from locally consumed leafy plants.

As for medicines, only a minimal amount entered Gaza. Finding medicine became an almost impossible task. Several deaths were recorded among family members, including my relative Jamal Sarhan (58 years old), who died after suffering a leg clot, passing away a week later while trying to reach the hospital. My friend Kanaan Obeid (62 years old), who had kidney failure, also passed away after dialysis sessions were reduced to once a week due to a shortage of machines and the inability to repair or replace them.

Intensification of human suffering resulting from the uncontrolled proliferation and dissemination of certain biological species.

The population in Gaza has been subjected to significant suffering due to the uncontrolled proliferation of insects and other organisms²⁵. The destruction of the water and sanitation infrastructure in Gaza has resulted in the rapid spread of infectious disease. Polio virus (cVDPV2) has been detected in the sewage, and the first case of polio has already been confirmed on a 10-month-old baby. This disease is highly contagious especially with unsanitary condition of waste and sewage everywhere. There has also been a rise of hepatitis A, acute respiratory tract infection, acute diarrhoea and jaundice. Skin infections such as scabies and bullous impetigo have also risen (Sah, 2024; Paris et al., 2025; UN News, 2024, August 2)

This issue is further compounded by drastic environmental changes resulting from the widespread destruction across the Gaza Strip²⁶. All five wastewater treatment plants have shut down, resulting in sewage contamination of beaches, coastal waters, soil, and freshwater with pathogens, microplastics, and hazardous chemicals. This creates immediate and future threats to public health, marine life, and agriculture (United Nations Institute for Training and Research, 2025). The wastewater system that has collapsed due to lack of fuel to run the system has overwhelmed and filled the stormwater basins

²⁴ By the end of July, 2025, 86.1% of cropland in Gaza had been destroyed (Food and Agriculture Organization of the United Nations [FAO], 2025)

²⁵ For Polio and Hepatitis A outburst see review in Lancet Health Series.

²⁶ For updated information on water and sanitation conditions, see (WASH Cluster, 2025).

in Gaza—Al Saftawi, Sheikh Radwan, and Al Amal—with raw sewage. Fuel shortages have disabled pumping stations, leaving sewage levels unchecked. Overflow would flood nearby homes and IDP shelters, causing renewed displacement and a severe public health crisis with high risk of disease outbreaks (WASH Cluster, 2025 p. 3)

Most buildings have been reduced to rubble²⁷, and agricultural lands, as well as the already scarce green spaces, have been nearly obliterated. These environmental disruptions have created favourable conditions for the emergence and rapid spread of nuisance and disease-carrying organisms, particularly insects and rodents. Mosquitoes have become pervasive, inflicting countless bites that cause severe discomfort, sleeplessness, and insomnia. The situation is aggravated by the unavailability of resources, tools, and medical treatments needed to control their spread. Similarly, rodent populations—especially mice—have increased alarmingly, posing a threat to the already limited food supplies and raising the risk of outbreaks of serious diseases such as the plague (Mohamed, 2025).

Discussion

All reports issued by international institutions concerned with human rights and humanitarian situations worldwide, as well as reputable independent organisations, have pointed to the scale of suffering and pain experienced by the population of the Gaza Strip, with data, statistics, and documented testimonies illustrating the daily, and even moment-to-moment, hardships endured by the people throughout the entire duration of the war. Some reports have even described these events as “genocide” or “war crimes and crimes against humanity.” For instance, Human Rights Watch released an extensive report in December 2024 titled “Genocide and Acts of Genocide: Israel’s Deprivation of Water to Palestinians in Gaza” (Human Rights Watch, 2024, p. 1-163), and Amnesty International also published another report in December 2024 entitled “The Genocide Committed by Israel Against Palestinians in Gaza” (Amnesty International, 2024).

Moreover, a report by the Independent International Commission of Inquiry on the Occupied Palestinian Territory ((A/

²⁷ The conflict has produced an estimated 41 million metric tonnes of debris, containing dust, unexploded ordnance, asbestos, industrial/medical waste and other contaminants, which the United Nations Mine Action Service (UNMAS) has stated that it would take 14 years to remove all the harmful debris from Gaza (UN News, 2024, April 19). This posed significant risk to the human health and the natural environment (OCHA, 2025, January 29; United Nations Environment Programme, 2024; United Nations Institute for Training and Research, 2025)

HRC/58/CRP.6, March 13, 2025), highlighted that “ Israeli authorities have destroyed in part the reproductive capacity of the Palestinians in Gaza as a group, including by imposing measures intended to prevent births.” The report affirmed that these measures, alongside the rising number of maternal deaths due to restricted access to medical supplies, amount to an act of genocide, which is classified as a crime against humanity (Human Rights Council, 2025, March 13, p. 14).

All of these reports, as well as others from international and UN human rights organisations, indicate that Israel has pushed the population of Gaza to the brink of collapse, with dozens or even hundreds killed daily, either in direct or deliberate indiscriminate attacks. These assaults have, in many cases, resulted in the extermination of entire multi-generational families. The scale of destruction has been unprecedented, with experts stating that the level and speed of devastation have no parallel in any other conflict of the 21st century. Entire cities, camps, and neighbourhoods have been obliterated, with vital infrastructure, agricultural lands, and cultural and religious sites destroyed, turning large areas of Gaza into wastelands unfit for human habitation (Amnesty International, 2024).

Amnesty International’s report (2024) documents Israel’s deliberate imposition of living conditions on Palestinians in Gaza, which aim, little by little, to destroy them and the essential components of life. Three concurrent patterns of measures were implemented that exacerbated the destructive effects of each other, repeatedly:

1. The sabotage and destruction of life-sustaining infrastructure and other basic necessities for the survival of the civilian population.
2. The repeated use of large-scale, arbitrary, and vague “evacuation” orders aimed at the forced displacement of almost all of Gaza’s population.
3. The deprivation of basic services, humanitarian aid, and other life-saving supplies, and the obstruction of their delivery to the strip and within it.

Following October 7, 2023, Israel imposed a complete blockade on Gaza, cutting off electricity, water, and fuel. Throughout the war, with the exception of the first and second ceasefire weeks, Israel continued to impose a suffocating, unlawful blockade on the strip, enforcing strict control over energy sources. Additionally, it failed to facilitate effective ways of delivering humanitarian aid to the strip and prohibited the importation and delivery of life-saving goods and humanitarian aid, especially to areas north of Gaza Valley. Thus, Israel exacerbated a pre-existing humanitarian crisis, with these restrictions, compounded by the exten-

sive damage to homes, hospitals, water and sanitation facilities, and agricultural lands, leading to catastrophic levels of hunger and the widespread spread of diseases. The resulting health and physical effects have been harsh, particularly on young children, pregnant women, and nursing mothers, with long-term health consequences expected for them.

The cessation of electricity, water, fuel, medicine, and humanitarian aid to Gaza, coupled with a stringent blockade preventing the entry of anything, led to the total collapse of all forms of life. Sanitation systems, water pumps, and desalination plants ceased to function, and hospital services, which depended on generators, were severely reduced due to fuel shortages. UN agencies and humanitarian organizations were also obstructed from delivering aid, disrupting the delivery of essential materials and tools for repairing water and sanitation facilities, while inflicting further damage to the infrastructure, and in some cases, deliberately destroying it. Israel also prevented repairs by blocking the importation of nearly all materials related to water. Some Israeli airstrikes killed workers at water facilities while they were attempting repairs, while others destroyed the main water facility warehouse in Gaza, which contained spare parts, equipment, and essential supplies for water production (Human Rights Watch, 2024, p. 1-163).

The use of excessive force by the Israeli army in refugee camps, cities, and densely populated areas: The Israeli military has employed excessive force, using heavy weapons and ammunition in refugee camps, cities, and densely populated areas, as well as in numerous shelters, hospitals, and medical centres. Israeli fighter jets have dropped approximately 100,000 tons of explosives on the Gaza Strip. Certainly, this quantity of explosives creates terrifying sounds, severe destruction, and environmental pollution in densely populated areas and on a relatively small landmass (the Gaza Strip covers 365 km²). The resulting atmosphere is beyond imagination, filled with extreme discomfort, fear, horror, and both psychological and physical suffering throughout the days of the war.

Casualties and Injuries: The indiscriminate bombing and ground operations, according to data from the Ministry of Health in Gaza by the end of March 2025, resulted in the deaths of 50,890 people, with 10,260 others missing—presumably still under the rubble of destroyed homes—and more than 120,000 individuals injured. This means that approximately 10% of the population of Gaza (2.2 million people) has been killed, injured, or gone missing. Among the total number of fatalities, 18,600 were children, and 12,430 were women. Of the injured, at least 1,000 children lost at least one leg. The report also indicated that over 40,000 children have been orphaned, having lost one or both parents, and that of every 10 fatalities,

9 were civilians (90%) (Euro-Mediterranean Human Rights Monitor, 2025; Human Rights Watch, 2025).

Destruction of the health system: The suffering of the wounded was further exacerbated by the collapse of the health system, caused by both direct and indirect Israeli bombing. Additionally, Israel has restricted the entry of medicines and medical supplies, allowing only minimal quantities through the World Health Organization. Even those requiring urgent treatment outside Gaza were unable to travel due to the closure of the Rafah Crossing and the restrictions imposed by the Israeli military. As a result, the vast majority of those in need of treatment abroad could not leave and remained in Gaza to face their inevitable fate. This also applies to cancer patients and others with chronic diseases who require constant and intensive medical follow-up, further exacerbating their suffering and that of their families, who were unable to assist them as they faced a slow death.

Frequent displacement and evacuation Orders: One of the most prominent forms of psychological and physical suffering was the repeated displacement and sudden evacuation orders. The Israeli army frequently issued immediate evacuation orders, and at times, dropped leaflets from the air instructing citizens to evacuate immediately, with a warning that their lives would be in danger if they did not comply, accompanied by a small map showing the red zones to be evacuated and the routes to be taken to reach so-called “safe areas” (Amnesty International, 2024; (Abudayya et al., 2023; Amnesty International, 2024).

Displacement numbers: By January 2025, the war had caused the displacement of at least 1.9 million people, representing 90% of Gaza’s population. Many families were displaced multiple times, sometimes up to 10 times (UNRWA, 2025b). The Israeli military had issued more than 65 evacuation orders since October 7, putting more than 90% of Gaza under active evacuation orders. This forced displacement, alongside the destruction of homes and infrastructure, has left the people of Gaza in a constant state of uncertainty, fear, vulnerability, and the absence of any safe place to flee. Thus, these repeated evacuation orders constitute forced displacement and ongoing, unrelenting suffering (OCHA, 2024).

Destruction of infrastructure: In addition to the evacuation orders, assessments by the United Nations Satellite Center (UNOSAT) have shown that by December 1, nearly 69% of the buildings in Gaza had been damaged or destroyed, totalling 170,812 buildings.

Disruption of movement and access to essential services: Another aspect of the suffering and complications faced by the people of Gaza is the obstruction of movement on land and the hindrance of access to health centres, services, and human-

itarian aid due to the destruction of infrastructure. According to an initial assessment by the United Nations Satellite Unit (UNOSAT), by August 18, 2024, nearly 1,190 kilometres of roads in the Gaza Strip had been destroyed during the war, with 415 kilometres severely damaged and 1,440 kilometres moderately damaged (UNOSAT, 2024). Additionally, other reports indicated that more than 92% of Gaza's main roads had become impassable due to bombing and systematic destruction by D9 bulldozers, complicating efforts to deliver humanitarian aid (RFI, 2025). Infrastructure related to essential services also suffered severe damage, with 330,000 meters of water networks destroyed, more than 650,000 meters of sewage networks damaged, approximately 2.8 million meters of roads and streets obliterated, and 3,700 kilometres of electricity networks destroyed. These figures illustrate the extent of the destruction of Gaza's vital infrastructure, further complicating the challenges faced by residents in terms of mobility and access to essential services (UNICEF, 2022).

Conclusion

It is evident that, after more than a year and a half of conflict, the Gaza Strip has transformed into one of the most perilous regions globally, characterised by profound misery, relentless suffering, and unending torment. The daily intense indiscriminate shelling, repeated displacement, destruction of infrastructure, stringent blockade, intermittent humanitarian aid, and absence of adequate healthcare have collectively turned Gaza into a living hell—a perpetual cycle of anguish. This psychological and physical suffering will undoubtedly leave enduring scars, not only on the current generation but also on future ones, particularly children. It is apparent that the plight of Palestinians in Gaza is unlikely to cease in the foreseeable future, even if the current war concludes, as the underlying causes that led to the October 7, 2023, attacks and the subsequent catastrophes remain unresolved.

It is imperative to employ all available political, legal, and peaceful protest avenues, through international institutions and with the support of all peoples and governments advocating for human rights and standing against oppression, to halt the cycle of suffering in the Gaza Strip. This includes ending the brutal war that has resulted in tens of thousands of deaths and over a hundred thousand injuries, holding accountable those responsible for the crimes and violations committed in Gaza, ensuring that perpetrators of bloodshed do not escape justice, and preventing others from committing further violations and crimes.

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Acknowledgments

We would like to acknowledge and thank Arunima Bhattacharjee (PhD student in social work at the University of Houston) for all her work in reviewing and editing the original text as well as support with finding references when needed.

Submitted 24th of Apr. 2025

Accepted 30th of Aug. 2025

The profile and psychological effects of torture of Palestinians detained in Israeli prisons after 7th October 2023

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Abstract

Introduction: Following the events of 7 October 2023, the number of Palestinians detained by Israeli authorities surged dramatically. By December 2024, nearly 10,000 Palestinians were held in Israeli prisons, most without formal charges. Administrative detention, incommunicado detention, and the use of military law for Palestinians contrast sharply with civil protections extended to Israeli settlers. Human rights organisations have documented systematic use of torture and ill-treatment against Palestinian detainees, with growing concerns over psychological and physical impacts. *Methods:* This cross-sectional study documented the experiences of 100 Palestinians who were detained after 7 October 2023 and later released. Participants were identified from official records and interviewed face-to-face by trained therapists between May and June 2024. A structured questionnaire assessed demographic information, detention conditions, exposure to torture, and psychological outcomes. Validated tools measured depression and post-traumatic stress disorder (PTSD) symptoms. Descriptive and inferential statistical analyses were conducted using R and Stata software. *Results:* Participants reported widespread exposure to ill-treatment, with a median of 29 torture methods per person. All experienced deprivation and non-physical abuse; 99% were exposed to sensory or physical abuse, and 32% reported sexual abuse. Severe physical consequences included fractures (26%) and amputations (7%). Psychological distress was substantial: 83% showed moderate to severe depression symptoms, and 63% met criteria for PTSD. Deprivation methods, such as not knowing the date and time, were associated with higher psychological impact scores, surpassing physically painful procedures, such as suspension and electrocution. Multivariable regression indicated that a greater number of torture methods significantly predicted higher depression scores. *Discussion:* This study highlights systematic use of torture and ill-treatment against Palestinians detained by Israeli forces post-October 2023. The psychological burden on survivors is profound and likely exacerbated by continuous traumatic stress under occupation. Survivors seemed to experience deprivation methods as more psychologically harmful than other methods. Findings underscore the urgent need for international accountability mechanisms and mental health interventions for survivors of torture in conflict zones.

Keywords: Torture, Prison, Palestine, Israel, Depression, PTSD

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

Introduction

As of December 2024, the Israel Prison Service was holding close to 10,000 Palestinians, of whom only 1,789 were serving a sentence, according to official Israeli statistics (B'Tselem, 2025). Israeli law allows for the 'administrative detention' of Palestinians, which can be renewed indefinitely (Human Rights Watch, 2023). Israel tries Palestinians in the occupied territories under a separate criminal justice system from that of Israelis. Palestinians are subject to military law, while Israelis in the occupied territories (settlers) are subject to civil law. Israel is the only country in the world that subjects children to military law. This is one of the features of Israeli occupation that led the International Court of Justice to issue an advisory opinion, noting that Israel's actions "amount to segregation or apartheid" (International Court of Justice, 2024).

The number of Palestinians detained by Israel increased after October 7th, 2023. Israel had long been accused of the ill-treatment and torture of detained Palestinians (The Public Committee Against Torture in Israel, 2021; UNCAT, 2016; United Nations Committee against Torture, 1994). Accusations intensified after October 7th, with a growing number of UN and rights organisations issuing reports documenting poor detention conditions and the ill-treatment of Palestinians detained by Israel (Addameer Prisoner Support and Human Rights Association et al., 2023; B'Tselem - The Israeli Information Center for Human Rights in the Occupied Territories, 2024; Physicians for Human Rights Israel et al., n.d.).

There is no doubt that torture in all its forms inside prisons has significant psychological and physical effects on survivors (Steel et al., 2009). For example, the mental and physical effects of sleep deprivation of detained Palestinians have been documented (Schwail et al., 2019). The specific health consequences of individual torture and ill-treatment methods such as suspension, asphyxiation, positional torture, sensory deprivation and other methods are widely documented (DIGNITY, n.d.). The danger is not only to the physical and mental health of those who faced torture in prisons, but it also extends to their children and families. This has been documented among Palestinian children whose mothers were tortured (Rasras, 2024).

Reviews have demonstrated that exposure to torture is a strong predictor of the development of both depression and post-traumatic stress disorder (PTSD) (Song et al., 2018; Steel et al., 2009). In this study, we aim to document the experience of 100 Palestinians detained by Israel after October 7th, 2023. Specifically, we describe the reported torture methods and their physical and psychological impacts on the participants.

Methodology

Participants

The Palestinian Ministry of Detainee and Ex-Detainee Affairs maintains a record of Palestinians detained by Israeli prisons. Based on this sampling frame, the authors contacted by telephone all those residing in the West Bank or Jerusalem who were released from Israeli prisons after October 7th, 2023. All consenting and assenting individuals were then interviewed face-to-face by trained therapists. Interviewers explained the purpose of the interview, the data collection process, and data security procedures, and informed participants of their right to withdraw at any point before, during, or after the interview. All participants were offered free psychological support, regardless of whether they consented to the interview or completed it. Data were collected from May 26th to June 20th, 2024. Interviews lasted between 90 to 120 minutes.

Instrument

Data collection was conducted according to a questionnaire. The questionnaire consisted of five sections, namely demographic characteristics, facts about the arrest and detention, exposure to ill-treatment and torture during arrest and in detention, their frequency and self-reported psychological impact, and the interviewees' psychological state at the time of interview (*Supplementary material*). The questionnaire was developed by experts in the psychological field who are knowledgeable about the context. It was designed based on a literature review and piloted with 30 Palestinians released from Israeli prisons. In addition, instruments measuring depression and post-traumatic stress disorder (PTSD) symptoms were administered. The depression instrument was based on the Beck Depression Inventory (BDI) (Schwail et al., 2011). The Posttraumatic Stress Inventory (PSI) was based on the Diagnostic and Statistical Manual IV TR (DSM IV-TR) criteria for PTSD and the International statistical classification of diseases and related health problems (ICD-10) (American Psychiatric Association, 2000; World Health Organization, 1993). The PSI yielded a good reliability score (Cronbach's alpha = 0.84) in a similar population (Schwail & Rasras, 1997).

Procedure

Data were collected by therapists who were trained on the study's questionnaire, the process for reaching released prisoners, how to introduce themselves, explain the study's objectives, and obtain consent and assent. Interviews were all conducted in the participants' homes to maintain confidentiality. An experienced psychologist researcher closely supervised the field-

work. Quality control of data entry and coding was completed by a senior supervisor.

Analysis

Descriptive statistical analysis consisted of calculation of frequencies, percentages, means and standard deviations for normally distributed data, and median and inter-quartile range (IQR) for non-normally distributed data. PTSD and depression scores were calculated to determine symptom levels. Inferential statistical analysis consisted of hypothesis testing using one-way analysis of variance (ANOVA) with post hoc Bonferroni testing, as well as multivariable logistic regression using a logit model. ANOVA analyses were conducted to explore if the mean age, number of torture methods and psychological effect differed across depression symptom levels; and if the mean psychological impact severity differed across individual torture methods, and across categories. To do so, a mean was calculated across all individuals for each method. Outliers were removed from the ANOVA of mean psychological impact severity across torture categories. Given the small number of torture methods per group, the conservative outlier threshold ($0.75 \times \text{IQR}$) was applied to detect undue influence on the group's better means. Multivariable logistic regression was run to test for an association between depression symptom level and different factors (age, employment sector, number of torture methods and psychological impact score). The data was analysed using RStudio 4.4.3 (RStudio Team, 2024) and Stata statistical software version 17.0 (StataCorp LLC., 2021).

Results

A total of 281 people were contacted by phone, of whom 120 agreed to participate in the study. The main reason for declining the interview was fear of reprisal in the form of re-arrest or harassment by Israeli occupation forces. This was especially pronounced in the case of minors and women. Of the 120 people, 20 were excluded because the interview had to be ended before completion due to security threats or sudden deterioration in the security situation, such as incursions by the Israeli army or settlers.

A total of 100 individuals were included in the study. All but one participant was male (99%). Participants' ages ranged from 17 to 76 years with a median of 27.5 years (IQR: 21-34). The largest age group was aged 18-29, comprising 60% of the sample. Prior to detention, the most frequently reported jobs were "political activism" (41%) and "other" (35%). Employment status was missing for 16% of participants. The time spent in detention varied considerably, with a median duration of 11.9 months (IQR: 6.6-20) (Table 1).

Participants reported substantial delays in being allowed to contact a lawyer or relative following their arrest. Only 3% were granted immediate contact. Contact was permitted after several weeks for 34%, after several months for 40%, and after several years for 2% of participants. For 11%, contact was never permitted until release. Information on the timing of contact was missing for 10% of participants (Table 2).

Reported exposure to torture or ill-treatment during detention was universal. All participants reported exposure to methods that were categorised as "Deprivation" and those categorised as "Non-physical", while all but one person (99%) re-

Table 1. Demographic characteristics of participants

	n (%) or Median (IQR)
Gender	
Male	99 (99%)
Age, years	
<18	2 (2%)
18-29	60 (60%)
30-39	18 (18%)
40-50	19 (19%)
≥60	1 (1%)
Median (IQR)	27.5 (21-34)
Employment sector	
Political activist	41 (41%)
Human Rights defender	5 (5%)
Student	3 (3%)
Other	35 (35%)
Missing	16 (16%)
Duration of detention, months	
≤6 months	22 (22%)
6-12 months	29 (29%)
12 months - 5 years	36 (36%)
≥5 years	2 (2%)
Missing	11 (11%)
Median (IQR)	11.9 (6.6-20)

Table 2. Incomunicado detention

	n (%)
Time between arrest and permission to contact lawyer/relative	
Immediate contact	3 (3%)
After weeks	34 (34%)
After months	40 (40%)
After years	2 (2%)
Contact never permitted	11 (11%)
Missing	10 (10%)

ported exposure to “Sensory or exposure” methods and “Other physical” methods. About a third (32%) reported exposure to sexual harassment (Table 3). When disaggregated by specific method (Figure 1), the most frequently reported methods included food deprivation (99%), hygiene deprivation (95%), beating (94%) and visitation deprivation (93%). The number of methods reported per individual varied considerably, with a median of 29 methods (IQR: 26-33.2) (Table 3).

Although all participants had experienced methods of ill-treatment or torture, only 24 participants filed a formal complaint. Most participants (69.1%) reported receiving threats if torture or ill-treatment were reported, 83% were threatened with future detention if they engaged in political activity, and 68% reported receiving death threats if they engaged in political activities.

Several participants reported physical consequences resulting from torture or ill-treatment (Table 4). The most common were fractured bones (26%) and disfigurement such as broken teeth (21%). Amputation of extremities was reported by 7% of participants.

Participants rated the severity of the psychological impact on them for each method of ill-treatment experienced on a scale of 0 (no effect) to 4 (very strong effect). Responses ranged from 1 (“minor effect”) to 4, and the average perceived psychological severity score was 2.16 (“moderate effect”). Deprivation from knowing date and time received the highest score (2.9/4), followed by strangulation (2.83) and water deprivation (2.79), while injuries, including by pepper spray (1.62), gunshot (1.71) and threats of re-arrest (1.72), had the lowest psychological impact on participants (Figures 2-3). Deprivation methods were rated as more psychologically severe than non-physical and

Table 3. Reported Torture and Ill-treatment

	n (%) or Median (IQR)
Torture or Ill-treatment Category	
Deprivation	100 (100%)
Non-physical	100 (100%)
Other physical	99 (99%)
Sensory	99 (99%)
Sexual	32 (32%)
Number of methods per person	
20–30	56 (56%)
30–40	34 (34%)
<20	10 (10%)
Median (IQR)	29 (26–33.2)

Non-physical = death threats, threats of re-arrest, mocking beliefs, solitary confinement, etc.; Deprivation = food, water, sleep, hygiene, visitation, medical care deprivation; Sensory = pepper spray, heat/cold exposure, blindfolding; Sexual = sexual harassment; Other physical = beating, burning, suspension, electrocution, strangulation.

Table 4. Reported Consequences of Torture and Ill-treatment

	n (%)
Physical consequences	
Amputation of extremities	7 (7%)
Disfigurement	21 (21%)
Fractured bone	26 (26%)
Psychological consequences	
Depression	
– Minimal	12 (12%)
– Mild	34 (34%)
– Moderate	36 (36%)
– Severe	18 (18%)
PTSD	
– Acute PTSD	40 (40%)
– Acute stress disorder	37 (37%)
– Chronic PTSD	21 (21%)
– Delayed PTSD	2 (2%)

Table 5. Difference in self-rated psychological impact across method categories (mean difference, standard deviation, 95% confidence interval and p-value)

Comparison	Mean Diff.	SD	95% CI	P-value
Non-physical-Deprivation	-0.47	0.3	-0.87 – -0.06	0.018*
Other physical-Deprivation	-0.44	0.3	-0.86 – -0.01	0.044*
Sensory or Exposures-Deprivation	-0.49	0.3	-1.19 – 0.2	0.261
Sexual-Deprivation	-0.29	0.3	-1.22 – 0.63	0.885
Other physical-Non-physical	0.03	0.3	-0.33 – 0.4	0.999
Sensory or Exposures-Non-physical	-0.03	0.3	-0.69 – 0.63	0.999
Sexual-Non-physical	0.17	0.3	-0.73 – 1.07	0.980
Sensory or Exposures-Other physical	-0.06	0.3	-0.73 – 0.61	0.999
Sexual-Other physical	0.14	0.3	-0.77 – 1.05	0.991
Sexual-Sensory or Exposures	0.20	0.3	-0.86 – 1.26	0.981

Figure 1. Frequency of self-reported exposure to different torture or ill-treatment methods.

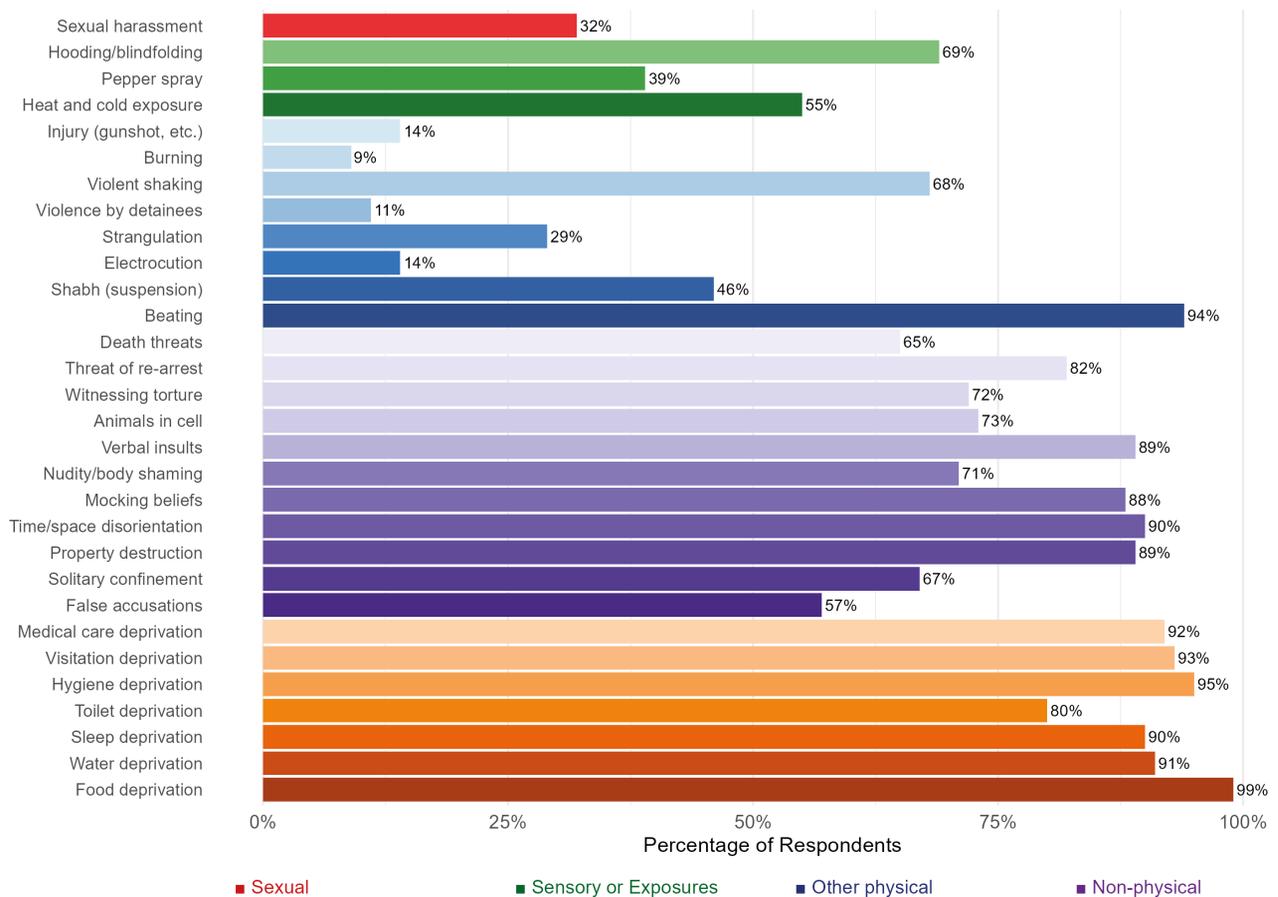
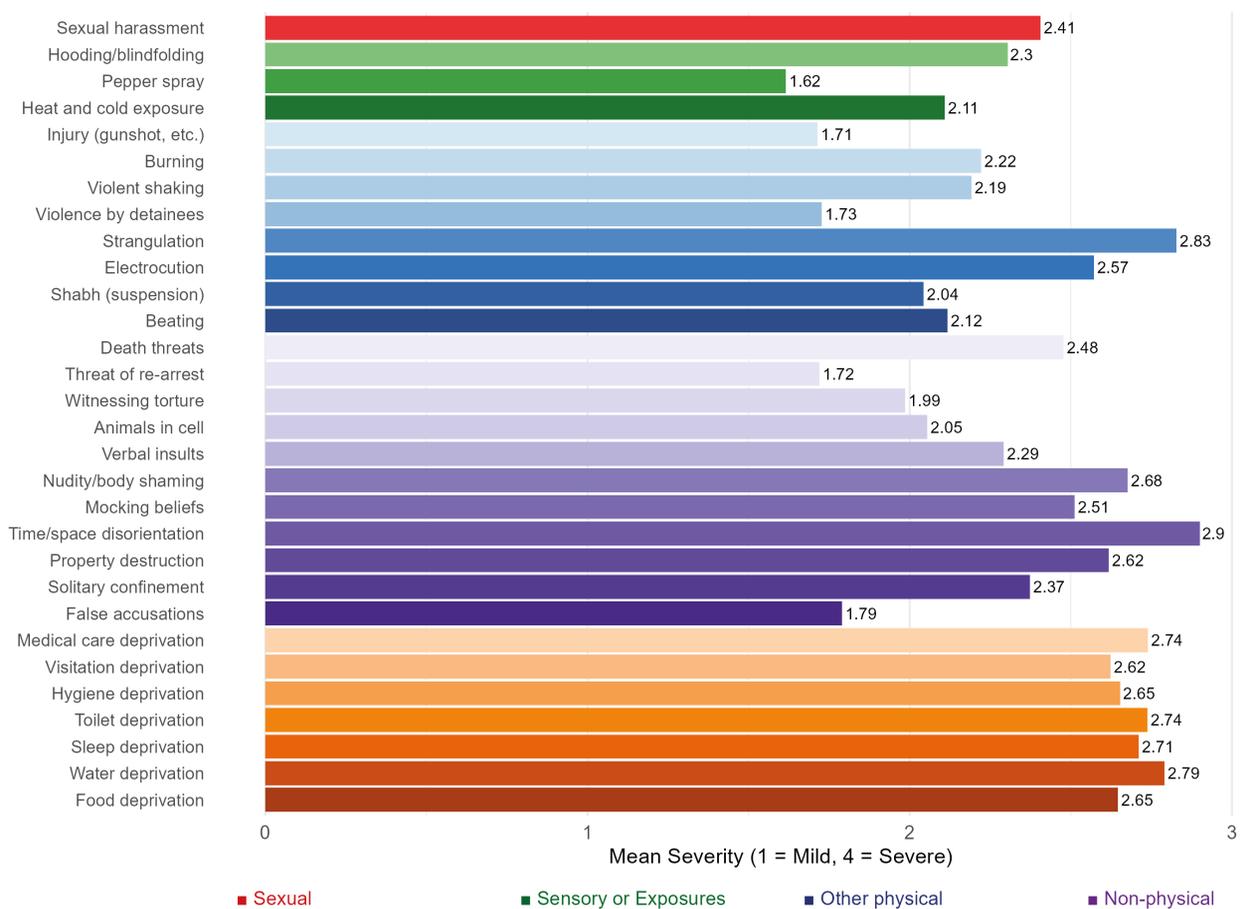


Figure 2. Mean perceived psychological severity by method.



other physical methods ($p=0.02$ and $p=0.04$, respectively) (Table 5).

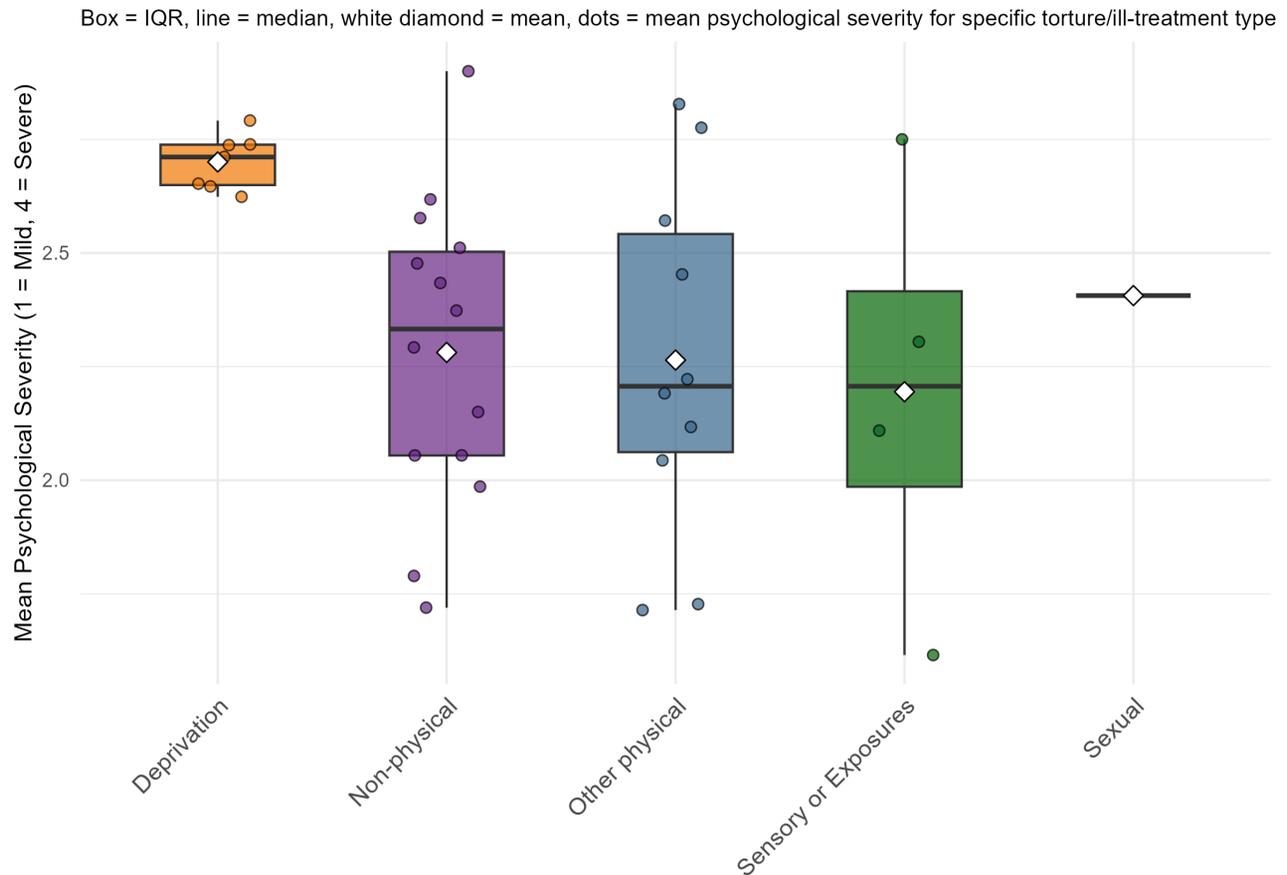
Psychological symptoms were common. Only 12% of participants were categorised as displaying minimal or no symptoms of depression. Symptoms of mild, moderate and severe depression were experienced by 34%, 36% and 18% of participants, respectively (Table 4). Sleep disturbances were reported by 66%, and 10% recounted having suicidal thoughts following detention. All participants displayed symptoms of a post-traumatic stress-related disorder. The most commonly demonstrated symptoms were for acute PTSD (40%) and acute stress disorder (37%), while 21% had symptoms for chronic PTSD and 2% for delayed PTSD (Table 4).

Psychological effects extended beyond depression and PTSD, with many (56%) reporting personality changes. Overall, 14% described simple changes, 16% medium changes, 16% severe changes, and 10% very severe changes, while 42% re-

ported no changes in personality. Data were missing for 2%. In terms of coping, participants reported varying degrees of reliance on faith and religion: 21% reported using it “extremely often”, 10% “a lot”, 11% “moderately”, 50% “a little bit” and 5% “not at all”.

To understand factors associated with depression levels, we explored the difference in mean age, number of torture methods and psychological impact of individual torture methods across different levels of depression symptoms (minimal, mild, moderate and severe). We found that the mean psychological impact score and mean number of torture methods per individual differed across depression symptom levels ($p=0.02$ and $p<0.01$, respectively) (Table 6).

These findings were further evaluated using a multivariable logistic regression analysis. The number of torture methods experienced remained significantly associated with depression symptoms, with more methods raising the odds of a higher

Figure 3. Mean psychological severity per torture method, grouped by category.

level of depression ($p=0.018$). However, the effect size was minimal, with an adjusted odds ratio of 1.08 (1.01, 1.15) in a model that contained age, employment sector and psychological impact score (Table 7). Neither psychological effect nor age showed a statistically significant association with depression in the adjusted model. However, student status was marginally statistically significant ($p=0.04$), with students exhibiting lower adjusted odds of a higher level of depression compared to human rights defenders. This result is of marginal importance, as the sample consisted of only five human rights defenders and three students.

Discussion

The sample for this study consisted mostly of young men aged 18-28, with political activist being the most common job. It is unclear whether this is because the group is most frequently detained, as random sampling was not possible. Violations were rampant during the arrest and detention. Only 3% were allowed

to contact a lawyer or relative on arrest, while the remainder experienced incommunicado detention. This violates international laws and norms (Amnesty International, 2024; United Nations General Assembly, 2006).

Torture or ill-treatment methods were universally reported by participants, varying greatly, with participants individually subjected to a median of 29 methods. To better understand and analyse those methods, we grouped them into categories according to the nature of the act, i.e., whether it was purely non-physical (e.g., insults or threats), deprivation (e.g., of food or water), sensory or exposure (e.g., to extreme heat or cold), other physical (e.g., beating, suspension, etc.) or sexual. Different categorisation methods have been used in other contexts (Hooberman et al., 2007; Milewski et al., 2023; United Nations, 2004). We categorised according to the local context. For example, forced nudity and mocking the victim's body were categorised as non-physical due to the universal, public nature of this practice by Israeli authorities in the occupied Palestinian

Table 6. Mean (SD) of age, torture exposure and psychological severity by depression symptom level

	Minimal depression	Mild depression	Moderate depression	Severe depression	P value
Age	35.1 (12.3)	29.2 (9.4)	29.8 (13.1)	26.9 (7.7)	0.254
Number of torture methods	26.6 (6.5)	26.7 (6)	32.1 (5.8)	29.1 (2.1)	0.001*
Mean perceived psychological severity	1.9 (0.6)	1 (0.5)	2.4 (0.5)	2.1 (0.5)	0.012*

Table 7. Factors associated with depression symptom level

Variable	Adjusted odds ratio	95% Confidence interval	P-value
Age, years	0.97	0.93, 1.01	0.13
Employment ¹	1		
– Missing	0.19	0.02, 1.38	0.108
– Other	0.26	0.03, 1.71	0.173
– Political activist	0.18	0.02, 1.18	0.082
– Student	0.03	0, 0.51	0.017
Number of torture methods	1.08	1.01, 1.15	0.018
Psychological impact	1.37	0.65, 2.89	0.402

1 Reference category: Human Rights defender

territories, and the lack of a sexual element to it (B'Tselem - The Israeli Information Center for Human Rights in the Occupied Territories, 2024).

The reported consequences of the violations and detention are mostly immediate, as participants were interviewed shortly after their release, making it impossible to determine longer-term consequences. Most notable among the physical consequences are the seven cases of extremity amputations. Our study did not enquire about the reasons for amputation but reports from other released detainees document prolonged tight hand and feet restraint leading to the need for medical amputation (B'Tselem - The Israeli Information Center for Human Rights in the Occupied Territories, 2024; CNN, 2024). Amputations are not a commonly reported consequence of handcuffing in other contexts (DIGNITY, 2022).

The severity of psychological impact varied greatly by individual and by method. Some torture methods, such as gunshot and *shabb* (a form of suspension torture), are known to cause serious physical injury and suffering (DIGNITY, 2024). How-

ever, seemingly benign methods such as depriving people from knowing the date and time of day had a stronger psychological impact on participants (2.9/4) than did either gunshot wounds (1.71/4) or *shabb* (2.04/4). This demonstrates that judging the severity of torture/ill-treatment methods is highly complicated and subject to context and the individual.

It is nevertheless clear that Palestinians released from Israeli detention have high loads of depression symptoms, with 88% of the sample reporting moderate to severe symptom load and 63% reporting some form of PTSD symptoms. This is unusually high compared to people experiencing incarceration elsewhere (Baranyi et al., 2019). These rates say something about the detention conditions, but they likely reveal more about the impact of living under Israeli occupation. For example, a recent UN study in Gaza among young people found that 58% displayed signs of moderate to severe depression, 61% displayed signs of anxiety, and 94% met the threshold for experiencing psychological distress (United Nations Population Fund & Juzoor, 2024). A nationally representative study found that

50% of adults in the West Bank reported signs of depression and 7.2% had signs of PTSD (World Bank Group et al., 2022). These rates are significantly higher than regional averages (Zuberi et al., 2021). The notion of *continuous traumatic stress* rather than *post* stress disorder is potentially relevant when studying the mental health impact of living under occupation. The risk of re-arrest, ill-treatment and torture, along with risks of forced displacement and physical harm to the self and loved ones, contribute to psychological distress, whereas the concept of PTSD implies that the traumatic event has ended and the person is not in physical safety (Asad, 2021; Eagle & Kaminer, 2013; Greene et al., 2017).

In terms of individual vulnerabilities, it appears that exposure to more torture methods and individuals' perceived psychological impact increases the likelihood of higher symptom loads for depression. As such, it is not necessarily subjection to harsher physical suffering that determines psychological impact. The sense of humiliation and disorientation may play important roles in determining psychological impact, as evidenced by the fact that being deprived of knowing the date and time and having trash dumped on them was experienced as more psychologically devastating than being shot, for example.

The study was conducted under highly challenging circumstances. During the data collection period, Israeli forces blocked roads, cutting off neighbourhoods from each other. This complicated the data collectors' movement, especially given that roadblocks were changing and unpredictable. Researchers sometimes had to end an interview when they heard that they might be unable to return home because a road may be blocked. Settler and Israeli army raids and the fear of them were an additional challenge to both researchers and participants during interviews. Fear of reprisal was a common reason for refusing to participate in the study, particularly among children and women. As such, only one woman was interviewed in this study; therefore, our results do not accurately reflect the detention experiences of Palestinian women.

Potential study limitations include the fact that torture methods were not necessarily defined so that individual interpretations may have biased reporting. For example, 'sexual harassment' may have been interpreted by some to be only physical rather than both physical and verbal. Some participants may have underreported or misclassified experiences due to cultural stigma, fear of reprisal, or personal interpretation. Finally, we interviewed only 37% (100/270) of people released by Israeli authorities during the study timeframe, as a significant proportion declined to be interviewed due to fear of reprisal. We were unable to perform a non-response analysis comparing responders with non-responders to assess representativeness.

Conclusion

We conducted a cross-sectional study to document the experience of 100 Palestinians who were in Israeli detention after October 7th, 2023. Torture or ill-treatment methods were universally experienced and varied greatly, as did the reported psychological impact on survivors. A substantially large proportion of participants displayed symptoms of moderate to severe depression as well as PTSD. Individual vulnerability to depression may be affected by the number of torture methods experienced. While conducting research in this context is extremely challenging, we recommend continued documentation and study of torture survivors' experiences, and optimal treatment and support to survivors. The participants' detention experience should be understood within the general context of living under Israeli occupation. The findings underscore the urgent need for an end to the torture and ill-treatment in Israeli detention, and the great need for mental health interventions for survivors.

Acknowledgements

We want to thank the participants in this study for their generosity in sharing their experiences with us. We gratefully acknowledge the TRC therapists who struggled against many challenges to collect this data.

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Submitted 30th of Apr. 2025

Accepted 23rd of July 2025

“What is there left after losing oneself?”: 100 testimonies of genocidal torture from Gaza

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Key points of interest

- Interviews were conducted with 100 Palestinians detained by Israel between 7 October 2023 and October 2024.
- All interviewees reported ill-treatment or torture. Methods were numerous and included sexual violence.

Abstract

Introduction: Since 7 October 2023, the number of Palestinians detained by Israeli authorities has increased dramatically. *Methods:* Semi-structured in-depth interviews were conducted between December 2023 and November 2024 with 100 Palestinians who were detained by Israel. A mix of snowball and convenience sampling was adopted. Thematic analysis was based on a qualitative codebook, and findings were complemented by open-source material. *Results:* Detention conditions were generally poor, including insufficient and poor-quality water and food, and substandard hygiene conditions. Access to healthcare was usually delayed, restricted or absent. All interviewees reported ill-treatment or torture. This included but was not limited to prolonged, tight mechanical restraint with blindfolding, positional torture, forced nudity, sexual violence, and being used as human shields in military operations. *Conclusion:* We found that the treatment of Palestinians from Gaza in Israeli custody constitutes torture. We found that the treatment of the interviewees fulfils two acts under the Genocide Convention and the Rome Statute, namely, causing serious bodily or mental harm to members of a group, and inflicting on the group conditions of life calculated to bring about their physical destruction.

Keywords: Torture, Sexual Violence, Palestine, Israel, Genocide

Introduction

“I have lost everything, my house, my brother, my friends, my father’s memory and myself”, he told me. “What is there left after losing oneself?” (43-year-old Palestinian from Gaza)

Gaza is an illegally occupied territory according to the International Court of Justice Advisory Opinion of 2024 (ICJ, 2024).

Although Israel withdrew its troops from Gaza in 2005, it retained control over Gaza’s land, sea and air borders. It imposed restrictions on the movement of people and goods, as well as the collection of import and export taxes, and military control of the buffer zone (ICJ, 2024). Israel retains control over birth registration, deciding who is a Gaza resident (HaMoked, n.d.). In 2007, Israel also imposed a blockade, resulting in a humanitarian crisis and significant restrictions on movement and trade. Of the 2.4 million Palestinians residing in Gaza, about

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

1.6 million are refugees (UNRWA, 2023). The occupation and blockade have profoundly impacted Gaza’s residents, particularly its youth, with the UN and humanitarian organisations referring to Gaza as ‘the world’s largest open-air prison’ (OHCHR, 2023). A 2020 review found 53.5% of Gazan children suffered post-traumatic stress disorder (PTSD), and a 2017 study found 67.9% of Gazan children showed depression (Abudayya et al., 2023; Thabet et al., 2005). Palestinian and international criticism of systemic segregation and discrimination against Palestinians culminated in an advisory opinion by the International Court of Justice, which found Israel in violation of the international prohibition on apartheid (International Court of Justice, 2024). The torture of Palestinians by Israeli authorities has been documented and raised as an issue by several Israeli, Palestinian and international organisations, including the UN Committee against Torture (UNCAT, 1994). In 2021, the Israeli organisation, Public Committee against Torture (PCATI), filed over 1400 complaints about torture by Israeli authorities since 2001 (PCATI, 2021).

Since the assault of 7 October 2023, Israel has been waging one of its most violent and destructive attacks on the Gaza Strip, inflicting devastating consequences on its 2.3 million residents. As of June 2024, Israel killed an estimated 64,260 people, injured at least 111,000, displaced an estimated 90% of Gaza’s population, destroyed its infrastructure, including its medical facilities, and is currently blocking access to food, water, medicine and essentials from Gaza, creating a famine in what the UN Secretary General called “A failure of humanity itself” (Jamaluddine et al., 2025; OCHA, 2025, 2024; The Lancet, 2025; UN, 2025).

In addition, the number of Palestinians detained by Israeli authorities reportedly increased (Addameer, 2024). Although there are no public figures about the number of Palestinians held by the Israeli military, the number of those in prisons was officially 10,000 as of December 2024, with only 1,789 of those serving a sentence (B’Tselem, 2025). Many Palestinians are arrested under the Unlawful Combatants Law No. 5762–2002, enacted in 2002. While the terms ‘combatant,’ ‘prisoner of war,’ and ‘civilian’ are clearly defined and commonly used in international humanitarian law (IHL), the term ‘*unlawful combatant*’ is absent from IHL instruments. Israeli law defines the term as: “*a person who takes part in hostile activity against the State of Israel, directly or indirectly, or belongs to a force engaged in hostile activity against the State of Israel, but does not meet the conditions granting the status of prisoner of war under international humanitarian law, as detailed in article 4 of the Third Geneva Convention of 12 August 1949 regarding the treatment of prisoners of war.*” In other words, this term refers to individuals who

do not meet the criteria for combatant status, such as civilians participating in hostilities or members of resistance movements not affiliated with a Party to the conflict. As a result, they do not fall under the protections of the First, Second, or Third Geneva Conventions. However, they may still be entitled to certain protections under the Fourth Geneva Convention, particularly regarding the treatment of civilians during armed conflict, depending on the circumstances. Israel has been using this concept broadly to justify the arrest and detention of any Palestinian from Gaza.

Methods

The Palestinian Centre for Human Rights (PCHR), documented the experience of Palestinians detained by Israel. PCHR staff conducted semi-structured in-depth interviews with Palestinians who resided in Gaza prior to 7 October 2023 and who were detained by Israel between 7 October 2023 and October 2024. Initial seeds were provided through the PCHR civil-society networks within Gaza. Inclusion in the study ceased when saturation of major themes was reached.

Interviews were conducted between December 2023 and November 2024. Interviewees were selected through a mix of snowball and convenience sampling. This approach was adopted due to the complicated context of the ongoing conflict. Oral consent was provided prior to the interview, which was conducted in person mainly from inside Gaza, except for two cases who were interviewed by phone. Interviewees were offered a referral to mental health support services.

Interviewers utilised a question guide which consisted of basic demographic facts, and facts about the arrest, transport, detention and release of the interviewee. The guide included open-ended questions about the interviewees’ experience and the conditions of arrest, transport, detention and release, how they were treated, potential ill-treatment or torture, as well as information about potential physical, mental or social consequences of the experience. Interviewers took written notes during each interview and later transcribed them. Quality control was ensured by a senior staff member. Transcripts are stored on a secure offline database.

A qualitative codebook based on the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) themes and international human rights law was used to code all transcripts. Coding was done in duplicate by both legal and health experts, and discrepancies were resolved through consensus. Thematic analysis was conducted to discern salient findings.

In addition to the interviews, we searched open-source material to triangulate information on the context of detention and the conditions in Gaza after 7 October 2023 in line with the Istanbul Protocol’s definition of external consistency (OHCHR, 2022). This included UN and international NGO reports. We also reviewed lawyer reports following visits to Palestinians in Israeli custody. A full report of this study is available (PCHR, 2025a).

Results

Interviewees

Interviewees consisted of ten women, 87 men, and three boys with an age range of 14 to 75 years at the time of arrest, a mean of 38.5 years and a standard deviation of 12.3 years. Interviewees’ occupations included government officials, construction workers, taxi drivers, teachers, stay-at-home mothers, health care professionals, and unemployed people. Thirteen interviewees held work permits for Israel (‘Gaza workers’) and one interviewee was legally seeking treatment in Israel. Interviewees were all Palestinians from Gaza.

Most (86%) were arrested in Gaza from a range of locations, namely homes (n=27), checkpoints (n=27), school shelters (n=16), hospitals (n=11), and the street (n=5). Fourteen people were arrested in Israel.

Arrest, transfer and detention procedures

The arrest procedures tended to follow a similar pattern. Heavily armed Israeli soldiers would raid a location. Women were separated from men. Children usually stayed with the women, but older boys (15 and above) were often prohibited from staying with their mothers and younger siblings. Men were ordered to strip to their underwear, hold up their identification cards and kneel. Sometimes the soldiers would fire shots in the air. None of the 100 individuals was provided with any information about the legal grounds for their arrest. See Annex for individual arrest procedures.

The arrest was always followed by transfer to another location. We found a consistent pattern of repeated transfers averaging 4.6 transfers per person (a total of 459 transfers were recorded among the 100 interviewees). Interviewees were almost always blindfolded and handcuffed during transfer and were rarely informed of the time, duration, destination or reason for transfer. The initial detention often lasted a few hours or overnight, followed by transfer(s) to other facilities for longer durations. Interviewees reported ill-treatment during transfers.

Interviewees were detained in several locations, including prisons and military detention facilities, with 74% being held

exclusively in a military facility. Of the 100 interviewees, only 22 were aware of the exact location of all their detention facilities. The rest were unable to identify the facilities due to blindfolding, repeated transfers, and the lack of information. Interviewees were detained both in Gaza and Israel. Sites included forward operating bases (temporary sites set up by the Israeli military in Gaza in a range of locations, including pits in the ground or civilian locations such as private homes or schools), military detention (both identified and unidentified), and Israeli prisons. The detention lasted from 1 to 257 days with a median of 43.5 days and an inter-quartile range of 26-55 days. Almost all (90%) were held incommunicado without contact with the outside world. Ten interviewees were brought before a judge, with only two having access to legal representation, appointed by the Israeli army.

Detention conditions

Detention conditions were generally poor, especially in military facilities. See Supplementary Material for additional interviewee quotes. Overcrowding was commonly reported, with interviewees saying there were not enough mattresses or beds, and others being held in cramped spaces with only a small window for ventilation. Thirteen interviewees reported being held in cages or in cage-like cells for several days, while six were detained outdoors without shelter from the rain and cold, some in only their underwear.

All reported insufficient and poor-quality water and food in detention. Some received one small meal a day, while others received three small meals a day. Some were forced to eat and/or drink while handcuffed and/or blindfolded, while others were beaten or humiliated in relation to food. Examples of this behaviour include a soldier spitting on their food and soldiers placing food just out of their reach while laughing and insulting them.

Hygiene conditions were reported as poor. For example, one facility had only one toilet for 500 to 700 detainees. As a result, some interviewees reported urinating on the cell floor or wetting themselves. Shower access was restricted. One person reported being allowed to shower only on the 20th day. Five of the ten female interviewees were held in facilities with limited access to sanitary pads, receiving only one per day. An interviewee described how they had to return the used pads to receive a new one. Many reported not being given regular access to clean clothing. One interviewee reported remaining in the same tracksuit in which he was arrested for the entirety of his detention, 230 days. Interviewees recounted lice, flea and bed bug infestations.

Although most detainees received a blanket and a mattress, some were forced to sleep directly on the floor. Interviewees described the mattress as very thin and too small. Exposure to cold, especially during winter, was a salient theme across interviews due to insufficient clothing, sleeping on the floor, or a lack of blankets.

Many interviewees described being held in facilities with restricted, delayed, or no access to healthcare; some endured physical or verbal abuse during health procedures, or were punished if they requested medical care. For example, one interviewee was handcuffed tightly upon arrest, and despite complaining, he was not allowed to see a doctor until 19 days later, when the soldiers had difficulty taking his fingerprints due to swelling of the hand. Another interviewee was denied treatment for a severely swollen foot caused by shackling, only being taken to the hospital when it became so infected that amputation was necessary.

Several interviewees were assessed by medical personnel upon arrival as part of an initial medical evaluation. Although interviewees reported both acute (e.g., fractured bones after beatings) and chronic (e.g., diabetes) medical conditions on arrival, most were only given paracetamol and not followed up.

In numerous cases, detainees were examined by medical personnel immediately after enduring torture, often with visible injuries. In one instance, a doctor repeatedly saw an interviewee following each torture session. Despite some interviewees informing medical personnel about the abuse, none were offered by medical staff to document or report it. In some cases, medical staff were present while soldiers accosted their patient, while one interviewee talked about getting slapped by a doctor. In some instances, interviewees received medical treatment while blindfolded, bound to a bed by all four limbs and wearing diapers.

Interviewees described not being allowed to talk to each other or being punished when they did. They also recounted restrictions on religious practice. Some women were forced to remove their hijabs during detention. Interviewees reported not being allowed to pray at all. Others were not allowed to pray together (*gamaah*), were only allowed to pray while sitting down, or were denied access to water for purification. Some recounted that soldiers mocked or beat them as they prayed, while others described being punished for praying.

Ill-treatment and torture methods

All Interviewees reported ill-treatment or torture during their arrest, transfer, detention or release process. They described this treatment as worse during interrogations to which they were repeatedly subjected. Interviewees reported many ill-treatment

and torture methods. We present some of those methods, starting with the least physically violent and proceeding to the most.

All interviewees spoke of constant verbal abuse and humiliation from arrest throughout detention both independently and accompanied by other forms of ill-treatment or torture. The insults were directed at the interviewee, their family members or their community. They varied in nature, including gender slurs, sexual insults, humiliating, mocking and racist insults referring to being Arab or Muslim or Gazan or Palestinian.

In addition to verbal abuse, interviewees reported being subjected to a range of humiliating actions. This included being forced to kiss the Israel flag, chant ‘long live Israel’, or being photographed in front of an Israeli flag, forced to dance in their underwear, sing humiliating songs, placed in pits in the ground in their underwear for long periods, or risk physical punishment if orders were not obeyed.

During this time, another soldier came and began mocking us. He said, ‘I want to sing ‘You little goats’, and you will say “baa baa”.’ He then started singing, and we were forced to repeat “baa baa” after him for about a minute and a half. He laughed and continued to mock us. (17-year-old male interviewee)

I desperately needed to pee. I asked the interrogator if I could use the bathroom, but he refused, telling me, ‘Pee on yourself.’ So, I did. Seeing this, [he] began urinating on me. (45-year-old male interviewee)

Interviewees were repeatedly threatened with death, prolonged detention, ill-treatment, and torture, as well as sexual violence and harm to family members. In addition, they reported being threatened with the destruction of Gaza, or the extermination of its population. A 14-year-old boy recounted being detained with other children including his cognitively impaired 11-year-old brother and being threatened with death. Two interviewees reported being threatened with arrest if they spoke about their detention experience after release. Threats of reprisal were a serious fear for many interviewees.

They called us, the children—myself, my brother [name redacted, 11-years old], and my cousins...[names redacted, 12, 13 and 15-year old]...They...placed us in a large pit, deep enough to cover us. They threatened us, saying they would bury us in the pit, and no one would know what had happened to us. After five hours they took us on foot to the Prisoners’ Towers [...]. While walking, they repeatedly told

us that we were being taken to our death. (14-year-old male interviewee)

Interviewees described being subjected to prolonged, tight mechanical restraint using handcuffs and/or foot cuffing in combination with blindfolding. This occurred from the moment of arrest and continued throughout transfer and detention. Prolonged restraint led to degrading conditions where detainees were forced to sleep, eat, and use the toilet while handcuffed and blindfolded.

Blindfolding was a commonly reported sensory deprivation method during arrest, transfer, interrogation and detention. It was often prolonged, lasting several hours or days and combined with other methods.

Interviewees shared their experience of being relentlessly deprived of sleep. They described being regularly woken abruptly in the middle of the night for head counts and searches. Some were forced to remain with their hands tied and blindfolded even during the night, while others were simply not allowed to sleep for more than four-five hours.

Soldiers frequently woke us up late at night...We were... forced to stand up and were given military orders such as ‘stand like rectangles’ or ‘make a triangle and spread your legs in a seven-shape.’ This was on a daily basis throughout our detention. (65-year-old male interviewee)

Exposure to cold, whether natural or manually created, was commonly reported. Interviewees recounted being forced to remain outdoors in cold weather with minimal clothing for extended periods. This occurred during arrest or detention, for example, in the middle of the night. Others described having fans and air conditioners aimed at them for extended periods or being put in rooms designated for cold exposure, resembling walk-in fridges.

All interviewees described being beaten. Beatings were reported to most body parts, including but not limited to the head and genitals. It consisted of slaps, punches, kicks, being stepped or walked on, being pushed to the ground, thrown out of vehicles or being lifted off the ground and then thrown down repeatedly, having fingers forced repeatedly into the ears, hitting both ears (*telephono*), being dragged across the ground or pulled from the shoulders or hair, and blows with objects such as rifle’s butt, batons, chains, sticks, iron rods, brass knuckles, steel, boots or other objects. Some interviewees reported having their head slammed into a wall or a table. People with injuries were not spared beating.

Interviewees reported exposure to riot control weapons. They described how Israeli soldiers would throw stun grenades into a cell unexpectedly and repeatedly over several days, causing one interviewee temporary hearing loss. They recounted being electrocuted by a hand-held device, likely an electric discharge weapon (EDW), such as a Taser, on various body parts, including the testicles. Interviewees also reported being subjected to pepper spray, which is normally used as riot control in the open air, causing intense irritation in the nose, eyes, throat, lungs and skin.

A salient theme was the use of dogs, which were mentioned in descriptions of both arrest and detention. Interviewees recounted that, during arrest, the dogs accompanied soldiers in raids, and in detention, they were used in cells to threaten, physically hurt or humiliate those detained. One interviewee reported witnessing a dog maul another man to death.

They unleashed police dogs on us again, allowing them to tear into our flesh. One dog attacked a fellow detainee, [name redacted], and started mauling his genitals. He bled to death in my arms. A doctor, shielded in a cage, examined him from a distance and said, ‘Throw him outside.’ (48-year-old male interviewee)

Interviewees widely recounted positional torture. They were ordered to maintain a specific physical position over an extended period of time, such as sitting, standing, or kneeling, risking punishment if they spoke or moved. The most commonly reported position was kneeling, often accompanied by blindfolding and tied hands. The duration ranged from 10 minutes to 25 days. Most stated that they were forced to kneel ‘all day’, ‘all night’, ‘long hours’, or ‘most of the time’.

Suspension was widely used during detention, particularly during and between interrogation, as well as a form of punishment. A form of suspension commonly reported by interviewees is *Shabb*, where the person is suspended by their tied wrists. Many interviewees described being exposed to *Shabb*, sometimes suspended for several hours, and this being repeated over several days.

I was shackled in the position known as Shabh...They hung me from my hands, which were tied to a barbed-wire fence, and my feet did not touch the ground. The pain was unbearable, especially since I weigh 136 kilograms, and all the weight rested on my wrists. I remained in that painful position until dawn and it was raining. They put me down and the soldiers poured water on my face. I saw blood on

my wrists and then they tightened the handcuffs behind my back. (27-year-old male interviewee)

Forced partial or complete nudity was a common practice, mainly reported by men and boys. They were kept in their underwear for prolonged periods, sometimes in the presence of family members or strangers and in public areas. This occurred during arrest, transport and detention. Some interviewees were photographed in this state. Two female interviewees described being subjected to forced nudity.

During detention, forced partial or complete nudity in front of other people, sometimes of a different sex, was reported. Some described that everyone in their cell were ordered daily to lower their pants to their knees, revealing their genitals to soldiers. Interviewees described being repeatedly stripped and body searched, sometimes every few hours—even when the interviewee had not moved from their spot.

Sexual Violence, abuse and torture

Several interviewees also reported being subjected to sexual violence, including verbal abuse, forced strip-searches, public nudity, sexual harassment, sexual assault, as well as threats of rape and sexual violence. Some described witnessing the rape of others. Verbal abuse included calling interviewees ‘whores,’ ‘sluts’ or making them repeat insults about family members, such as calling their mother a whore and inviting the soldier to have sex with their sister. One woman recalled being stripped of her hijab, then being tossed into a packed truck with men reduced to their underwear while the soldiers laughed and took photos.

While strip-searching us and having our legs tied, the [female] soldiers were biting their lips in a sexual manner, and the male soldiers were staring at us. They were laughing at us, insulting us with genital-related words and making sexually suggestive movements. (39-year-old female interviewee)

Interviewees recounted being ordered into sexual positions, such as one woman instructed by a male soldier to bend over and then ordered a female soldier to throw herself on her. Several interviewees also described groping of breasts and genitals, including in a painful manner. Many interviewees reported being threatened with rape.

At 19:00 on the tenth day of detention, soldiers came with their large dogs and ordered us to sleep on our stomachs and place our hands on our heads and warned us

that whoever moves would get raped. (16-year-old male interviewee)

Two interviewees described witnessing the rape of others detained with them. One interviewee saw a dog being used to rape another man in a military detention, while another interviewee heard another man being forced to perform oral sex on an Israeli soldier inside a tank during transport.

Later, I was called out along with two other [detained] men and we were taken to a concrete yard. They removed our blindfolds and took one detainee, stripped him naked and brought a police dog. The dog raped the detainee thoroughly and had sexual intercourse with him. He was screaming loudly. This torture continued for two minutes. Then they took me and the other detainees to new barracks and the sound of the screams of the man who had been raped disappeared. (25-year-old male interviewee)

While we were inside the tank, the soldiers beat an elderly man. I knew that from his voice, as he was screaming. The soldiers severely beat him...and ordered him to have sex with them inside the tank. One of the soldiers, who was speaking Arabic fluently, told him: ‘I want you to suck my dick,’ and they forced him to do that. I knew that from the sound I heard. The elderly man tried to prevent them, but in vain as I heard his gargling sound while the soldier was beating him and saying: ‘suck my dick or I will kill you.’ (52-year-old male interviewee)

All the interviewees reported witnessing others being ill-treated, tortured or even killed. Some saw the violence, while others heard it.

Some interviewees recounted witnessing others die. In total, interviewees reported witnessing at least 21 individuals dying while in custody, either directly killed by Israeli soldiers or dying as a result of ill-treatment, including medical neglect.

In addition to the methods of ill-treatment reported above, interviewees described additional forms of psychological violence. During the arrest, some interviewees explained that soldiers fired shots at families and burned people’s homes in front of them. Half of the women who were interviewed were mothers who were forced to abandon their babies and young children during their arrest. One mother of a 4-year-old boy and a 9-month-old baby recounted being separated from her children, who had just survived a missile hitting their house and witnessed family members being gruesomely injured.

I asked him If I could take my breastfeeding baby with me, but the soldier ...told me that if I did [not leave my baby], they would kill us all, so I had to leave. My [other] child was grabbing my hijab not wanting me to leave him. I gave him to his grandmother; all of us were crying. (24-year-old female interviewee)

Interviewees also explained how some of them were deceived into thinking they would be taken back to their shelters or released, but were instead taken to another detention facility. During interrogation, some were falsely informed that their family members, including children, had been killed.

Several interviewees, including children, reported being used as human shields in Israeli military operations. This often involved being forced to stand in front of military assets, such as tanks, or making them enter buildings and film inside before soldiers decided whether to proceed. The interviewees described feeling particularly terrified during these experiences. Two brothers, interviewed separately, recounted being used as human shields for 44 and 36 days, respectively. They were forced to enter a series of buildings ahead of the Israeli occupation forces to take photos and film, warn civilians, and check whether the area was safe.

[The soldiers] ordered me to enter a house. I was exhausted, and there was a lock on the staircase that I missed due to my fatigue. I went up... took pictures, and returned to them. When they entered and broke the lock that I had overlooked under the stairs, they found three explosive devices. They ran out, shouting ... and aimed their weapons at me...then ordered me to return to the house, retrieve the three explosive devices, place them in front of the stairs, and go back inside to photograph everything in the house, including the wardrobes, leaving nothing unphotographed. (44-year-old male interviewee)

Health and social consequences

Interviewees described their physical and psychological health status after the detention experience. The self-reported symptoms vary, including both acute and potentially chronic symptoms, and are both physical and psychological (See Table 1).

Interviewees described feelings of helplessness when they could not manage to extract themselves or others from the ill-treatment, shame (especially but not only in relation to sexual ill-treatment and forced nudity), hopelessness and even a death wish. Interviewees felt they had lost a sense of their own identity, had insomnia, felt anger and in their own words, experienced general “psychological devastation”.

Table 1. Symptoms reported by interviewees following the detention experience

Psychological symptoms and feelings
Fear (of death, for loved ones, etc.)
Sadness
Humiliation (feelings of defeat)
Shame
Helplessness
Shock
Anger
Suicidal ideation
Memory loss
Insomnia
Worrying
General feelings of “psychological devastation”
Hallucination
Physical symptoms
Pain (acute, chronic, dull & sharp to a range of body parts)
Dizziness, fainting, loss of consciousness and coma
Damage to limbs and nerves (including foot amputation)
Damage to the skeleton (including fractures, dislocation and joint injury)
Damage to fingers (after fingernails ripped off)
Sensory disturbances (including temporary loss of hearing and visual problems)
Skin damage (including cuts, excoriations, cysts, etc.)
Damage to ear, nose, mouth and eyes
Breathing difficulties
Haematuria (blood in the urine)
Haematemesis (blood in vomit)
Haemorrhoids, kidney stones and stomach ulcers
General malaise (including rapid and severe weight loss)

I am not myself anymore... I cry and laugh at the same time...I cannot believe that I am still alive and that I survived all this. I have become soulless when I look at my children and fear that one day they will go through what I experienced. (43-year-old male interviewee)

I am no longer [name redacted], the young man who dreams of having a happy family and building his professional future. I am no longer [name redacted], the laughing young man who was active, spirited, and energetic and gave his friends hope. I have become very nervous, very afraid even of the night and only sleep during the day. I lost my home, which I worked and saved money for years to build so I could get married and live in my own house. I lost my family, home, my job, and everything. I lost the past, the present, and the future. I lost my brother for no reason, only because I am a young Palestinian who tried to live in Gaza. (26-year-old male interviewee)

A broad range of physical consequences were also reported, including acute and chronic pain, light-headedness, hallucination, difficulty breathing and sensory disturbances. Some interviewees described acute and chronic limb and skeletal damage such as foot amputation, bone fractures, dislocation and reduced mobility.

The foot cuffs were so tight that...I was screaming from the pain and could not even sleep...I asked for help and begged them to bring me a doctor or painkiller, but they told me that my foot was fine...When they finally realized how serious my condition was, they...took me to the hospital after 20 days of brutal beatings and torture. I was barely conscious as they dragged me to the hospital with my hands and feet tied. The doctor performed surgical debridement of my foot as I saw every bone in my leg...then they told me that my foot was fine, and I was discharged. Three days later... they suddenly rushed me into surgery, and when I woke up two hours later, my foot was already amputated. (42-year-old interviewee)

Interviewees recounted their relief after release; however they also described dire post-detention conditions. Many were unable to return home, forced instead to live in overcrowded shelters with little to no support. Many had been separated from their families at the time of their arrest and were still searching for information about their whereabouts. Detained children were not linked back to their families or supported.

Those who did manage to locate their family members were often unable to physically reach them in the humanitarian disaster.

I am constantly worried about my family and do not know how they manage to find food and water, as well as medicine in case one of them gets sick amid the dire situation and the lack of aid delivery in North Gaza. (42-year-old male interviewee)

Sometimes when the whereabouts of family members were traced, it was only to learn of their death. In some of the most fortunate cases, interviewees were reunited with family members. They talked about the reunion, but also about their current living conditions in light of the loss of their homes and limited access to income, food, and medicine.

Discussion

We interviewed 100 Palestinians from Gaza who experienced Israeli detention from October 2023 to October 2024. All interviewees recounted exposure to a broad range of ill-treatment and torture, including but not limited to threats, prolonged mechanical restraint, sleep deprivation, beating, use of dogs, positional torture, suspension, forced nudity, sexual violence, medical neglect, witnessing others tortured or killed, and being used as human shields during Israeli military operations in Gaza.

Torture as an act of genocide

Torture constitutes one of the most egregious violations of international law, universally and absolutely prohibited at all times and against all individuals (UN, 1948b, 1949, 1984, 2008; UNGA, 1966). This prohibition is recognized as a *ius cogens* norm, a fundamental principle of international law that is universally binding and allows for no exceptions (*Furundziya—Judgement*, 1998). To reinforce this absolute prohibition, an international system of criminal sanctions exists, making torture a punishable crime under international law (Henckaerts & Doswald-Beck, 2005; ICC, 1998; UN, 1948a, 1984).

While genocide is most commonly associated with mass killings, international jurisprudence recognizes that genocidal acts may also involve forms of destruction that do not result in immediate death but aim to destroy a protected group over time. Although torture is not explicitly enumerated among the five acts constituting genocide under Article II of the Convention on the Prevention and Punishment of the Crime of Genocide and Article 6 of the Rome Statute, international courts have recognised torture as conduct that may constitute genocidal acts when committed with the requisite genocidal intent

(ICC, 2013; ICJ, 2007; ICTR, 1999b, 2000, 2001, 2004; ICTY, 2001, 2003, 2005a, 2007b, 2017). This recognition reinforces the understanding that torture can serve as a powerful method of destruction that can be just as effective as killing in fulfilling the genocidal goals of those who seek to erase a group’s existence.

This section analyses the treatment of Palestinians from Gaza detained by Israeli authorities, drawing on the 100 testimonies documented by PCHR, and assesses whether these acts meet the legal definition of genocide. Two of the enumerated acts under the Genocide Convention and the Rome Statute are particularly relevant to the treatment of Palestinians in Israeli custody:

1. Causing serious bodily or mental harm to members of the Palestinian group; and
2. Inflicting on the group conditions of life calculated to bring about their physical destruction.

Causing serious bodily or mental harm, through acts of torture

To amount to genocide, the bodily or mental harm caused must be of such a serious nature as to contribute or tend to contribute to the destruction of all or part of the group. While the harm need not be permanent or irreversible, it must inflict grave and long-term disadvantages to a person’s ability to lead a normal and productive life. According to international jurisprudence, acts causing bodily or mental harm include acts of torture.

In this section, we will first assess whether acts of torture were committed and then move to examining whether the acts of torture caused serious bodily or mental harm, according to the Genocide Convention and the Rome Statute.

Under international law, four consistent legal elements define torture: (1) severe pain or suffering; (2) committed for prohibited purposes; (3) with the involvement of a public official or control over the victim; and (4) intent.

Severe pain and suffering: An important degree of pain and suffering must be reached for a criminal act to amount to torture (ICC, 2009, 2021). The severity of the pain and suffering ‘may be met by a single act or by a combination of acts when viewed as a whole’ (ICC, 2021). It is not necessary for there to be specific physical injuries, impairment of a bodily function, or death, or for the consequences of torture to be visible or permanent (ICC, 2021). International judges have used both objective and subjective criteria to assess the severity threshold.¹

Vulnerable groups—including minors, the elderly, chronically ill individuals, and mothers separated from their infants—were targeted. Upon arrest, interviewees were immediately put in a position of inferiority. Often blindfolded and handcuffed, many were forced to undress, leaving them disoriented and powerless, under the full control of the Israeli soldiers. This environment of coercion and subjugation began at the point of arrest and persisted throughout their detention. The median detention period was 43.5 days, with one lasting up to 257 days, during which detainees were entirely cut off from the outside world.

We found consistent patterns of ill-treatment, revealing the institutionalisation of abuse and the manner and method used. All interviewees, regardless of the location or duration of detention, experienced several methods of torture, ranging from beatings, violent suspension, forced nudity, and sexual violence to verbal abuse and threats. All interviewees, including children, reported being interrogated by Israeli soldiers or intelligence officers at least once, with some facing daily interrogation. During these sessions, intense forms of ill-treatment were inflicted upon them, such as beatings, electrocution or violent forms of suspension. The ill-treatment continued throughout the entire detention period, and even during release.

The treatment of detained Palestinian men and women was shaped by gender-specific tactics designed to exploit cultural, societal, and religious norms and increase the impact of the ill-treatment. For men, extreme violence and emasculation stripped them of their dignity and masculinity. Tactics included forced public nudity, humiliating strip-searches, and physical abuse while naked, sometimes involving diapers or targeting the genitals. Men were forced to undress in front of family members, neighbours, and fellow detainees, with some images later disseminated publicly. Such practices weaponised cultural shame to undermine masculinity and social roles as protectors. Although women were arrested less frequently, their treatment also revealed systematic sexualized and gender-based violence. Female detainees were subjected to forced nudity, sexual assault, and threats of sexual violence. Mothers were separated from young children — some as young as nine months — leading to severe emotional distress. Threats against their families further heightened their psychological suffering, targeting their maternal identities.

1 The criteria are as follows: the physical condition of the victims, the victims’ age, sex, and state of health, their position of inferiority, their specific social, cultural, and religious background, the physical and mental effect of the treatment

on them, the nature and context of the infliction of pain, the premeditation and institutionalisation of the ill-treatment, and the manner and the method used. See, for example (ICTY, 2002, 2005b, 2007a, 2008; Kvočka et al. - Judgement, 2001).

Prohibited Purposes:² Testimonies show that the ill-treatment served multiple purposes:

- *Discrimination*: All victims were Muslim Palestinians from Gaza, specifically targeted based on religion and nationality. For example, some were forced to kiss Israeli flags, prevented from praying, and punished for religious observance.
- *Humiliation and dehumanisation*: Victims were called “animals” or “human animals” and subjected to degrading practices aimed at stripping them of dignity. Gender-specific humiliations further deepened psychological harm.
- *Punishment*: Ill-treatment served to punish the interviewees for their identity and perceived affiliation with Palestinian resistance and the events of October 7, 2023 and as a response to minor infractions committed.
- *Extraction of information*: Interrogations focused on alleged affiliations with Hamas, participation in the October 7 events, knowledge of tunnels or hostages. Interrogators used violence to extract confessions or intelligence.

Involvement of Public Officials/Control over the Victims: All acts of ill-treatment occurred while detainees were in Israeli custody under the control of Israeli occupation forces soldiers, intelligence agencies (including Shin Bet and Mossad), and prison authorities.

Intent: Finally, these acts of ill-treatment seem to have been intentionally inflicted by the perpetrators, based on the nature and duration of the abuse, the methods employed (e.g., beating with various objects, suspension, or electrocution), the combination of different forms of ill-treatment, including threats and humiliation, and the dire and coercive conditions under which the victims were detained throughout their detention. Consequently, the perpetrators either had the intention to inflict severe mental and physical pain and suffering on the detainees, or they knew that their acts or omissions were likely to cause such harm.

As a result, we found that the treatment of Palestinians from Gaza in Israeli custody constitutes torture. We then assessed whether these acts of torture caused serious bodily or mental harm, according to the Genocide Convention.

According to our analysis, the bodily and mental harm caused by acts of torture was of such a serious nature as to contribute or tend to contribute to the destruction of all or part of

the Palestinian group, in that it inflicted and will continue to inflict grave and long-term disadvantages to the victims’ ability to lead a normal and constructive life.

Interviewees complained of a long list of health consequences subsequent to their ill-treatment. Physically, many interviewees suffered permanent injuries, including chronic pain, a foot amputation, herniated discs, and reduced mobility. Many developed ulcers, cysts, fractures or physical disabilities that continue to affect their daily functioning. While the exact symptoms and consequences of each torture method will vary depending on different factors (such as the intensity and the duration of the torture, pre-existing health conditions, and the context, including concomitantly used methods), the reported physical health consequences are overall in line with the described methods of ill-treatment. For example, it has been documented that positional torture leads to injury usually concentrated in tendons, joints and muscles, potentially causing swelling, numbness and pain which could be severe (Hincheli et al., 2018). These symptoms were reported by interviewees who were exposed to forced stress positions. Suspension has been associated with intense pain and reduced blood flow, potentially causing loss of consciousness and breathing difficulties (DIGNITY, 2024). These symptoms were described by interviewees who were suspended. For example, one described loss of consciousness, probably due to severe pain, when suspended from the genitals. The prolonged and reportedly tight restraints seem to have led to worse consequences than previously documented. Adverse effects of hand and foot cuffing have been documented to include pain, skin damage, numbness, nerve injuries, and fractures (DIGNITY, 2022). While these consequences were described in the interviews, the prolonged tight restraint additionally led to a foot amputation in one case. Amputations due to prolonged tight restraint were also reported in the media in other cases in Gaza since 7 October 2023 (CNN, 2024). This suggests a potential new trend that warrants further investigation.

In addition to the reported physical symptoms, torture is known to produce other long-term effects (Song et al., 2018). Post-traumatic stress disorder (PTSD) is a common consequence of experiencing stressful or frightening events and has been well-documented in relation to war and detention (Shahmiri Barzoki et al., 2023; Steel et al., 2009). Psychologically, survivors are therefore at high risk of long-term mental health consequences such as PTSD, intrusive memories, self-isolation, and low self-esteem, exacerbated by their ongoing displacement, loss of family and livelihood, and the destruction of Gaza’s healthcare infrastructure, which severely limits access to treatment.

² Prohibited purposes include, though not exhaustively, purposes such as obtaining information or a confession, punishing, intimidating or coercing the victim or a third person, or discriminating, on any ground, against the victim or a third person. In the case of Furundžija, the ICTR also recognized humiliation as an additional purpose (Furundžija—Judgement, 1998).

Further, torture is not only an individual experience. Families are affected when the survivor’s behaviour changes, as is common in traumatised individuals, or if they are no longer able to generate an income through work due to physical or mental health consequences, for example. Research has demonstrated the biologic impact of trauma across generations, potentially resulting in adverse somatic and psychiatric effects in children (Flanagan et al., 2020). The concept of collective trauma has been documented in contexts such as Palestine, where entire communities faced ill-treatment or conflict resulting in long-term psychological harm (Mahamid, 2020). Such harm is therefore not transient but enduring, potentially lasting across generations, as individuals and the Palestinian community from Gaza find themselves debilitated by the aftermath.

Moreover, the intentional targeting of men of military age, especially those holding key functions, will have far-reaching implications for the cohesion and survival of the group. In addition to the ten health professionals interviewed by PCHR, many more were targeted (Kelly et al., 2025). Vital pillars of the community, doctors and other health professionals, play an essential role in treating the illnesses and injuries caused by the Israeli attacks and war in Gaza. The systematic detention and torture of these individuals create a severe gap in essential medical services or other relevant sectors, leaving the group vulnerable to both existing and new health crises and death.

Following the legal analysis of the 100 cases documented by PCHR and the lawyers’ reports, we concluded that the acts of torture inflicted on Palestinians from Gaza arrested between October 2023 and 2024 by the Israeli occupation forces and held in military facilities and prisons across Gaza, Israel, and other Occupied Palestinian Territory, caused serious bodily and mental harm.

Inflicting on the group conditions of life calculated to bring about their physical destruction

Additionally, we found that the treatment of Palestinians from Gaza in Israeli custody constitutes the act of inflicting conditions of life calculated to bring about the physical destruction of the group, as prohibited under the Genocide Convention.

This mode of destruction involves creating circumstances that, while not resulting in immediate death, are designed to systematically weaken and ultimately eliminate the targeted group (ICTR, 1998, 1999b; ICTY, 2003, 2010). Such conditions may include subsistence diet, systematic expulsion from homes, denial of the right to medical services, as well as the creation of circumstances that would lead to a slow death, such as lack of proper housing, clothing and hygiene or excessive work or physical exertion (ICTR, 1998, 1999b, 1999a; ICTY,

2003). Unlike other genocidal acts, this provision does not require proof of actual death or destruction but focuses on the intent and the living conditions imposed (ICTY, 2013).

Testimonies from detained Palestinians described brutal and degrading living conditions in Israeli military facilities and prisons. Interviewees, both male and female, were often blindfolded and handcuffed even during sleep, with some forced to kneel for prolonged periods. Food rations were meagre, sometimes limited to a piece of toast and strained yogurt (labneh), and drinking water was either unavailable, unclean or grossly insufficient. Bathroom access was restricted and often only allowed while handcuffed. Sleep deprivation was systematically inflicted, with many being awakened repeatedly during the night, forced to kneel, and threatened with death. These inhumane practices were not isolated incidents but occurred across multiple facilities, where Palestinian detainees were held for weeks or months. Several interviewees witnessed fellow prisoners die from the severe conditions.

The harm inflicted extended beyond the period of detention. Upon release, many were deliberately discharged in a critical physical and psychological condition, suffering from untreated injuries and illnesses. Israeli authorities released them directly into a war zone, fully aware of Gaza’s devastated healthcare infrastructure, destroyed by prolonged military attacks and blockade. Consequently, most released interviewees lacked access to any medical treatment necessary for their recovery. Further exacerbating their suffering, many returned to find their homes destroyed and were left without shelter, basic necessities, or protection from ongoing hostilities.

These conditions will have profound and lasting consequences, as survivors remain in a state of extreme vulnerability, facing continuous physical and psychological deterioration under conditions of displacement, insecurity, and deprivation. The cumulative impact of these conditions threatens not only the individual survival of former detainees but also the broader physical survival of the Palestinian population in Gaza. The systematic nature of these practices reflects a deliberate policy designed to weaken the Palestinian group, diminish its resilience, and induce a slow death and collective destruction. PCHR concludes that these acts were intentionally calculated to bring about the physical destruction of the Palestinian group within the meaning of the Genocide Convention.

Genocidal intent

For the acts committed against Palestinians in Gaza to constitute genocide, they must be carried out with the specific intent to destroy, in whole or in part, the Palestinian group. This intent can be established through facts and circumstances, including

the general context, systematic targeting of the group, the scale of atrocities, the presence of a plan or policy, or the repetition of destructive, discriminatory acts, and the use of derogatory language (ICTR, 1998, 2004, 2005; ICTY, 2003, 2013). Where an inference needs to be drawn, it has to be the only reasonable inference available (ICTR, 2010).

The analysis presented in this section is limited to the 100 cases documented by PCHR and does not seek to establish broader conclusions regarding the genocidal intent of senior Israeli officials. A more comprehensive analysis addressing the broader scope of genocide is available in a separate report by PCHR (PCHR, 2025b). This section focuses solely on the intent of the direct perpetrators.

During our analysis, we found several genocidal statements made by members of the Israeli military during their interactions with the interviewees, where the destruction of Gaza and its population was openly cited. Several reported hearing Israeli soldiers express that their mission was to eradicate the Palestinian people in Gaza.

Other facts and circumstances further reinforce this finding. Arrests targeted all segments of the Palestinian population: men of military age, women, children, the elderly, the injured, and individuals with disabilities. Those detained included key community members such as healthcare workers, journalists, and human rights defenders. Entire groups, sometimes comprising hundreds of people, were detained together, with interviewees reporting witnessing the death of 21 persons during arrest and detention. Special brutality was inflicted on young men, suggesting a deliberate strategy to eliminate the community’s future leadership and vitality.

The widespread use of dehumanising language also serves as powerful evidence of genocidal intent. Victims were routinely referred to as “animals,” “dogs,” or “not human,” stripping them of dignity and framing them as unworthy of life. Such language was accompanied by treatment that reinforced these perceptions: extreme physical abuse, deprivation of basic needs, and exposure to inhumane conditions.

The analysis also reveals that direct perpetrators were involved in other culpable acts, such as systematic attacks on civilians, destruction of homes, hospitals, and schools, and forced displacement before arrest. Many interviewees witnessed the killings of family members by bombings, drones, and snipers. Mass property destruction further deprived victims of any sense of security or hope for recovery.

The consistency of arrest and detention practices across various facilities highlights the systematic nature of these actions. Families were forcibly separated, detained Palestinians were denied legal recourse, and all endured torture. Recent reports

prepared by PCHR’s lawyers following their prison visits in late 2024 described ongoing horrific conditions, further evidence of the enduring brutality.

The deliberate release of severely weakened detainees into an active war zone—without medical care, shelter, or basic necessities—further demonstrates intent to ensure their continued suffering and physical destruction. Gaza’s devastated healthcare system left these individuals with no possibility for recovery.

PCHR concludes that the combination of genocidal statements, mass arrests, systematic torture, dehumanisation, targeted destruction of Gaza’s civilian infrastructure, and the release of incapacitated detainees into lethal conditions collectively demonstrates the intent to destroy the Palestinian group in Gaza physically. The evidence leaves no doubt that Israeli forces executed these actions with the knowledge and purpose of ensuring the group’s eradication and preventing its reconstitution.

Conclusion

The conducted interviews must be understood in the historical context of Palestine. Palestine formally came under colonial British rule in 1922 (League of Nations, 1922), following the 1917 Balfour Declaration in which Britain pledged to establish a “national home for the Jewish people” in Palestine (Balfour, 1917)—without the consent of its indigenous population. The Declaration laid the foundation for a settler-colonial project founded on Zionism—the ideological basis of the Israeli state—which advocated for an exclusively Jewish state in Palestine (Dana & Jarabawi, 2017). This agenda was actively supported by British authorities, who facilitated Jewish immigration and enabled the creation and arming of Zionist militias. These militias carried out systematic attacks on Palestinian towns and villages, paving the way for large-scale displacement (Dana & Jarabawi, 2017).

In 1947, the UN General Assembly passed Resolution 181, which partitioned Palestine into a ‘Jewish’ and an ‘Arab’ state, with Jerusalem under international administration (UNGA, 1947). The plan granted the settler population control over more than half of the land despite Palestinians constituting the vast majority. This was followed by the Nakba (catastrophe), during which thousands of Palestinians were killed, over 750,000 were forcibly displaced, and more than 400 villages were destroyed (UN, n.d.). Despite decades of documented violations of international law, no punitive measures have been imposed on Israel by the international community, perpetuating a cycle of impunity.

In 1967, Israel extended its military occupation to all remaining Palestinian territories, including the Gaza Strip. Palestinian civil society has long warned that Gaza was on the brink of collapse, and the international community's failure to hold Israel accountable emboldened its actions. Top Israeli officials made statements reflecting genocidal intent, both through direct statements and policy and actions. For example, President Isaac Herzog declared: “An entire nation bears responsibility, of course. These discourses about uninvolved civilians are absolutely untrue.” (Herzog, 2023). On 11 November 2023, Israeli National Security Minister Itamar Ben Gvir also declared, “Our goal is to win this war to destroy Hamas. By the way, when I say destroy Hamas, it also means those who distribute candy, those who support, those who sing, they also need to be eliminated.” (Ben Gvir, 2023). At the beginning of the military attack, Israeli Defence Minister Yoav Gallant removed all restrictions, giving free rein to the Israeli occupation forces to destroy everything in Gaza, stating, “I have removed all restrictions, attack everything from the air and ground, with tanks, bulldozers, by any means necessary. Gaza will not return to what it was. Eradicate everything” (Galant, 2023).

Since October 2023, Israel has systematically arrested thousands of Palestinian civilians from Gaza, subjecting them to torture, ill-treatment and inhumane conditions across multiple detention facilities, including military facilities and prisons (OHCHR, 2024). Detained Palestinians interviewed by PCHR endured severe physical and psychological violence amounting to torture, including beatings, positional torture, verbal abuse, threats and sexual violence. We concluded that these acts of torture and the conditions of detention and release constitute acts of genocide, namely “causing serious bodily and mental harm” and “Inflicting on the group conditions of life calculated to bring about their physical destruction”, and were committed with the intent to destroy, in whole or in part, the Palestinian group.

The interviews were conducted in a challenging context, with both interviewers and interviewees facing displacement and life-threatening security challenges. Many interviewees were likely traumatised and had yet to receive psychological care. Many feared reprisals by Israeli forces following threats as described above. This data is, therefore, a snapshot of their experience, and it is likely that if they were to be interviewed in the future, more information would emerge. In addition, this was a qualitative study based on purposeful and snowball sampling and can therefore not be used to estimate prevalence.

Based on our findings, we recommend that States fulfil their obligation to prevent the ongoing genocide against Palestinians in the Gaza Strip, including acts of torture against

Palestinian detainees in Israel prisons and military camps, in particular by imposing an arms embargo on Israel; Demand the Israeli occupation authorities to comply with international law, including ending their indefinite incommunicado detention of Palestinians from the Gaza Strip, without charge or trial under the Unlawful Combatants Law, to release all those arbitrarily detained without delay, and end the ill-treatment and torture of Palestinian detainees; Demand the Israeli occupation authorities to allow immediate and unhindered access to prisons, military detention camps, and medical facilities for relevant investigative and monitoring bodies; Investigate allegations of genocide and torture under the principle of universal jurisdiction, where applicable; and to support and respect the independence and decisions of the International Criminal Court and its officials. We also recommend that the Prosecutor of the International Criminal Court ensure that the acts of genocide, including acts of torture and ill-treatment, committed by Israeli officials are investigated and prosecuted; and to add the commission of the crime of genocide in the arrest warrants against Israeli officials.

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Submitted 15th of Apr. 2025

Accepted 25th of Aug. 2025

Annex: Locations and General Conditions of the Arrests

Locations of the arrest		General Conditions of the Arrests	Total
Houses	5 in North Gaza, incl. 4 in Beit Lahia 14 in Gaza City 7 in Khan Younis 1 in Rafah	27 interviewees stayed behind or were trapped by the fighting alongside their families in various locations - their private homes or the homes where they had sought refuge. They were arrested by the IOF between 13 November 2023 and 14 May 2024 while at home.	27
School shelters	4 at UNRWA schools: – Al-Ayyoubia Primary School for Boys - Gaza City – Palestine Preparatory School for Girls - Gaza City – Al-Hanawi School - Khan Younis – Al-Shawwa UNRWA School - Beit Hanoun 3 at Amr Ibn Al-Aas Elementary School for Girls in Sheikh Radwan - Gaza City 1 at Al-Rimal Elementary Mixed School “B” in Gaza City 1 at Al-Aqsa University in Tal Al-Hawa - Gaza City 2 at Haroun Al Rashid Secondary School for Boys in Khan Younis 1 at Tal Al-Zaatar Secondary School for Girls, North Gaza 4 at Abu Helou School shelter in Al-Bureij refugee camp	12 interviewees were arrested between December 2023 and May 2024 while seeking shelter at various schools, including UNRWA schools and a university. All described how their shelters were raided by the IOF, leading to their arrest under difficult and traumatising circumstances, and the destruction of the schools. Four interviewees individually described a raid by the IOF into Abu Helou School. On 25 December 2023, Israeli warplanes dropped leaflets on al-Bureij refugee camp, ordering residents to evacuate to Deir al-Balah and Rafah. Having nowhere else to go, several families decided to stay. Three days later, the interviewees described how the IOF invaded the school, ordering everyone inside via loudspeakers to gather in the schoolyard with their hands and ID cards raised.	16

Hospitals	3 at Al-Shifa Medical Complex in Gaza City	Three individuals who sought refuge at Al-Shifa Hospital in March 2024 recounted their experiences during its siege. They described how the IOF surrounded the hospital, arresting everyone in the front yard and courtyard. Army vehicles entered the premises, and Israeli soldiers opened fire while drones carried out relentless bombings. Those taking shelter near the windows were shot at.	11
	3 at Kamal Adwan Hospital in Beit Lahia	On 12 December 2023, the IOF attacked Kamal Adwan Hospital after besieging and shelling it for several days. According to reports, the hospital was hosting hundreds of people, including medical staff, patients, and civilians, including women and children. ¹ Two interviewees, a paramedic and a civilian, testified about the attack and their arrest. They explained that people trapped inside the hospital for several days were shot at by quadcopters or drones if they tried to exit through the northern or western doors. On 11 December 2023, the IOF targeted the first floor of the hospital and launched a raid the next day.	
	3 at Al-Ahli Hospital in Al-Zaitoun - Gaza City	Three interviewees were present during the attack on Al-Ahli hospital on 18 December 2023. The hospital was one of the last remaining facilities providing emergency care in Northern Gaza and held patients needing urgent surgery. ² The IOF besieged the hospital for two days, before raiding it. During the attack, the IOF destroyed parts of the building ³ and arrested around 20 doctors and medical staff, ⁴ as well as several patients and civilians seeking refuge in the hospital. One interviewee explained that he attempted to inform the soldiers that only medical personnel, patients, and their companions were present, and that they had a list of names to verify this. The soldiers, however, refused to communicate. Three of the arrested individuals, including a doctor, a Senior paramedic, and a civilian, were later released and interviewed by PCHR. +	
	2 at Al-Amal Hospital, Red Crescent Building, in Khan Younis	On 22 January 2024, the IOF besieged Al-Amal Hospital, without any prior warning, despite the coordination between the ICRC and the IOF. Snipers were positioned around the hospital, and surveillance drones were flying overhead. The administrative building where displaced persons were sheltering was bombed, without any warning, as well as the hospital's yard, resulting in several deaths. Israeli snipers then targeted maintenance workers who were attempting to repair the hospital's generator, the Director of the Volunteer Department for the Palestinian Red Crescent was shot as a result. After the destruction of other vital parts of the hospital, the IOF raided the Red Crescent Buildings on 9 February 2024, where around 30,000 people were sheltering, including the wounded, patients, their companions, and medical staff and arrested several individuals. Two of the arrested individuals, a Senior paramedic and a civilian, were detained and interviewed by PCHR.	

1 Mraffko, C. (2023). *Israel-Hamas war: The deadly targeting of hospitals in Gaza*, Le Monde; Al Jazeera (2023). *Israeli forces raid Gaza's Kamal Adwan Hospital after days of strike*.

2 Tétrault-Farber, G. (2023). *Northern Gaza no longer has a functional hospital, WHO says*, Reuters.

3 AFP (2023). *Gaza's Al-Ahli Hospital out of action after Israeli army assault: Director*. Al Arabiya.

4 Opening remarks by Dr Richard Peepkorn and Sean Casey, UN Palais briefing (2023).

Check-points	6 in Khan Younis	Between 24 and 28 January 2024, four interviewees were arrested at a checkpoint in Khan Younis. On 22 and 24 January 2024, the IOF dropped leaflets and used loudspeakers to order an immediate evacuation to the west via the Sea Road through a designated ‘safe corridor’. The IOF had stationed itself there two days earlier and established a checkpoint. The interviewees and their families, already displaced, decided to use this route to seek refuge. Upon arrival at the checkpoint, interviewees reported that Israeli soldiers ordered them to raise their identity cards and pass through. Soldiers appeared to randomly stop individuals and order them to stand aside. Two other interviewees also testified about their arrest at a checkpoint in Khan Younis, after they were ordered to leave by the IOF, in April and July 2024, respectively.	27
	21 on Salah al-Deen Road, Netzarim Checkpoint, so-called ‘safe corridor’	21 interviewees were arrested at Netzarim checkpoint between November and July 2024. Among the arrested were four women and 17 men, including a doctor and paramedic in his Palestine Red Crescent Society (PRCS) uniform. They were attempting to reach the South with their families through the ‘safe corridor’ due to heavy bombardments in Gaza City and Israeli orders to evacuate to the South. The interviewees described seeing dead bodies, including children, lying on the ground around the checkpoint and experiencing deep fear at the checkpoint, where Israeli soldiers fired shots into the air to intimidate the displaced families.	
Streets	5 on the street in Gaza City, Rafah, Khan Younis and close to the airport area.	Five interviewees were arrested on the street in January and October 2024. One interviewee was arrested while he was working with humanitarian aid trucks.	5
In Israel (incl. Gaza workers)	2 at a Police Station 5 at checkpoints between Israel and the West Bank 4 in their accommodation in Israel 2 on the street 1 unknown	14 interviewees were in Israel on 7 October 2023, 13 Gaza workers and one Palestinian receiving medical treatment in a hospital in Jerusalem. Four were arrested at their accommodations, five at a checkpoint while trying to reach the West Bank, three after voluntarily reporting to the Israeli or Palestinian authorities and two on the street.	14
Total			100

Colonial carcerality and systematic torture: An analysis of Israeli detention practices post-October 7th, 2023

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Abstract

Introduction: This paper examines Israeli detention practices since 7 October 2023 as a system of colonial carcerality that normalises torture and ill-treatment, benchmarking findings against the Nelson Mandela Rules, the Geneva Conventions, CAT, and the ICCPR. *Materials and methods:* We analysed 917 testimonies gathered by Addameer (Prisoner Support and Human Rights Association) through lawyers' prison visits and post-release interviews (7 Oct 2023–30 Jun 2025) from Sde Teiman, Ofer, Damon, Naqab, Megiddo, and other sites. Testimonies were thematically coded (techniques, frequency/severity, setting, health sequelae) and mapped to applicable international and Israeli law; descriptive counts tracked change over time. *Results:* We present the results according to types of abuse: starvation and deliberate food deprivation, extreme overcrowding, prolonged solitary confinement, sexual violence/forced stripping, systematic medical neglect, pervasive shackling/blindfolding and denial of hygiene. Intensification coincided with the expansion of camp-like facilities and emergency amendments to the Law on the Incarceration of Unlawful Combatants (prolonged incommunicado detention and delayed judicial review). Reported torture/ill-treatment rose across periods: late-2023 73/91 testimonies; 2024: 500/628 (including 343 from Gaza); Jan–Jun 2025: 184/198. Health impacts included acute injuries, infections, malnutrition, and sustained psychological harm. *Discussion:* Convergent qualitative and legal evidence indicates an integrated policy rather than isolated violations, which contravenes binding norms on humane treatment, medical care, food, water, and protection from torture. We recommend: (1) independent monitoring with unimpeded access; (2) suspension of measures enabling incommunicado detention; (3) immediate compliance with minimum standards of care and nutrition; and (4) criminal accountability for torture and ill-treatment.

Keywords: Palestine, Torture, Detention

a To protect the authors from potential retaliation, this article is published under fictitious names. Their legal identities and affiliations are securely held by the editorial office, which has verified authorship and disclosures. The use of pseudonyms does not affect the integrity, provenance, or accountability of the research and the peer-review process.

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

Introduction

Since the establishment of the State of Israel in 1948 on occupied Palestinian territory, Israeli authorities have systematically used detention camps as instruments of political repression, social control, and collective punishment against thousands of Palestinians, including men, women, and children, in tandem with large-scale displacement operations and the coercive exploitation of Palestinian labour. Between 1948 and 1950, approximately 8,300 Palestinians were confined in purpose-built facilities such as Camp 101 in Jerusalem¹, Ijlil Camp no. 791 in the depopulated village of Ijlil, Atlit Camp no. 792, and Sarafand Camp no. 793², also known as a “forced labour camp”, where detainees endured harsh working conditions, deprivation of fundamental rights, and systematic abuse that combined physical, psychological, and social coercion. In the decades that followed, the model of detention camps evolved into a multi-tiered network of incarceration facilities encompassing central prisons under the management of the Israeli Prison Service (IPS)³, army-run camps, and specialised interrogation and detention centres, generally controlled by the Israeli military intelligence and security services (including Shin Bet⁴), depending on the detainee profile and operational purpose. The IPS, as the principal administrative authority over prisons, has a documented history of routine torture, ill-treatment, and other forms of cruel and inhumane practices, reflecting a structural and normalised approach to prisoner abuse that has persisted over decades.

While these practices were long-standing, October 7, 2023, marked a pronounced escalation⁵: Israeli authorities rapidly expanded the detention infrastructure, converting more than a dozen prison facilities, both military and civilian, into a network of camps—including Sde Teiman⁶, Ofer⁷, Naftali, and Anatot camps⁸—, targeted specifically at Palestinians from Gaza as well as individuals from the 1948 occupied territories, including workers who had entered Israel legally prior to October 7th⁹. Arrests extended beyond initial categories, encompassing civilians of all ages, including children, elderly individuals, and those with health vulnerabilities, apprehended during ongoing military operations that persisted throughout 2024 and into 2025¹⁰.

The aftermath of October 7th in Israeli prisons has witnessed a serious worsening of detention’s conditions, with prisoners facing – just to mention a few - starvation, ill-treatment, constant humiliation, lack of personal hygiene supplies, denial of medical care, sexual harassment, rape. The prisoners in these detention centres face continuous violations of their rights without any accountability or oversight of the conditions of these detention centres or those in charge of them.

The arbitrary transfer policy implemented by the Israeli government had worsened with the unfolding of the genocide in Gaza, aiming at destroying any state of stability and cohesion that the detainees may reach in prisons, as well as aborting any efforts made by the prisoners’ movement to protest their extremely harsh living conditions. Prisoners are frequently moved from a detention centre to another, without being informed of the reasons behind the transfer or of the final location of detention, at the same time facing offensive and abusive procedures while being transferred¹¹.

Moreover, since October 7th, Israeli authorities have extensively and intensively invoked the Incarceration of Unlawful Combatant Law of 2002 to detain residents from Gaza and, have amended the law through emergency orders, to further extend their power of detention and limit detainees’ rights, including an extension of the maximum length of administrative detention and a ban on the right to legal consultation leading to the abuse of emergency regulations, a legislation of *incommunicado* detention, the enabling of enforced disappearance and arbitrary detention which itself turns into the enabling of torture and abusive or ill treatment by Israeli forces against detainees from Gaza¹². The law does not stipulate a maximum time for detention and allows indefinite detention under indefinite orders. Up until its withdrawal from the Gaza Strip in 2005, Israeli authorities have used this law to unlawfully detain “until further notice” people from the Gaza Strip, whom it deems a national security threat. The regulation was invoked after October 7th to hold alleged participants in the October 7th attack. Still, it was quickly amended to expand its scope and allow the unlawful detention of Gaza residents, en masse and without trial. On December 18th, 2023, Israeli authorities issued an amendment to the Unlawful Combatant Law, expanding the scope of the people authorised to issue arrest warrants, and increasing the delay to issue a detention order to 45 days, the period for legal review of the decision from 14 days to 75 days, and the prohibition for detainees to see a lawyer for up to 180 days. As the latest amendment to the Unlawful Combatant Law states, the current delays are 30 days for issuing a detention order, 45 days for legal review, and a prohibition on seeing a lawyer for up to 75 days.

Addameer (Prisoner Support and Human Rights Association) has published multiple reports on the worsening of the conditions of Palestinian detainees confined in Israeli jails after October 7th¹³. The object of this review is to synthesise the work that Addameer conducted through its lawyers in Israeli prisons since the start of the Israeli military operations in Gaza, in order to expose the continuous and sustained violations Palestinian prisoners face, without those responsible ever be-

ing held accountable despite the overwhelming evidences and probes.

Materials and methods

Due to the obstruction of preventive monitoring mechanisms by the Israeli military authorities administering detention centres, independent oversight remains severely limited. Unannounced visits by competent international or local monitoring bodies are systematically denied¹⁴. These visits are vital to documenting detention conditions and preventing torture, ill-treatment and other inhumane or degrading behaviours towards prisoners. In the absence of such access, this study relies on secondary sources and primary data collected through legal visits and post-release interviews. The data presented in this paper were collected by Addameer between October 7, 2023 and June 30, 2025. The information is based on a total of 917 testimonies from current and former detainees across various Israeli detention facilities, including Sde Teiman detention camp, Ofer camp, Damon prison, Naqab (Kzi'ot) prison, and Megiddo prison. From October to December 2023, 91 testimonies were collected: 73 individuals reported torture or ill-treatment. In 2024, 628 testimonies were collected, including those from 343 detainees from the Gaza Strip: 500 of these individuals reported torture or ill-treatment. From January to June 2025, 198 testimonies were gathered, including the ones from 130 detainees from Gaza: 184 individuals reported torture or ill-treatment.

Testimonies were collected both through interviews conducted by Addameer-affiliated lawyers during prison visits, in accordance with Israeli legal procedures, and through in-depth interviews with released detainees, conducted post-detention in secure environments. Interviews were semi-structured and conducted in Arabic. Informed consent was obtained from all participants, and identities were anonymised to protect the safety of those involved.

Although the sample is not statistically representative of the entire population of detainees held during this period, it reflects a wide geographic and demographic spread, including detainees from different Palestinian regions, particularly the Gaza Strip, which has faced mass detentions since October 2023. The consistency of reported patterns across different facilities and over time, as well as the high proportion of detainees reporting similar abuses, suggests that these accounts are indicative of broader systemic practices.

All testimonies were transcribed and analysed thematically using qualitative data analysis. Themes included: methods of torture, duration of detention, access to legal counsel, medical care, hygiene, food, and sexual violence. Cases were cross-

checked, when possible, especially when multiple detainees reported the same incidents or were held in the same facility. Testimonies from inside detention and post-release interviews, combined with a thematic analysis of abuses, provide a credible basis for concluding that the practices documented amount to systematic violations, including acts of torture, under international law.

Results

Starvation

Since October 7th, Israeli Prison Service forces have conducted repeated raids across all prisons, implementing a policy of starvation and food deprivation¹⁵. This policy includes providing meals with caloric values below the minimum required for sustenance and, in many cases, entirely or partially restricting access to food. Reports indicate the confiscation of all personal food items from prison sections and the closure of canteens, leaving prisoners entirely dependent on the inadequate provisions supplied by the prison Service.

Testimonies collected by human rights organisations from various Israeli prisons since October 7th consistently describe the food as extremely poor in both quality and quantity. Prisoner Walid Hanatsha recounted: “*Each prisoner had half a cup of boiled rice, and the food was brought in one plate with plastic spoons. The prisoners have apparently lost 25-30% of their weight since the beginning of the events*”^b. A minor, identified as M. H., confirmed that the same policy applies in juvenile sections, stating: “*We do not know the meaning of having a full stomach*”^c.

Although prison nutrition standards are regulated by both domestic policies and international law¹⁶, few comprehensive legal frameworks ensure adequate food provision in practice. According to Israeli Prison Service regulations, prisoners are entitled to receive three meals per day. However, food has long been weaponised as a punitive method. The current deprivation reflects a longstanding, systemic policy of mistreatment that predates October 7th, despite the Prison Service’s capacity to provide sufficient nutrition¹⁷.

The manipulation of food and water quantities as tools of punishment or retaliation is a clear violation of human rights. These actions stand in direct contravention of international law and constitute cruel, inhuman, and degrading treatment. The United Nations Standard Minimum Rules for the Treatment of Prisoners (also known as the Nelson Mandela Rules) explic-

b Lawyer interview with prisoner W. H. in Megiddo Prison on 12 December 2023.

c Lawyer interview with prisoner M. H. in Ofer Prison on 11 December 2023.

itly prohibit such practices¹⁸. Rule 22 stipulates: *“Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served”*. Rule 43 further forbids the use of food or water deprivation as a disciplinary measure.

These violations extend beyond prisons into Israeli military detention camps. Interviews conducted by lawyers reveal that detainees are routinely provided with grossly insufficient food, often spoiled or undercooked. In Ofer Camp, cooked meals were introduced only months into the detention. Prior to that, prisoners survived primarily on two to four slices of bread per day, with sparse additions such as cheese, chocolate, or jam. Basic eating utensils are routinely denied, forcing detainees to eat with their bare hands¹⁹.

The available diet is dangerously high in sugar and severely deficient in protein, healthy fats, and essential nutrients. This imbalance compromises the immune system²⁰ and leads to the deterioration of muscles, bones, and blood health²¹. In the absence of adequate protein, the body begins consuming its own muscle tissue for energy, resulting in dramatic weight loss²², as reported by multiple prisoners. Furthermore, the complete lack of dental hygiene supplies—such as toothbrushes and toothpaste—combined with a sugar-heavy diet has resulted in a widespread outbreak of dental diseases within the camps²³.

Overcrowding policy

In 2017, the Israeli Supreme Court ruled that each prisoner must be provided with at least 4.5 square meters of personal space. However, the Israeli Prison Service has only partially implemented this ruling²⁴.

In 2023, the Israeli Prison Service began violating the court’s judgment, particularly in Gilboa Prison, by adding another prisoner to each cell, thereby reducing the personal space allocated to prisoners, contrary to both the Israeli court decision and international conventions. This was confirmed by prisoner Nidal Mishal, who, in an interview conducted on August 23rd, 2023, stated: *“The prison administration informed us yesterday that there would be an additional prisoner in each room, even though there are already five prisoners in each room and should be only four. They told us that they would increase the number of beds in each room to reach six”*.

The issue of overcrowding is not confined to Gilboa Prison. It spread throughout all Israeli prisons after October 7th, following mass arrests carried out by Israeli occupation forces, which escalated in an unprecedented manner after October 7th²⁵. Despite this surge of detainees, Israeli prisons are unable to accommodate the influx due to deteriorating infrastructure.

The Prison Service holds approximately 12 to 14 prisoners in rooms that are designed for a maximum of four or six. Prisoner Adnan Habiye reported in this regard: *“Our room is located in section 24 in Ofer Prison. Currently, there are eight prisoners in the room, but previously our number reached 13, even though there are only six beds, which means the rest of us sleeps on the floor, and there is a shortage of mattresses and blankets. Most of us sleep on the floor and without a blanket”*.

The overcrowding policies enforced since October 7th, have led to severe conditions, with prisoners often forced to sleep on thin mattresses on the floor. Addameer’s monitoring reveals that these mattresses are alarmingly thin, usually only a couple of centimetres deep. In Ofer Camp, 34 prisoners reported that their mattresses were removed daily from dawn until nightfall, leaving them with no other option but to sit all day on the floor or on metal bunk beds. This practice has resulted in serious health problems, such as chronic rheumatism. The confiscation of prisoners’ mattresses is a method of collective punishment, intended to control prisoners and undermine their physical and moral strength. A visit by a lawyer to prisoner B.N. in Ofer Camp on October 14th, 2023, revealed: *“The mattresses in the camp were meant to be inflated, yet they remained deflated and unusable”*. As M.H., a released prisoner, lamented: *“I felt the metal bed frame digging into my back”*.

Etzion Detention Center, operated by the Israeli military, hosts Palestinian detainees primarily from Bethlehem and Hebron areas, due to their geographical proximity to the detention centre. The cells at Etzion are designed to accommodate a maximum of 5-6 prisoners per room, with the room size not exceeding 3x6 square meters. Historically, this facility has been plagued with severe overcrowding, with many detainees forced to sleep on the floor because the Israeli military officer in charge often admits more prisoners than the facility’s capacity allows. In many cases, more than 10 detainees have been crammed into a single cell²⁶, significantly reducing the available living space to less than one square meter per prisoner, while detainees endure unsanitary conditions.

These oppressive living conditions violate the fundamental rights of prisoners as outlined in international conventions, and they represent a clear breach of international human rights standards, including the Nelson Mandela Rules, which emphasise the need for a living environment that upholds prisoners’ dignity. The United Nations Committee Against Torture (CAT) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) have documented that Palestinian detainees in Israeli prisons are subjected to unhealthy and degrading detention conditions, including inadequate medical care, poor hygiene, and unsanitary facilities.

These conditions threaten the health and safety of prisoners and may amount to cruel, inhuman, or degrading treatment, in violation of the Convention Against Torture (CAT) and the International Covenant on Civil and Political Rights (ICCPR)²⁷. The United Nations Subcommittee on Prevention of Torture (SPT) has also stated that subjecting detainees to severe overcrowding constitutes ill-treatment and, in some cases, amounts to torture, especially when prolonged and combined with unacceptable physical conditions²⁸.

Solitary confinement

Due to its severity and harmful effects on detainees' physical and mental health, the use of solitary confinement has been restricted or prohibited under international law and numerous international agreements. According to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), solitary confinement is defined as the "*confinement of prisoners for 22 hours or more a day without meaningful human contact*". The Rules further state that "*prolonged solitary confinement for a time period in excess of 15 consecutive days*", constitutes a form of torture²⁹. The Mandela Rules stipulate that solitary confinement should be applied only in exceptional cases, as a last resort, for the shortest possible time, and subject to independent review. It must be authorised by a competent authority. This framework reflects a clear legal trend against the arbitrary or routine use of isolation, reinforcing the principle that its application must be necessary and justified by compelling reasons. Importantly, the Rules also prohibit the use of solitary confinement for individuals with mental or physical disabilities if such measures would exacerbate their conditions, even if permitted under domestic law. They emphasise that any disciplinary action must not amount to torture or cruel, inhuman, or degrading treatment. Therefore, both indefinite and prolonged solitary confinement must be prohibited. The Mandela Rules also establish minimum conditions for solitary confinement, requiring adequate personal space, access to natural light and ventilation, proper heating and cooling, nutritious food, opportunities for physical exercise, and necessary medical care. These standards reflect a global commitment to upholding the dignity and fundamental rights of prisoners, and they stress the need for proportionality, individualised assessments, and safeguards against abuse.

When assessing the conditions of Palestinian prisoners, it becomes clear that Israeli occupation authorities regularly violate these international standards. In Israeli prisons, solitary confinement is not treated as a last resort but is frequently used arbitrarily and as a tool of retaliation.

During the initial stages of detention in interrogation centres such as Petah Tikva, Ofer, Al-Mascobiya (Jerusalem De-

tention Facility), Al-Jalame (Kishon Detention Facility), and Asqalan (Shikma), this isolation is compounded by the prohibition of legal counsel and family contact. These measures are designed to psychologically break detainees, thereby enabling the Israeli Security Agency (Shabak) to apply pressure and extract information³⁰. In fact, instead of providing medical treatment for prisoners with mental illnesses, authorities often isolate them, aggravating their conditions. Article 56 of the Israeli Prisons Ordinance of 1971, along with Commission Order No. 04.13.00 "Prisoners Disciplinary Rules", outlines over 40 disciplinary offences justifying isolation³¹. Many of these offences are vaguely defined—for example, "*disrupting order and discipline in prison*"—granting IPS broad discretion to impose isolation arbitrarily, often to harass or punish Palestinian detainees³².

Children are particularly vulnerable to these practices. According to Military Court Watch (2021), 4% of detained Palestinian children had been subjected to solitary confinement. In recent years, this proportion has surged to 20%, reflecting an alarming increase in the use of punitive measures against minors³³. The expansion of solitary confinement among children raises serious concerns under international standards regarding the treatment of minors in detention.

According to Addameer's documentation over 30 years, isolation cells in Israeli prisons typically range from 1x1.5 meters to 2x3 meters—too small to allow basic movement. The walls are made of solid concrete, which limits both auditory and visual stimuli. Windows, if present, are small, positioned high on the wall, and covered with metal sheets, restricting both sunlight and ventilation.

Even prior to October 7, 2023, when family visits were permitted, prisoners placed in isolation were often denied visits—sometimes for a fixed period (such as one month), other times indefinitely, with repeated renewals extending to months or even years. Isolation was also used to prevent access to legal counsel, a serious violation of international legal standards.

Palestinian prisoners have long resorted to hunger strikes as a peaceful means of protesting various abusive policies, including administrative detention, isolation, poor prison conditions, and denial of medical care. Hunger strikers are often punished by being placed in isolation cells, subjected to frequent invasive inspections, and stripped of their personal belongings.

The case of Khader Adnan illustrates these patterns. Arrested on February 5, 2023, from his home in Arraba near Jenin, Adnan began a hunger strike to protest his arbitrary detention. Although international law protects this form of protest, the IPS treated it as a disciplinary offense and placed him in solitary confinement in Section A of Al-Jalame Prison (Kishon Detention Facility), in a cell measuring 1.8x1.8 meters. The cell

contained only a concrete “bed” and a squat toilet, with no pillow, blanket, or electrical appliances. Adnan was never allowed yard time.

After nearly 30 days on hunger strike, Khader Adnan’s health deteriorated severely, prompting his transfer to the so-called “Ramleh Prison Clinic”^{d, 34, 35, 36}. Despite the life-threatening situation, the Israeli courts repeatedly delayed hearings, refusing his release. When Adnan requested hospitalization, he asked to be accompanied by a doctor from Physicians for Human Rights and to receive family visits—both of which were denied by the Israeli District Court. Ultimately, despite persistent legal and humanitarian efforts, Adnan was found unconscious in his cell on May 2, 2023, the same day he died³⁷.

Medical atrocities and medical crimes

Since October 7th, Israeli forces have intensified their targeting of civilian infrastructure in the Gaza Strip, including medical and healthcare centres. Numerous hospitals, clinics, and medical facilities have been bombed, rendering many of them non-operational³⁸. In addition to this destruction, Israeli occupation forces have arrested and tortured medical personnel, with a significant number of healthcare workers currently detained³⁹.

Israeli authorities consistently violate the right to life and health of Palestinian detainees across various detention centres. Since October 7th, this pattern has worsened significantly, with Israeli authorities deliberately withholding medical care from prisoners, especially in facilities like Ofer Camp⁴⁰.

Widespread arrests have included Palestinians suffering from chronic illnesses such as diabetes, hypertension, and kidney or liver disease, as well as individuals with amputated limbs. These prisoners are subjected to the same abuse, violence, and humiliation as others⁴¹. During surprise inspections and roll calls, prison guards force detainees to lie face-down for extended periods, ignoring their injuries, disabilities, and limited mobility. Many injured detainees were taken directly from hospital beds in Gaza. Others were initially healthy but sustained moderate to severe injuries after arrest. These conditions have led to the deaths of many prisoners. Since October 7th, between 55 and 65 prisoners have been killed by Israeli detention policies^e.

d They Ramleh Prison Clinic it’s called a “clinic”, but in reality it is essentially a detention facility with minimal medical capacity (PHR, 2022; B’Tselem, 2021; Amnesty International, 2023).

e The Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel provides evidence of the deaths of 55 individuals; however, other sources have been cited that suggest a higher number of fatalities. Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (2024,

Despite the rising death toll, prison authorities have continued a policy of deliberate medical neglect, refusing care even for those with ongoing or severe health issues. Monitoring by Addameer has revealed consistent patterns of medical negligence. Many prisoners suffer from a range of health problems, including cardiovascular disease, diabetes, gastrointestinal disorders, neurological conditions, and psychological trauma. Yet the Israeli Prison Service fails to provide consistent treatment, intervening only in the most critical cases.

Another manifestation of this neglect is the constant displacement of Gaza’s detainees, particularly those with infections or psychological conditions. Upon transfer to Ofer Camp, access to medication is effectively cut off. Detainees report that the only drug available is Paracetamol (a basic pain-killer), which is distributed only after repeated requests.

Additionally, the use of harsh restraint techniques, including excessive shackling that causes open wounds and scarring, remains untreated. Detainees state that receiving any form of medical attention requires being critically ill, in extreme pain, or at imminent risk of death.

Psychological harm, though less visible, is equally serious. The mental toll of detention, compounded by neglect and abuse, affects both psychological and physical well-being.

The Geneva Conventions clearly outline the health rights of prisoners and detainees. These international laws mandate the provision of free medical care^f, prohibit actions that could lead to a prisoner’s death, and classify such acts as serious violations subject to criminal penalties^g. They also prohibit physical

September 11): *Treatment of detainees and hostages and attacks on medical facilities and personnel (7 October 2023 to August 2024)*, <https://www.un.org/unispal/document/report-of-the-independent-international-commission-of-inquiry-on-the-occupied-palestinian-territory-including-east-jerusalem-and-israel-11sep24/>

Addameer Prisoner Support and Human Rights Association (2024, March): *Escalating Oppression...*, cited. The Public Committee Against Torture in Israel, Adalah -The Legal Center for Arab Minority Rights in Israel, HaMoked - Center for the Defence of the Individual and Physicians for Human Rights Israel (2024, February 16): “*Systemic torture and inhumane treatment of Palestinian detainees in Israeli prison facilities since October 7, 2023*”, cited.

f Article 15 of the Third Geneva Convention: “*The Power detaining prisoners of war shall be bound to provide free of charge for their maintenance and for the medical attention required by their state of health*”.

g Article 129 of the Third Geneva Convention: “*The High Contracting Parties undertake to enact any legislation necessary to provide effective penal sanctions for persons committing, or ordering to be committed, any of the grave breaches of the present Convention defined in the following Article*”.

mutilation and medical experimentation unless it is necessary for the individual's treatment and carried out under proper ethical standards^h.

The Geneva Conventions⁴² and their First Additional Protocol⁴³ obligate the Detaining Power to ensure the comprehensive physical and mental well-being of prisoners, including the provision of a hygienic living environment, essential services, and all necessary medical care at no cost to the detaineeⁱ. These international legal instruments explicitly prohibit unnecessary or non-standard medical interventions and mandate protective measures against medical experimentation, regardless of prisoner consent, thereby safeguarding both the health and human dignity of individuals in detention.

Sexual violence

Sexual crimes are prevalent in the context of armed conflicts and wars around the world, and reports indicate a significant increase in such crimes in Palestine after October 7th, 2023. While these acts are not primarily driven by the perpetrators' sexual desires, they are deeply rooted in dynamics of power and control. This pattern is sustained by several factors, including a lack of accountability, widespread impunity, and the failure of higher authorities within the occupying state to issue clear and strict prohibitions against such acts.

Legal precedents and analyses have broadened the definition of sexual crimes beyond rape, now encompassing a wider range of abuses, including sexual harassment and forced stripping⁴⁴.

During the initial phase of mass detentions in the Gaza Strip, occupying forces engaged in multiple forms of sexual and degrading abuse. Detainees, including children, were subjected to forced stripping, often repeatedly during detention and transfers. These procedures involved coercing individuals into humiliating positions—such as the frog position or bending over—under the pretext of thorough searches. Security personnel routinely employ metal detectors or magnetometers, running the devices over detainees' bodies and, in some cases, attempting to insert them into the anus or mouth. Devices were

also held beneath male genitalia while detainees were mocked and forced to perform degrading acts on themselves⁴⁵.

Such practices constitute sexual harassment and sexual violence, intended to intimidate, humiliate, and punish detainees. Many individuals were compelled to remove some or all clothing, either fully or partially, including in front of other detainees, and were forced to walk certain distances while unclothed. These acts were frequently carried out at gunpoint and often linked to other abuses, including torture and physical violence. Human rights organisations have documented repeated occurrences of forced stripping in Gaza, emphasising its systematic and coercive nature⁴⁶. Through the monitoring and documentation conducted by Addameer involving around 343 detainees, approximately 95% of those interviewed confirmed they experienced either partial or full stripping. This consists of a systematic approach affecting the majority of individuals arrested from the Gaza Strip. The practice of forced stripping is not restricted to adult males: children and women are also compelled to undress for searches prior to their arrest.

On July 29th, 2024, the occupation's military police raided Sde Teiman military camp, detaining soldiers accused of brutally sexually assaulting a male detainee from Gaza⁴⁷. The male detainee was reported to have severe signs of rape using sharp torture tools. Lawyers have documented numerous cases of torture and sexual violence against detainees from Gaza, revealing a grim pattern of abuse within the Sde Teiman military camp. Despite these well-documented cases, 99% of investigations into the Israeli Police Service's torture and abuse against Palestinians fail to advance, resulting in no accountability or repercussions for the perpetratorsⁱ.

Prisoner R.A., detained in Sde Teiman Camp, recounts: *"I remained in the same barracks for 80 days, during which I was subjected to beatings and torture, including being sodomized with a stick twice: once at the beginning of my detention and once after 3 months. The assault team was accompanied by dogs. A doctor saw me and provided treatment for a fissure in my anus, and without medication, I couldn't go to the bathroom"*⁴⁸.

Handcuffing and blindfolding

Beyond physical isolation in prisons, perceptual isolation is systematically imposed on Palestinian detainees from the moment of arrest. Detainees are typically handcuffed behind their backs and blindfolded, and in some cases, their ears are covered, effectively severing their connection with the surrounding environment⁴⁹. This form of sensory deprivation is intended to disorient and destabilise detainees, undermining their perception of time,

h Article 13 of the Third Geneva Convention: "[...] *In particular, no prisoner of war may be subjected to physical mutilation or to medical or scientific experiments of any kind which are not justified by the medical, dental or hospital treatment of the prisoner concerned and carried out in his interest*".

i Articles 29 and 30 of the Third Geneva Convention. International Committee of the Red Cross. (1949). *Geneva Conventions of 12 August 1949 and their Additional Protocols*. <https://www.icrc.org/en/law-and-policy/geneva-conventions-and-their-commentaries#text940076>

j For further reading: <https://addameer.org/news/5382>

direction, and environmental awareness⁵⁰. While Israeli authorities often justify these practices under the guise of security concerns, the experience reported from Sde Teiman Camp reveals a starkly different reality. The use of handcuffs and blindfolds goes beyond mere security measures: they function as a tool of torture and retribution against those detainees.

Detainees are confined day and night with metal cuffs linked by a short chain, severely restricting their ability to move their hands. Additionally, their legs are often restrained, despite the camps being under heavy surveillance. Testimonies from numerous detainees indicate that the pain caused by these shackling methods was at times even more excruciating than the severe beatings they regularly endured.

Some detainees have had their eyes covered for over 100 consecutive days. Prisoner A.J., from Ofer Camp, remarked: *“We were blindfolded and shackled all the time in the camp.”* Extended periods of blindfolding can lead to significant eye health problems, including temporary vision disturbances such as blurriness, difficulty focusing, and dryness. When deprived of air and light for extended periods, the eyes’ natural blinking rate decreases, resulting in reduced hydration. Blindfolding can also diminish the eyes’ sensitivity to light, causing heightened sensitivity when the blindfold is removed. This adjustment can make it difficult for the eyes to cope with bright environments and perceive fine details effectively.

The effects of prolonged blindfolding, or sensory deprivation, are not just physical but psychological as well. Studies have shown that victims of sensory deprivation often experience auditory and visual hallucinations, perceptual distortions, and sensory imagery⁵¹. Additionally, sensory deprivation induces fear, anxiety, panic attacks, elevated stress levels, and disorientation of time and space⁵². Blindfolding also negatively impacts balance and coordination due to the lack of vision, heightening the risk of severe physical injury⁵³. By preventing detainees from anticipating harm, such as kicks or punches, the likelihood of serious injury and long-term disability increases⁵⁴.

Conditions within detention facilities vary drastically regarding the use of handcuffs. Some prisoners are shackled at all times, while others in nearby cells are uncuffed. In Ofer Camp, for instance, 86 prisoners detained throughout 2024 were reported to be continuously handcuffed⁵⁵. Stripped of the ability to rest, they are unable to shift positions in their beds and are severely limited in their movements.

The handcuffs placed on prisoners significantly restrict their mobility, resulting in immense discomfort and suffering. Many inmates have expressed distress over neck and shoulder pain caused by the inability to move their hands freely. Numerous prisoners have reported injuries such as festering scars and

wounds from the constant handcuffing, which have become inflamed due to neglect from camp authorities.

Lack of hygiene

Most of the prisoners interviewed by lawyers reported being allowed to bathe only once a week, while a few are allowed this basic act of hygiene just once every two weeks. Each detainee is granted 5 minutes to wash and washing beyond the time results in harsh penalties. The Israeli Prison Service uses denial of showers as a form of punishment, sometimes depriving prisoners of showers for periods up to a month. This leads to skin irritation from the buildup of oils and sweat, as well as an increased risk of fungal or bacterial infections, dandruff, and a dry scalp. They often lack basic hygiene tools, such as nail clippers, haircuts, and toothbrushes, and are not provided with cleaning products to maintain their cells. Consequently, a variety of skin diseases, including scabies, have emerged and spread rapidly throughout the prisons and military camps⁵⁶. The frequent transfer of detainees between facilities has worsened the spread of these diseases, with Naqab (Kzi’ot) prison being particularly affected by the scabies outbreak⁵⁷. The epidemic of scabies has become so severe that some detainees are even barred from meeting with their lawyers due to the severity of their infestations, interfering with their right to legal counsel.

Additionally, the lack of proper hygiene obstructs detainees from practising their religion. Hygiene is essential for prisoners to perform acts of worship, such as ablution in Islam, which is a prerequisite for prayer. Ablution, or Wudu, involves washing specific parts of the body to achieve a state of ritual purity. Without access to clean water and hygiene facilities, prisoners are unable to perform Wudu, thereby preventing them from fulfilling their religious obligations. Access to hygiene facilities is a fundamental human right. Denial of this right can be seen as a form of oppression, preventing prisoners from practising their religion freely. Denying prisoners the right to practice their religion violates their fundamental human rights to freedom of thought, conscience, and religion, as outlined in the International Covenant on Civil and Political Rights, and other international treaties, subjecting them to inhuman and degrading treatment and disrespecting their inherent dignity.

Prisoners are not allowed to change their clothes, including underwear, except on designated shower days. Even then, there is no guarantee they will receive clean clothing, and often prisoners are provided with dirty or torn garments. Typically, the only items changed are underwear and shirts.

Personal hygiene items are used as tools of torment. Haircuts and nail clippings are withheld as punishments designed to harm or retaliate against the prisoners. In Ofer Prison, for

months, inmates were not allowed to cut their nails or shave. Soap and toilet paper are provided in minimal amounts. As one interviewed prisoner, M.Z., stated, “*One roll of toilet paper per week for 22 prisoners*.” The lack of cleaning supplies, such as scrapers or mops, prevents prisoners from cleaning their cells, facilitating the spread of insects, lice, and scabies. Prisoner N.J. from Ofer Camp, in an interview conducted on June 10th, 2024, recounted: “*I had insects spreading in my head and beard, so I was forced to shave to zero twice*”.

Conclusion

Taken together, these practices indicate that Israeli detention policies function as an integrated system of abuse rather than isolated incidents. The intersection of documented measures results in cumulative harms that severely compromise both the physical and psychological integrity of detainees and pose concerns under international human rights law. Detaining authorities are obligated to ensure that prisoners receive adequate nutrition, healthcare, and humane treatment. Measures causing undue hardship to constitute cruel, inhuman, or degrading treatment. These practices, particularly in the context of administrative detention, may function as forms of collective punishment, disproportionately affecting detainees not individually responsible for security incidents. Ensuring compliance with international legal standards requires transparency, monitoring, and the safeguarding of detainees’ rights.

The evidence reviewed demonstrates that Palestinian detainees in Israeli prisons and military camps since October 7th, 2023, are subjected to systematic human rights violations, contravening both domestic regulations and binding international standards, including the Nelson Mandela Rules, the Geneva Conventions, the Convention Against Torture, and the International Covenant on Civil and Political Rights.

The sustained use of punitive measures disguised as security procedures reflects a deliberate strategy to inflict physical and psychological suffering. This approach not only exacerbates the vulnerability of already marginalised populations but also signals a broader failure of accountability and adherence to international law. The cumulative impact of these policies has resulted in demonstrable harm, including disease outbreaks, psychological trauma, permanent physical injuries, and preventable deaths, highlighting the urgent need for intervention and remediation.

These findings align with broader literature on detention in the occupied Palestinian territories, which highlights recurrent use of restrictive measures, including administrative detention, to exert control over detainee populations⁵⁸. Nevertheless, from October 7th, 2023, to May 2025, more than 17,000 Palestinians

have been detained by Israeli forces. Among them are approximately 500 women, including those from territories occupied in 1948, around 1,200 children, and thousands held under administrative detention – without charge or trial. Throughout this period, the conditions inside prisons have deteriorated further. Beyond immediate physical consequences, such restrictions have potential psychological effects, compounding the vulnerability of detainees during periods of heightened conflict.

Future research and monitoring should prioritise systematic documentation of detention conditions, enforce compliance with international standards, and hold responsible actors accountable. Ensuring detainees’ access to adequate nutrition, hygiene, medical care, and protection from abusive restraints is essential to safeguarding human dignity and upholding the principles of international humanitarian and human rights law.

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Submitted 28th of May 2025

Accepted 3rd of Sep. 2025

Gender power as a tool of torture: A gender-competent legal and fact analysis of torture and ill-treatment of Palestinians from Gaza since 7 October 2023

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Key Points of Interest:

- Israeli Forces systematically exploit gender roles and norms to amplify humiliation and suffering in their torture of Palestinians from Gaza.
- Torture in Gaza operates through cultural and social codes where methods of violence are designed to undermine gendered identities and social standing, producing suffering that is both physical and psychological.
- A gender-competent legal application of torture is essential for capturing the full scope of torturous harms experienced by Palestinians from Gaza.

Abstract

Introduction: This article examines the gendered dimensions of torture and ill-treatment perpetrated by Israeli Forces against Palestinians from Gaza following the escalation of hostilities after 7 October 2023. It investigates whether gender is a secondary feature of the violence or rather a central mechanism through which suffering, intentionality and purpose are inflicted. It probes into whether traditional legal analyses of torture and other ill-treatment often overlook how gender shapes both the method and impact of torture and other ill-treatment, leading to gaps in recognition, documentation, and accountability. *Methods:* The article adopts a legal-analytical methodology grounded in international criminal, human rights, and humanitarian law. It first evaluates the legal framework on torture through a gender-competent lens to surface how the legal elements of torture may be perpetrated and experienced along gendered identities and modes of power. It applies this gender-competent lens to factual findings from United Nations investigative bodies and human rights organisations detailing the types and modes of harm experienced by Palestinians in Gaza post-7 October 2023. This analysis focuses on three domains where gendered torture and ill-treatment have been most evident: arrest and detention, technology-facilitated abuse, and reproductive violence. Each domain is assessed for patterns of torture and ill-treatment that exploit culturally and socially defined gender roles. *Results:* The findings demonstrate that Palestinian men and boys have been systematically emasculated through forced nudity, sexual violence, and digitally broadcast humiliation. Women and girls have been sexualized, exposed, and denied basic reproductive dignity through invasive searches, lack of menstrual hygiene, and the collapse of maternity care. *Discussion:* These practices amount to torture and other ill-treatment under international law, not merely because of their physical or psychological severity, but because they are deliberately gendered in design and effect. A gender-competent application of torture law is essential to capture the full scope of harm experienced by Palestinians in Gaza. The article calls for legal frameworks and accountability mechanisms to incorporate gender not as a modifier, but as a core analytic of torture itself.

Keywords: torture and ill-treatment; gender-based torture; arrest and detention; sexual and reproductive violence; technology-facilitated violence

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

Introduction

Torture and ill-treatment of Palestinians by Israeli Forces is neither new nor aberrational, forming one part of a decades-long campaign of domination built on violence, coercion, and impunity (ICJ, 2024, paras. 150-154; UNCHR, 1993). Still, since the Hamas attacks of 7 October 2023 and the subsequent escalation of military operations in Gaza and the West Bank, surging reports of torture, ill-treatment, and incommunicado detention are shocking. According to numerous United Nations and civil society investigations and reports, thousands of Palestinians—men and women, boys and girls, young and old—have been detained under degrading conditions, physically and mentally abused, denied medical care, and publicly humiliated (PCATI, 2025, p. 1; PCHR, 2025A, pp. 17-85; UNCOI oPt, 2025, para. 215; B'Tselem, 2024; Amnesty International, 2024B, pp. 233-234; UNOHCHR, 2024, para. 33; UNSRoPt, 2024, para. 22; UNRWA, 2024, p. 1). However, amidst the growing body of documentation and legal analysis, one critical through-line remains largely underexamined: the role of gender in shaping how Israeli Forces' torture and ill-treatment of Palestinians from Gaza is perpetrated and experienced.

Gender structures of power and domination are central mechanisms through which the torture and ill-treatment of Palestinians from Gaza is enacted. That is, gendered norms, roles, and expectations are intentionally exploited by Israeli Forces to maximise pain, amplify humiliation, and fracture social identities. Over the past year and a half, report after report has described how Palestinian men are emasculated and infantilised, while Palestinian women are sexualized and objectified (PCHR, 2025A, p. 92; Amnesty International, 2024A; UNCOI oPt, 2024; UNCOI oPt 2025; UNSRoPt, 2024). These patterns are not random. They reflect the strategic deployment of gendered structures of meaning within Palestinian communities. Israeli Forces know what it means to be considered a “man” or “woman” in Gaza. They deliberately choose methods of violence that call the performance of such socially defined roles into question, and in doing so cause immeasurable suffering.¹

¹ The performance of dominance expressed by gender-based violence, or more generally in the ways gender manifests in any violence, is multifaceted. Under misogynist and patriarchal logics, it is both a highly efficient means by which to inflict pain or suffering, degrade and humiliate a victim, while at the same time masculinising, empowering, and invigorating a perpetrator. In other words, Israeli Forces' resort to gender-based violence can be read through the effects on the victim, as this report does, through the impact on the perpetrator. Along these lines, the UNCOI for the Occupied Palestinian Territories stated: “Women's bodies and sexuality are often perceived as

This article offers a gender-competent legal and factual analysis of torture and other ill-treatment perpetrated against Palestinians in Gaza in three interrelated contexts: (1) arrest and detention, (2) technology-facilitated gender-based violence, and (3) reproductive violence. In each, it demonstrates how gender is instrumental to the Israeli Forces' intentional infliction of severe suffering for prohibited purposes. Drawing on documentation from UN bodies and human rights organisations, this article highlights how a gender analysis is necessary to properly understand both the methods and the consequences of torture and other ill-treatment against Palestinians in Gaza.

In doing so, the article contributes to a growing body of scholarship that seeks to expand the doctrinal understanding of torture beyond physical pain and male-centric paradigms, and toward a more accurate reflection of how power, identity, and violence are brought to bear on socially, historically, and politically situated victims. (See Cakal, 2025; Pérez-Sales & Zraly, 2018; Shubin, 2025).

Legal Framework: A Gender-Competent Approach to Torture and Other Ill-Treatment

Whereas torture is expressly prohibited by numerous international treaties applicable to the situation in Gaza, it is defined by very few. (Geneva Conventions, 1949, common Article 3; Rome Statute, 1998, 7(1)(f), 8(2)(a)(ii)-1, 8(2)(c)(i)-4; UNCAT, 1984, art. 1; UNICCPR, 1976, art. 7). In this absence, the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) provides benchmark elements. (See: ECHR, 2015, para. 94; Human Rights Committee, 2011, para. 7.5; IACHR, 2003, para. 90; ICTY, 1998, para. 459). Namely: severity, intentionality, purpose, official involvement, and exception for lawful sanctions.

An early target for feminist scholars attuned to the ways International Human Rights Law obscured and/or ignored violence and harms against women, CAT's legal elements have been critiqued for conceptualizing torture along highly male-centric lines, including by requiring that torture be: (1) in public settings (like prisons); (2) at the hands of state actors, (3) for politically intelligible purposes (like extracting a

linked with the dignity of the nation and other negative gender stereotyping, such as the collective's honour and emasculation. Several experts have noted that allegations of sexual violence against Israeli women on 7 October 2023 have resulted in attempts to rebuild Israeli national masculinity through aggression and in retaliation for the attacks carried out by the military wing of Hamas and other Palestinian armed groups.” (UNCOI, 2025, para. 78).

confession or punishing dissent).² This legal architecture was critiqued for excluding or marginalising torturous harms typically experienced by women—especially in private spaces or at the hands of non-state actors (for example: intimate partner violence, marital rape).

Nevertheless, while the definition was scorned, it was not abandoned. Feminist jurists, scholars, and advocates worked diligently and incrementally for years to establish that rape and other forms of sexual violence constitute torture³ (Davis, 2017; Edwards, 2006). No longer overlooked, sexual violence is now widely accepted as a mode of torture.

Indeed, in her 2024 thematic report to the UN Human Rights Council, Special Rapporteur against Torture Alice Edwards dedicated an entire report to sexual torture in conflict. Among many progressive findings, the Rapporteur noted: “Through sexualized forms of torture perpetrators aim to cause harm to victims directly, to attack the victim’s family, to threaten other members of the same ethnicity, religion or community, and to break the will of their ‘enemy.’” (UNSRT, 2024, para. 17). While no doubt true, it is critical to highlight that the reason sexualized torture has this reach is because of the gender norms that are attached to it. In many places, the purity of a daughter, prospective wife or sister is associated with the honour (or shame) of her family, making sexualised attacks even more potent.⁴ Likewise, the strength, virility and/or independence of a son, husband or father are associated with his ability to occupy the head of a household or polity. Sexualized attacks challenge or destroy these socially constructed roles and responsibilities. It is not merely the sexualized act that extends beyond the victim, but the social fabric to which such violence tugs.

2 For an history and summary of these critiques, see Davis, L. (2017). The gendered dimensions of torture: rape and other forms of gender-based violence as torture under international law. In Başoğlu (ed.) *Torture and Its Definition in International Law: An Inter-Disciplinary Approach* (pp. 315-374). Oxford Univ. Press.

3 Of particular note is the work by the Committee against Torture in demonstrating that violence against women fell under the ambit of the Convention against Torture (see Sveaass, N. & Gaer, F. (2022). The Committee Against Torture tackles violence against women: A conceptual and political journey. *Torture Journal*, 32(1-2) 177-192. <https://doi.org/10.7146/torture.v32i1-2.132081>) and the Prosecutor offices and judges chambers at the International Criminal Tribunals for the Former Yugoslavia (ICTY) and Rwanda (ICTR) (see UN ICTY, Landmark Cases, <https://www.icty.org/en/features/crimes-sexual-violence/landmark-cases>).

4 See e.g. Submission from the Ethiopian Human Rights Commission, 2024.

Accordingly, a gender-competent legal analysis interprets and applies torture’s elements in ways that account for how gender functions as a structure of power, shaping both the infliction and experience of suffering. With respect to the situation in Gaza, such an approach sheds light on three core legal elements of torture—severity of suffering, intent, and purpose.

Severity of Suffering

To constitute torture, a victim’s pain or suffering⁵ must be *severe*. Stated in the negative, if a victim’s pain or suffering is *not* severe, they did *not* experience torture. Notwithstanding the centrality of the severity of suffering in popular and legal conceptions of torture,⁶ neither CAT nor any other international legal instrument provide a definition of “severe”. As such this element, neither rooted in scholarship on pain nor availing itself to precise measure, has confounded scholars, lawyers, judges, and advocates (Cakal, 2022).

Nevertheless, courts and human rights bodies continually affirm that a certain level of pain or suffering must be reached in order for an act to constitute torture—often times doing so by carving out different phyla for the ways victims may experience pain or suffering (ICC, 2009, para. 193).

For example, courts and human rights bodies have found that “severe” pain or suffering: can be cumulative (rather than emanating from one act), wholly physical or wholly mental, does not have to result in lasting injury, or be “equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function, or even death.” (ECHR, 2001, para. 46; ICTY, 2004, para. 247; ICTY, 2002B, para. 150).

Notwithstanding the clarity that such definitional whittling may offer, jurisprudence and decisions from human rights bodies make it clear that there is no one-size-fits-all approach to determining severity. Instead, the determination of whether an act or series of acts inflicts pain or suffering that crosses into torture’s threshold of “severe” is decided on a case-by-case basis, taking into consideration objective and subjective features of the infliction of pain or suffering (Amnesty International, 2016, p. 68; ECHR, 2016, para. 160; IACHR, 2011, para. 73; ICTY, 2002A, para. 282; UNSRT, 2017, para. 28; Zach,

5 Physical or mental. See CAT, art. 1; Rome Statute Elements of Crimes, Arts. 7(1)(f), 8(2)(a)(ii)-1, 8(2)(c)(i)-4.

6 Notably, the Inter-American system’s definition of torture does *not* require pain or suffering to be “severe”—only that there be “physical or mental pain or suffering”. See Inter-American Convention to Prevent and Punish Torture, Art. 2. Nevertheless every other international legal definition includes the severity requirement.

2019, para. 89). Objective factors include the nature, purpose, duration, and consistency of the act/s committed (IACHR, 2011, para. 73; ICRC, 2016, para. 634; ICTY, 2004, para. 484). Subjective factors are the physical and mental condition of the victim, the effect of the acts or treatment on the victim, and the victim's age, sex, state of health, and position of inferiority (IACHR, 2011, para. 73; ICRC, 2016, para. 634; ICTY, 2004, para. 484; ICTY, 2002A, para. 282).

Conceptually, this multivariate approach offers fertile ground for adjudicators to consider the full context and occurrence of acts of torture. However, as a practical matter, courts and human rights bodies often fail to clearly indicate when they draw from or apply these factors (CAT, 2015; Edwards, 2010, p. 218). Rather than carry out an applied analysis of the ways acts of violence materialise into pain⁷ in or on the victim's body or psyche, adjudicating bodies generally describe the acts⁸ perpetrated while also making overtures towards the severity requirement (e.g. rape as "per se" torture).

While, on the one hand, such an approach gives adjudicators unstructured space to look afresh at each case, on the other hand, being unmoored from an analytical framework that structures conceptions of severity risks both arbitrariness and the erasure of gendered and other harms or conduct that were central to the victim's experience.⁹

A gender-competent approach requires courts and fact-finders to assess the severity of both the act itself and the social, cultural, and psychological context in which it occurs.

As will be seen below, for Palestinian women and men subjected to torturous acts, the suffering is not merely physical or abstract — it is intimately tied to religious norms, social expectations, and community shame. It is the pairing of the mode of violence with the victim's and perpetrator's identity that fully colours the full scope of suffering attending acts of torture.

Intent

A victim's pain or suffering must be *intentionally* inflicted to qualify as torture (UNCAT, 1984, art. 1). Given the inherently subjective nature of pain and suffering, courts and human rights bodies have determined that the intention must be directed at

the conduct of inflicting the pain or suffering (CAT, 2008, para. 18; ICC, 2009, para. 194). That is, it is not necessary to demonstrate that perpetrators know that the harm inflicted is severe. Instead, it is sufficient that a perpetrator intended the conduct which consequently inflicted severe pain or suffering.

In determining whether such intention exists, courts make objective determinations of the circumstances, rather than subjective inquiries into a perpetrator's calculations. This approach has tended to focus on *what and how* acts were perpetrated. A gender-competent lens takes up these questions, considering the broader historical, cultural, and political context, to ask further *why* dynamics of power, domination and control are being communicated by means of *this* perpetrator committing *this* act of violence against *this* victim.

As will be described in more detail below, perpetrators often exploit gender norms precisely because they know it will maximise psychological torment, and it is an efficient means to achieve their torturous purpose. From forced and public displays of male nudity to livestreaming women's undergarments, the specific modes and forms of violence carried out against Palestinians in Gaza are not random—it is deliberate and calibrated, considering prevailing gender norms and relations to affect individual and communal humiliation.

Complementing jurists' historical and one-dimensional assessment of intention, a gender-competent lens sees the selection of methods and modes of violence in their full contexts, taking account of how social and political power is intentionally brought to bear on victims' bodies and psyches.

Purpose

To constitute torture, the acts must be carried out for a purpose—to achieve a specific result, including, among other things, obtaining information or a confession, intimidation or coercion, punishment, or discrimination of any kind (CAT, 1984, art. 1; Rome Statute, 2011, arts. 8(2)(a)(ii)-1, 8(2)(c)(i)-4).

In situations of armed conflict, such as in Gaza (ICC, 2024), there is no requirement that the conduct be *solely* perpetrated for an enumerated purpose. Instead, "if one prohibited purpose is fulfilled by the conduct, the fact that such conduct was also intended to achieve a non-listed purpose (even one of a sexual nature) is immaterial." (ICTY, 2008, para. 128; ICTY, 2007A, para. 77; ICTY, 2007B, 515; ICTY, 2004, para. 484; ICTY, 2002A, para. 184; ICTY, 2002B, para. 155; ICTY, 2001, para. 153; ICTY, 1998, para. 471).

In many instances, acts of violence can fulfil multiple purposes simultaneously. This is particularly true with sexual and gender-based violence, where violent acts are often steeped in

⁷ Or suffering.

⁸ Or omissions.

⁹ It is exactly this type of erasure that has historically led to gender-discriminatory and patriarchal conceptions of the perpetration of genocide. (See Ashraph S., 2018). Like with genocide, men, women, non-binary, non-conforming and trans people are all affected by torture differently, and the suffering they are subjected to is frequently perpetrated in overt or implicit reference to the inherent status associated with their gender identity or sexual orientation.

misogynistic and homophobic logics of power and discrimination.

Take, for example, the Inter-American Court of Human Rights' analysis in *Women Victims of Sexual Torture in Atenco v. Mexico*. In *Atenco*, Mexican authorities sent 3,000 federal and state police officers to suppress protests supporting unlicensed flower vendors in a local market. The federal and state police perpetrated widespread sexual violence against the women protesters. In determining the Mexican state's responsibility, the Court recognised that sexual violence was a tool serving multivariate purposes:

The sexual violence in the present case was used by state agents as a tactic or strategy of control, domination and imposition of power...[It] was aimed at humiliating [11 women victims] and those they assumed to be their group mates; to frighten them, intimidate them and inhibit them from participating again in political life or expressing their disagreement in the public sphere, since it was not their place to leave their homes, the only place where they supposedly belonged according to their imaginary and stereotypical vision of social roles...[B]ut it also had the distinct purpose of punishing them for daring to question their authority, as well as in retaliation for the alleged injuries suffered by their police colleagues. (IACHR, 2018, paras. 200-204.)

Taking the care to situate the acts of sexual violence in their full context, the Court in *Atenco* was able to unpack the kaleidoscopic nature of sexualized and gender-based violence to shed light on all its social, political, cultural, overt and covert meanings and assertions.

However, in her 2024 for annual thematic report to the UN Human Rights Council, UN Special Rapporteur against Torture Alice Edwards took a slightly different tack in asserting, "Why torture becomes sexualized can be understood as being rooted in ideologies of male sexual entitlement." (UNSR, 2024, para. 71). But rather than relating to the perpetrator's desire, proclivities, or sexuality generally, sexual violence—mainly when perpetrated by law enforcement or the military—is much more about exerting power, enforcing gender norms, and/or exploiting social or power dynamics.

Indeed, many instances of sexualized torture do not relate at all to the perpetrator's sexual entitlement or desire. For example, in *Prosecutor v. Tadic*, the Trial Chamber of the International Criminal Tribunal for the Former Yugoslavia (ICTY) described how five male detainees were forced to perform oral sex on each other in a degrading and humiliating manner, with one detainee forced to bite the testicle off another, under in-

timidation and threat of violence. (ICTY, 1997, para. 206). Likewise, in the landmark International Criminal Tribunal for Rwanda trial judgment *Prosecutor v. Akayesu*, where rape and sexual violence were equated with torture and ill-treatment for the first time, one victim testified: "She said her mother begged the men, who were armed with bludgeons and machetes, to kill her daughters rather than rape them in front of her, and the man replied that the 'principle was to make them suffer' and the girls were then raped." (ICTR, 1998, para. 597). In both these cases, the sexualization of the torturous act was not about the perpetrators' sexual entitlement, but instead the violence was sexualized as a potent form of maximising suffering while also performing domination and control. Situating the sexualization of torture in ideologies of sexual entitlement brings with it logics of sexual gratification or desire, which obscure the social and power dynamics being invoked and exploited. Indeed, tugging at these undercurrents of sociality, dominance, and discrimination, former UN Special Rapporteur against Torture Manfred Nowak stated that regarding violence against women, "the purpose element is always fulfilled if the acts can be shown to be gender-specific." (UNSR, 2008, para. 30).

A gender-competent analysis recognises that gender is itself a site of purpose: violence is inflicted because the victim is performing a gendered role (as mother, wife, husband, protector), or failing to conform to one, or symbolising one (e.g. the nation embodied in women's bodies). These motives are often implicit, but they are not invisible, and assessments of torture cannot afford to ignore them.

Torture and other ill-treatment of Palestinians from Gaza in arrest and detention

In the Israeli Forces' ground operations in Gaza, the patterns of violence perpetrated against Palestinians during arrest and in detention are distinctly gendered. More specifically, the Israeli Forces' intentional infliction of severe suffering is executed through methods that deliberately target culturally defined gendered roles and identities, particularly masculinity and femininity, and their attendant social expectations within Palestinian society.

Targeting Palestinian men and boys: Emasculation and the erasure of protective authority

Since its earliest footholds, Israel Forces' invasion of Gaza has been paired with a campaign of mass arrest and detention of Palestinian men and boys (PCHR, 2025A, p. 15; UNOHCHR, 2024, para. 12; UNSRToPt, 2024, para. 27; UNRWA, 2024, p. 1). In carrying out this campaign, Israeli authorities perpetrated forms of torture and other ill-treatment aimed at stripping Pal-

estonian men and boys of social and symbolic markers of masculinity, authority, and dignity—in particular by targeting their social role as protectors, leaders, and heads of family.

Men have been arrested *en masse*, blindfolded, bound, forcibly stripped of their clothing, and forced to kneel before being loaded onto large people-moving vehicles and taken off to unknown detention centres—all performed as a spectacle in front of their families and/or communities (PCHR, 2025A, p. 92; Amnesty International, 2024A; Amnesty International, 2024B, pp. 233-234; UNOHCHR, 2024, para. 38-44; UNRWA, 2024, p. 2; UNOHCHR, 2023, p. 1). One victim described intense humiliation upon being arrested in public and forced to undress in front of his wife and children (UNCOI, 2025, para. 95). According to his testimony, he and some 50 other men were forced to walk barefoot in their underwear through their neighbourhood before being forced to kneel with about 250 other men and boys wearing only underwear (UNCOI, 2025, para. 95). The victim described eventually being transported on a military truck to an unknown location, where he was photographed (UNCOI, 2025, para. 95). In short, the whole process of arrest is a coordinated display of enforced physical vulnerability and public humiliation (PCHR, 2025A; Amnesty International, 2024A; UNOHCHR, 2023, p. 1).

Upon arriving at the detention centres and while undergoing interrogation, men reported being kicked in the genitals,¹⁰ sodomized with metal rods, or subjected to oral and anal penetrations with objects including broomsticks and batons¹¹ (Adalah, 2024, p. 7; Amnesty International, 2024A; UNCOI, 2025, paras. 118-119, 194). During the subsequent period of detention, Palestinian men and boys remained restrained at their wrists, were forced to kneel on their knees whilst naked or nearly naked for up to 16 hours a day (Amnesty International, 2024A; UNCOI, 2024, paras. 51-52, 60; UNRWA, 2024, p. 2). They were not permitted to move, had to ask permission to speak, had extremely limited access to toilets or were forced to soil themselves in military-issued diapers (Amnesty International, 2024A; UNCOI, 2024, paras. 51, 53; UNRWA, 2024, pp. 1-2). Male detainees were urinated on, called “animals,” and were told the soldiers guarding them would rape their wives

and daughters (Adalah, 2024, p. 7; UNCOI, 2025, para. 107; UNRWA, 2024, p. 2).

These methods perpetrated against these victims are not incidental. Public restraining and arrest, forced nudity, sexualized abuse, controlled basic bodily functions, dehumanisation and threats of rape against female family members—all these practices carry specific gendered messages: you have no power, no autonomy, no independence, no authority—you are no longer a “man.”

In Palestinian society, masculinity is deeply intertwined with roles of protection, honour, and resistance. Emasculation, forced nudity, and infantilisation strike directly at these pillars. By shaming Palestinian men in highly public and gendered ways, Israeli forces are attacking the bodies and identities of individual Palestinian men and boys, as well as a collective masculine identity. That is, the very idea of Palestinian men as capable defenders of their families, communities, and nation.

In short, in Gaza, the targeting of Palestinian men and boys’ gendered social standing is designed to resonate far beyond the detention centre—to send a message of defeat, weakness, and subjugation to the broader community.

Targeting Palestinian women and girls: sexualization, violation, and assault on modesty

Women and girls detained by Israeli forces face different, but equally calibrated and strategic, forms of genderised torture and other ill-treatment during arrest and in detention. Their treatment relies on the sexualization and objectification of their bodies, aimed at both individual humiliation and collective shaming.

Upon arrest and in detention centres, Palestinian women and girls are forced to undergo intimate and invasive body and strip searches (PCHR, 2025A, pp. 59-64; UNCOI, 2025, para. 193). Women report being groped on their breasts, genitals, neck, and waist, often by male soldiers, with requests for a female officer denied or met with slaps and insults (UNCOI, 2025, paras. 108, 112-113; UNRWA, 2024, p. 2). Another woman described being strip-searched every three hours during her detention, even while menstruating, with guards laughing and making degrading comments about her body and stained clothing (UNCOI, 2025, para. 125). Verbal degradation was commonly reported, with soldiers referring to detainees as “whores,” “bitches,” and “ugly” during interrogations and searches (PCHRA, 2025, p. 59; UNCOI, 2025, para. 125). In one documented instance, a woman was threatened with rape in front of her husband while soldiers made obscene gestures and comments about her breasts. (UNCOI, 2025, para. 124). Another woman reported a soldier threat-

10 This pattern of genital-focused violence is intentional as it weaponizes the symbolic site of masculine power and bodily autonomy.

11 Notably, sexual violence has been a long-term and widespread feature of Israel’s systematic torture of Palestinian men and boys in detention. See Weishut, D. J. N. (2015). Sexual torture of Palestinian men by Israeli authorities. *Reproductive Health Matters*, 23(46), 71–84. <https://doi.org/10.1016/j.rhm.2015.11.019>.

ening to “check if she was still a virgin” while forcing her to undress in front of her children (UNCOI, 2025, para. 111). Women and girls reported that their veils were stripped away, and their bodies exposed in full view—acts which, in the Palestinian sociocultural context, represent profound violations of dignity, modesty, and religious identity (PCHR, 2025A, pp. 43, 59-61, 94; UNCOI, 2025, paras. 108-111; UNRWA, 2024, p. 2). These threats and actions are not merely physical invasions; they carry deep cultural significance tied to modesty, chastity, and communal honour.

These methods of torture and ill-treatment rely on the cultural weight of feminine shame and honour—targeting women as individuals and as symbols of family and community respectability. The misogynistic and patriarchally defined goal is not just to harm the detainee, but to designate her—and by extension, her family and community—as vulnerable, violated, and disgraced.

The interplay of genderised torture/ill-treatment and broader political and colonial objectives

What emerges from these patterns is a coherent strategy: the Israeli Forces’ means of torture and ill-treatment is not random violence, nor merely disciplinary brutality. It is a gendered spectacle meant to assert dominance, induce shame, and fracture the social and moral order within Palestinian communities. In both male and female cases, the body becomes a theatre for state control. The violence is stylised to send messages: men are impotent and broken; women are violated and exposed.

Understanding torture and ill-treatment in Gaza through this lens underscores the urgent need for gender-competent analyses of torture that attend to how violence is calibrated not just against bodies, but against the identities, roles, and social structures those bodies embody.

Technology-facilitated gender-based violence against Palestinians in Gaza

The Israeli Forces’ pattern of using gendered power dynamics to intentionally inflict severe suffering to punish, humiliate, and coerce Palestinians from Gaza extends beyond detention centres and sites of arrest, and indeed beyond the physical world entirely. Such efforts towards emasculation and sexualization are also captured, disseminated, and amplified through digital and technological means.

Forced nudity and the digital emasculation of Palestinian men and boys

Technology-facilitated violence against Palestinian men and boys frequently takes the form of the documentation and sub-

sequent posting online of their arrest and forced acts of subjugation. In at least ten incidents documented by the United Nations Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (“UN Commission of Inquiry”), hundreds of Palestinian men and boys were reportedly filmed by Israeli soldiers during mass arrests, stripped to their underwear or fully naked, paraded before cameras, and forced into subordinate positions (e.g., kneeling, lying face down, or tied to chairs) (UNCOI, 2025, para. 93). These images were then posted online, including on soldiers’ private social media accounts and public Telegram groups (UNCOI, 2024, paras. 386, 388). In at least one instance, two teenage boys were ordered by a female Israeli soldier to dance together in their underwear, whilst she filmed them and laughed. (UNCOI, 2024, para. 366). The UN Commission of Inquiry determined that these incidents were not isolated but showed a “rapidly spreading practice” intended to feminise, humiliate, and dominate Palestinian men (UNCOI, 2025, para. 202).

The dissemination of these images serves multiple purposes: it publicly emasculates Palestinian men and boys by stripping away cultural markers of dignity and authority; it reduces them to objects of ridicule; and it creates permanent digital artefacts of their subjugation. As was the case with the spectacular nature of their arrest and detention, the digital and permanent imagery of their humiliation resonates deeply, intentionally so, within a society where masculinity is tied to protection, honour, and leadership.

Sexualisation and public humiliation of Palestinian women and girls through digital platforms

Likewise, consistent with their broader treatment during arrest and interrogation, Palestinian women and girls in Gaza have been digitally sexualized and humiliated.

In several instances documented by the UN Commission of Inquiry, Israeli soldiers filmed themselves ransacking Palestinian women’s homes, mocking and sexualizing their private belongings, particularly underwear and lingerie. In one such video, a soldier posted footage of himself going through women’s lingerie drawers during a home raid, making sexualized insults: “I’ve always said Arabs [female pronouns used] are the biggest sluts out there...There you go, here are the sets [of lingerie] here, inside, another new one in the package, they haven’t opened it yet, look at these sets, who wants elastic bodysuits?” (UNCOI, 2025, para. 83). In a second video, an Israeli soldier is filming himself describing how, when searching the premises for weapons, the soldiers had found money and lingerie: “Two or three drawers stuffed with the most exotic lingerie that you can imagine, just piles, loads

of it, in every single house. Unbelievable. These naughty[,] naughty Gazans.” (UNCOI, 2025, para. 84).

According to the UN Commission of Inquiry, the soldiers’ behaviour exhibited “clear gender and racial bias,” intentionally humiliating and degrading Palestinian women in ways that were calculated to cause lasting social stigma (UNCOI, 2025, para. 85). From a Palestinian cultural perspective, the exposure and sexualization of women’s private belongings—and the implied sexual shaming—carry severe social consequences, including damage to women’s reputations, familial shame, and communal dishonour.

Gendered intent, digital spectacle, and torture/ill-treatment

The documenting of detained and naked men’s or women’s underwear from home raids suggests an effort to not only inflict harm but to display it. The subsequent online posting of these offences provides a digital stage where images and stories of Palestinian men and boys stripped of authority and Palestinian women and girls reduced to objects of sexual spectacle are recycled for public consumption and humiliation.

As such, these recordings extend and multiply the individual acts of violence, giving them momentum to ripple outward across communities. Unlike physical wounds, digital humiliation is searchable and often permanent. Victims lose not only control over their bodies but over their social identities, which are dragged into the global public sphere as sites of shame.

Accordingly, technology-facilitated violence must be recognised as an integral part of the torture and other ill-treatment perpetrated against Palestinians in Gaza: a deliberate and gendered tool to mark the Palestinian body—male and female—as permanently vulnerable and degraded.

Reproductive violence: turning reproduction into a site of suffering

In Gaza, reproduction itself has become a site of gendered suffering. Palestinian women, girls, and those with the capacity for pregnancy are being made to endure conditions that transform menstruation, giving birth, breastfeeding, and caring for children into painful, prolonged, degrading, and sometimes life-threatening experiences.

The collapse of reproductive care and its impact on those giving birth

Israeli Forces’ attacks have decimated Gaza’s reproductive health infrastructure. Maternity wards at major hospitals like al-Shifa and al-Nasser have been rendered inoperable, and specialised facilities like the al-Emirati Maternity Hospital and Gaza’s largest IVF clinic — al-Basma — have been destroyed (UNCOI,

2025, para. 40; UNFPA, 2025A; UN News, 2024). As a result, emergency obstetric care and assisted reproduction have been decimated.¹²

The absence of medical care reportedly forced women to give birth and health care providers to navigate labour, without anaesthesia, sutures, or antibiotics, often on hospital floors or in overcrowded shelters (UNCOI, 2025, para. 47; Save the Children, 2024). The UN Commission of Inquiry found that some women delayed caesarean births due to a lack of surgical supplies. In contrast, others had to walk for hours through rubble to reach healthcare facilities where the dressing of their caesarean section wounds could be changed (UNCOI, 2025, para. 55). Women recovering from childbirth have been discharged within a day due to bed shortages (Knell & Tulley, 2025). Postpartum haemorrhages, infections, and untreated pain have become routine.

Menstruation and breastfeeding as unlivable conditions

Basic biological processes like menstruation have likewise become sources of significant physical and mental suffering. Women and girls in Gaza report being unable to access menstrual products and having to use diapers, sponges, scraps of cloth, old rags, or nothing at all (UN News, 2025; UNCOI, 2025, paras. 76-77). Speaking to the UN Population Fund (UNFPA), a young girl recalled getting her period while sheltering in a crowded displacement camp “I only had one pad, so I wrapped it in toilet paper to make it last. I couldn’t wash, and the pain was horrible. I sat in silence crying until the end of the day.” (UNFPA, 2025B). The inability to manage menstrual hygiene has also reportedly forced some women to restrict food and water intake, risking further health decline to avoid urination or bleeding in public (UNCOI, 2025, paras. 69-70). These coping methods are not only painful and unsanitary, they can also cause infections, long-term reproductive health issues, and mental suffering—even more so considering the demolished state of Gaza’s health infrastructure (UNFPA, 2025B). Under such conditions, menstruating in Gaza has become a source of indignity, anxiety, isolation, and shame. (UNFPA, 2025B) According to one girl interviewed by UNFPA, “[e]very time my period comes, I wish I weren’t a girl.” (UNFPA, 2025B).

Similarly, new and lactating mothers have faced conditions and treatment causing physical and mental suffering. According to the World Health Organization, “extreme fear and stress,

12 According to the UN Commission of Inquiry, as of January 2025, emergency obstetric and newborn care was available at seven out of 18 partially functional hospitals across Gaza according to OCHA, as well as four out of 11 field hospitals, and a community health center. (UNCOI, 2025, para. 40).

malnutrition, and complex living conditions...have resulted in mothers being unable to breastfeed their newborn babies.” (WHO, 2024, p. 14). Many are either unable to produce milk due to starvation or trauma, or unable to acquire infant formula, which is scarce, unaffordable, or unmakeable because of a lack of clean drinking water (UNCOI, 2025, paras. 67-68). Pregnant and lactating women require 7.5 litres of water per day to maintain their health and hydration, which is five times the amount available in Gaza in April 2024 (UN Women, 2024, p. 7). As of June 2025, 9 in 10 households faced severe water shortages (UNFPA, 2025B). Shortages of water not only preclude lactation but also adequate formula feeding, as water scarcity forces households to reduce the amount of formula given to babies in each bottle feed, decrease the number of feeds, or switch to other means of feeding their infants (GNC, 2024, pp. 9-10). Even where lactation is present, some mothers are unable to breastfeed because of the lack of privacy inherent in their displacement (PCHR, 2025B, p. 9).

These experiences reflect how reproductive functions have become sites of trauma marked by vulnerability, degradation, panic, and helplessness.

The reproductive role as a target of intentional and coercive suffering

What links these patterns is the deliberate creation of an environment where performing basic reproductive (and gendered) roles — menstruating, giving birth, nursing/feeding, and parenting — becomes an unbearable source of suffering. The loss of dignity in childbirth, the shame of unmanaged menstruation, and the grief of watching a baby starve are specific, gendered modes of suffering with long-term consequences for mental and physical health.

These conditions amount to more than collateral suffering. They reflect a form of coercive violence in which gendered bodily functions become pathways to psychological and physical torment. Women’s and girls’ reproductive lives have been made into sites of pain, shame, and unrelenting distress. The denial of safe pregnancy, childbirth, and parenthood thus functions as a targeted form of coercion attacking the body politic through the bodies of women. Women are made to suffer not only for what they are, but for what they might create.

Conclusion

In sum, the patterns of violence inflicted on Palestinians from Gaza since 7 October 2023 cannot be fully understood, nor effectively addressed, without accounting for the role of gender in how torture and other ill-treatment are perpetrated. The Israeli Forces’ methods of inflicting severe suffering are not only phys-

ical and psychological, but also deeply gendered. Men and boys are emasculated and dominated in ways that challenge their social roles; women and girls are sexualized, exposed, and shamed through their bodies and reproductive capacities. Across all sites— arrest, detention, digital platforms, and collapsed reproductive care systems—gender is instrumental in shaping how torturous violence is perpetrated and experienced in Gaza.

Torture, as defined under international law, must be understood in its full context, including how identity and inequality shape both the infliction and the experience of suffering. A gender-competent reading of the ways in which torture has been brought to bear against Palestinians is a necessary ingredient for a complete comprehension of the harms perpetrated and suffered.

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Submitted 6th of May 2025

Accepted 9th of Aug. 2025

Torture as a tool of domination: The logic behind the use of torture against Palestinians. A human rights approach

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Abstract

This article explores the psychopolitical logic of torture within the Palestinian context, focusing on its role as a tool of domination and resistance. Torture in Palestine is not merely an instrument for inflicting individual suffering but is a strategic mechanism employed by the Israeli state to dismantle collective identity, suppress resistance, and erode the dignity of the Palestinian people. Since the onset of the Gaza war on October 7, 2023, the scale and brutality of torture tactics, including physical abuse, psychological manipulation, and sexual violence, have intensified, highlighting the urgent need for documentation and accountability. This article examines recurring patterns in testimonies of Palestinian detainees, focusing on the psychological and symbolic dimensions of state violence. These practices reflect a broader political and ethical crisis, requiring the involvement of mental health professionals in documenting the psychological consequences of torture. Traditional psychiatric frameworks are insufficient in addressing the realities of state-sanctioned violence; thus, a critical human rights-based approach is advocated. This approach emphasises the need for a decolonial, justice-oriented mental health praxis that supports collective resilience and political agency. By documenting torture (i.e. applying the Istanbul Protocol or by other means), this article argues, healthcare professionals can empower survivors to reclaim agency over their narratives and contribute to the pursuit of justice and redress. The article concludes by calling for global solidarity, not only through adherence to international humanitarian law but through active political action to hold perpetrators accountable and protect the human rights of Palestinians.

Keywords: Palestine, torture, mental health, human rights, solidarity

Introduction

The torture and ill-treatment of Palestinian prisoners in Israeli custody have long been a pervasive component of Israel's system of colonial domination. However, since October 7, 2023, the scope and brutality of these practices have escalated to unprecedented levels. (Anadolu Ajansı, 2025). Despite Israel's obligations under international humanitarian law (IHL) and international human rights law (IHRL)—including Article 56 of the Fourth Geneva Convention, which mandates the occupying power to ensure access to health care for protected persons, including detainees—these obligations have been systematically violated. As Sahar Francis (2017) of the

Palestinian Prisoner Support and Human Rights Association, Addameer, notes,

“Political prisoners’ rights, issues, and struggles [...] must be understood in the context of Israel’s ongoing refusal to abide by or respect IHL or IHRL. Israeli violations of such international norms have been systematic and widespread, and have included torture, extrajudicial killings, and arbitrary detention, to name just a few” (p. 47).

An estimated 750,000 Palestinians have been detained since Israel began its occupation of East Jerusalem, the West

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

Bank, and the Gaza Strip in June 1967 (Negotiations Affairs Department, 2025). This figure includes approximately 23,000 women and 25,000 children (Haaretz, 2014; UN, 2019). Since the onset of Israel's latest war on Gaza, these numbers have surged dramatically, as mass arrests have intensified. According to data from the Israeli human organisation B'Tselem, as of late December 2024, the Israel Prison Service (IPS) was detaining 9,619 Palestinians on charges it classified as related to "security," a figure that includes 2,216 individuals from the Gaza Strip (B'Tselem, 2025). Central to the illegality of these detentions is Israel's military court system, which facilitates indefinite incarceration under the guise of "security," often withholding charges or evidence from detainees and their legal counsel.

Prisoner support organisations define Palestinian political prisoners as those detained in connection with the occupation, rather than for common crimes (Francis in Human Rights Council, 2009; Addameer, 2016a). Amnesty International adopts a broader definition, encompassing prisoners whose cases involve a political dimension, whether in terms of motivation, nature of the acts, or the authorities' response (Amnesty International, 2002). By contrast, Israel's Unlawful Combatants Law (No. 5762-2002) allows for the indefinite detention of individuals accused of participating—directly or indirectly—in "hostile activity," all without trial or due process. These detainees are tried in military courts but are not granted the status of prisoners of war. Instead, they are classified as "security prisoners" (EU Policy Department, 2013), a designation that permits the circumvention of fundamental protections under international humanitarian law (IHL). Human rights organisations, including the Israeli group B'Tselem, have long criticised this broad and ambiguous interpretation of "security":

"Security is interpreted in an extremely broad manner such that non-violent speech and political activity are considered dangerous. [...] Such usage is a blatant contradiction of the right to freedom of speech and freedom of opinion guaranteed under international law" (B'Tselem, 1997, para. 5).

The imprisonment of political activists for acts of expression violates international standards protecting freedom of speech (MIFTAH, 2018), while their criminalization serves to dehumanize and delegitimize their political claims: "Criminalizing political detainees [...] intends the transformation of these people into the other, inferior and less worthy of due process and legal procedures" (Abdo, 2014).

Israel, as a State party to the Fourth Geneva Convention (1949), the International Covenant on Civil and Political

Rights (1966), and the Convention Against Torture (1984), is obligated to uphold the rights enshrined in these treaties. Yet, Palestinian detainees are routinely subjected to torture, prolonged solitary confinement—sometimes for up to ten years—brutal interrogations, administrative detention without charge, denial of medical care, and coerced confessions (EU Policy Department, 2013).

Palestinian prisoners have long used hunger strikes to protest Israel's harsh and unlawful detention regime.¹ The case of Khader Adnan, who died in May 2023 following an 87-day hunger strike, illustrates the symbolic and political significance of this form of resistance. Adnan had previously staged multiple hunger strikes in response to his repeated detention without charge based on secret evidence (Amnesty International, 2023b; Physicians for Human Rights Israel [PHRI], 2023). His protests triggered widespread solidarity actions, both among fellow detainees and across Palestinian society, reframing prisoners like him as political activists resisting a carceral system designed to erase their identity and suppress dissent (Jabr, 2024c). In response, Israeli authorities subjected him to punitive and negligent treatment, including shackling him to his hospital bed, denying access to private physicians, and ultimately withholding adequate medical care (PHRI, 2023; Amnesty International, 2023b; United Nations, 2023, para.38). Such treatment also violates the World Medical Association's Malta Declaration, which prohibits force-feeding and mandates the ethical treatment of hunger strikers in accordance with their autonomy and dignity (World Medical Association, 2006). Adnan's death was widely condemned by human rights organisations as a case of medical neglect amounting to unlawful killing (Al-Haq, 2023): "When his life was at risk, Israeli authorities refused Khader Adnan access to the specialised care he needed in a civilian hospital and instead left him to die alone in his cell." (Amnesty International, 2023b) His case reveals how administrative detention, political dehumanisation, and medical coercion intersect within a broader system of structural violence—and how, in the face of such repression, hunger strikes remain one of the few available forms of resistance for Palestinian detainees.

Since October 7, 2023, the situation has sharply deteriorated. At least 59 Palestinian detainees (60 according to B'Tselem, 2025) have died in Israeli custody since the start of the Gaza war in October 2023 (Anadolu Ajansı, 2025), amid rising reports of inhumane treatment and collective punishment—an absolute prohibition under customary international law

¹ See Norman (2020) for a more in-depth analysis on the historical use of hunger strikes by Palestinian prisoners.

and explicitly banned by Article 33(1) of the Fourth Geneva Convention (PHROC, 2023)². Human rights organisations warn that extended emergency measures have led to systematic abuse, torture, and the failure to investigate detainee deaths (Amnesty International, 2023a; OHCHR, 2023).

These practices are not new, but their visibility and brazenness have reached new heights. B'Tselem (2024) has described Israel's prison system as a "network of torture camps", underscoring the scale of violations since October 7. Videos of soldiers humiliating Palestinian prisoners have circulated widely on platforms like Instagram and TikTok, demonstrating a disturbing level of impunity and a chilling disregard for international legal norms, as well as evidence of genocidal intent (see, for example: Thomas & Brown, 2024; Forey, 2024; Gutman et al., 2024; Kershner & Bergman, 2024; Hawari, 2024).

Even prior to this escalation, mechanisms for accountability were virtually non-existent. Since 2001, over 1,400 complaints of torture have been submitted to Israeli authorities, yet only two criminal investigations were opened (Public Committee Against Torture in Israel, 2022). The approval by the Israeli Attorney General of coercive interrogation techniques used by the Israel Security Agency raises serious concerns regarding Israel's breach of the absolute, non-derogable prohibition on torture under international law (UN Human Rights Council, 2022, para. 30).

Based on testimonies, this article explores how the intensified use of torture against Palestinians since October 7, 2023, represents both a continuation and an alarming escalation of Israel's long-standing carceral and settler-colonial practices. We approach this analysis from a psychopolitical perspective. Psychopolitics has different meanings, but here we use it to refer to the study of how power works on—and through—the psyche (emotions, desires, beliefs) to shape political behaviour and social order. In this sense, it is linked to processes of mind manipulation and the molding of subjectivity. Torture is examined not only as a means of inflicting individual pain but as a deliberate political instrument deployed to dismantle collective identity, suppress resistance, and erode the social and symbolic fabric of Palestinian life. Drawing on testimonies from Palestinian detainees, the article identifies recurring patterns of abuse—emphasising the psychological and symbolic dimensions of state violence, including acts of humiliation, sexual violence, and dehumanisation. It also critically investigates the role of mental health professionals and human rights workers in

contexts where torture is systematic and politically sanctioned, asking what it means to bear witness in spaces where the state is both perpetrator and judge. Beyond clinical frameworks that tend to individualise trauma and depoliticise suffering, the article argues for a decolonial and justice-oriented mental health praxis—one that recognises the political nature of suffering and supports collective resilience, memory, and resistance. In doing so, it advocates for a critical human rights approach that foregrounds accountability, solidarity, and the political agency of the oppressed.

Torture as a political instrument

Based on testimonies from 55 formerly incarcerated Palestinians since October 7—most of whom were never formally charged—the Israeli human rights organisation B'Tselem documents a systematic and institutionalised regime of abuse. Detainees, including individuals from Gaza, the West Bank, and inside Israel, describe consistent patterns of physical violence, sexual assault, humiliation, deprivation, and denial of medical care. The testimonies reveal the conversion of multiple military and civilian prison facilities into de facto torture camps, where the infliction of suffering appears to be intentional and widespread (B'Tselem, 2024).

Historically, the Israeli prison system has functioned as a mechanism of control over the Palestinian population. Since the onset of the 2023 war, the number of Palestinians in detention has nearly doubled, with a sharp rise in administrative detentions—individuals held without charge, trial, or access to legal defence. Those imprisoned range from children and students to professionals and community leaders, many detained solely for political expression or due to broad categorisations such as being of "fighting age" (B'Tselem, 2024), aiming to suppress any forms of Palestinian resistance.

The institutionalisation of torture in Israel can be traced back to the Landau Commission Report (1987), which controversially authorised the use of a "moderate measure of physical pressure" during interrogations by the Israel Security Agency (ISA). This language provided legal cover for physical and psychological abuse, including sleep deprivation, stress positions, and beatings, and was widely condemned by international human rights bodies. Although the Israeli High Court of Justice formally outlawed this policy in 1999 (HCJ 5100/94), human rights organisations have consistently documented the continued use of similar techniques, particularly against Palestinian detainees (Public Committee Against Torture in Israel, 2007; UN CAT, 2009).

The systemic abuse described in recent accounts is situated within a broader socio-political context of entrenched dehu-

2 In comparison, 9 detainees had died in Guantanamo Bay, synonymous for unlawful detention, torture and widespread human rights abuses, since its first prisoners arrived in 2002 (Reprieve US, 2002, online)

manisation. The B'Tselem report argues that public discourse in Israel has increasingly normalised calls for extreme violence and collective punishment, with the suffering of Palestinians largely marginalised or ignored in mainstream narratives. Within this climate, the mistreatment of Palestinian prisoners has not only become routine but, in some circles, overtly endorsed (B'Tselem, 2024).

These testimonies must be regarded as evidence of a deliberate and coordinated policy rather than isolated incidents. This becomes especially viable given its rooting in the ideological agenda of Israel's National Security Minister, Itamar Ben Gvir, who has used his authority over the Israel Prison Service (IPS) to implement measures specifically targeting and degrading Palestinian prisoners. These actions have received full backing from the Israeli government and Prime Minister Netanyahu (B'Tselem, 2024).

Even before the October 2023 escalation, Ben Gvir had introduced several punitive policies—such as reducing family visits, cancelling early release options, limiting shower time, and eliminating basic privileges like food preparation and canteen access—designed explicitly to increase suffering (B'Tselem, 2024).

This policy of mass incarceration, systemic abuse, and inhuman treatment represents a profound violation of Israeli and international legal standards, including those related to torture and the treatment of prisoners. However, Israel's legal institutions, including the judiciary and the State Attorney's Office, have failed to intervene, effectively enabling the normalisation of torture and the erosion of human rights within the prison system (B'Tselem, 2024).

Through systemic abuse, Israel seeks to erode Palestinian collective identity, fracture social bonds, suppress political agency, and instil fear as a form of population control. The infliction of torture, particularly since October 7, 2023, represents both a continuation and escalation of longstanding strategies aimed at dismantling Palestinian resistance and undermining collective dignity.

Administrative detention as a form of psychological torture

The practice of imprisonment without a charge or conviction and prolonging incarceration indefinitely after serving a sentence is known as administrative detention. It does not allow detainees to defend themselves, as evidence is classified as secret and not even shared with lawyers (Amnesty International, 2012; Addameer, 2016a).

According to Israel's Order Regarding Administrative Detention No. 159121, detainees may be kept in administrative

detention for a maximum of six months. The assumption that a suspect poses a security threat is the basis for administrative detention orders, which are granted by Israel's Ministry of Defence and carried out by Israel's executive branch. Orders can be renewed if there are "reasonable security grounds." Israel often extends these detention warrants without restriction, allowing it to detain Palestinians without charge or trial for an unlimited period of time. Additionally, the military judges who hear cases involving administrative detention base their judgments on secret information that is not disclosed to the accused and their lawyers. Many Palestinians have spent up to six years in detention without being charged or facing a trial, including minors (Al Haq, 2011; MIFTAH, 2012; EU Policy Department, 2013; B'Tselem, 2021; Addameer, 2022).

Figures published by the Israel Prison Service show that Israel uses the practice of administrative detention excessively to punish Palestinians. As of March 2025, the number of Palestinians held in administrative detention by Israeli authorities—meaning detention without formal charge or trial—has risen to 3,405 individuals. This figure includes over 350 children and at least 21 women. These numbers reflect a significant increase from the 1,310 administrative detainees reported in September 2023. Additionally, 1,555 Palestinians from Gaza are being held under Israel's "unlawful combatants" law, which similarly permits indefinite detention without trial (Commission of Detainees' Affairs, 2025).

Israeli authorities' practice of administrative detention remains of grave concern to the international community. According to the Committee against Torture, administrative detention for excessive periods may constitute a form of ill-treatment (UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2009, para. 17, and UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2016, paras. 22–23). The Committee urges Israel to "urgently take the measures necessary to end the practice of administrative detention and ensure that all persons who are currently held in administrative detention are afforded all basic legal safeguards" (UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 2016, para. 23a).

Israel's disproportionate and prolonged use of administrative detention, along with its inhumane treatment of Palestinians, is against international law and has been criticised as a form of collective punishment (UN News, 2025). The right to a fair trial and humane treatment constitutes an essential right for all human beings according to Article 10 of the Universal Declaration of Human Rights and Article 14 of the International Covenant on Civil and Political Rights, both of which

Israel signed in 1966 and ratified in 1991 (EU Policy Department, 2013).

In addition to administrative detention constituting a form of ill-treatment, it takes a huge psychological toll on detainees. It is perceived as one of the most extreme forms of psychological trauma since detainees remain in a constant state of uncertainty regarding their charges and their release (Addameer, 2016b; Francis, 2017).

Testimonies and patterns of abuse

As mentioned previously, the amount of evidence of Israeli soldiers performing human rights violations and acts of torture is unprecedented. In addition, there are plenty of articles and reports depicting the brutal treatment of Palestinian prisoners and recounting shocking incidents of rape, torture, sexual abuse, medical neglect and death (see, for example: Baroud, 2019; Amnesty International, 2023a; OHCHR, 2024; BBC News, 2025; Independent, 2025; Euro-Med Monitor, 2025). The articles describe systemic torture inflicted on Palestinians detained by Israel, especially since October 7. Detainees report brutal practices, including electric shocks, chemical burns, physical assaults, and sexual abuse. Testimonies further describe extreme mistreatment of detainees, including confinement in small, cage-like spaces, being tied to beds while blindfolded and dressed only in diapers. Prisoners report being stripped, denied basic necessities like food, water, healthcare, and sleep, and subjected to electric shocks, including to their genitals. Additional forms of abuse include blackmail, cigarette burns, excessive noise, attacks by dogs, waterboarding, suspension from ceilings, and severe sexual and gender-based violence (OHCHR, 2024). There are harrowing accounts of detainees being urinated on, being burned alive, being handcuffed for two months or blindfolded for extended periods of time (Middle East Eye, 2025a). Videos have emerged showing blindfolded Palestinian detainees subjected to cruel treatment by Israeli forces, including being forced to listen to a children's song for hours. Blindfolding, a common tactic during detention, exacerbates psychological trauma by inducing sensory deprivation. This method causes disorientation, anxiety, and long-term mental health issues. It isolates victims, making them more vulnerable to manipulation and dehumanisation. Blindfolding also serves to shield interrogators from emotional contact with detainees, fostering detachment and desensitisation. The practice, coupled with torture, is a violation of human rights and intensifies the psychological harm inflicted on prisoners (Jabr, 2024a).

Recent reports from multiple advocacy groups, including the Palestinian Prisoners Society (PPS) and Physicians for Human Rights, highlight the growing health crisis in Israeli prisons, particularly the widespread scabies epidemic. The

disease, which is highly contagious and caused by mites that burrow under the skin, has been rapidly spreading, particularly in overcrowded detention facilities like Megiddo Prison in Israel. The prison's harsh conditions, including inadequate food, clothing, and hygiene supplies, have exacerbated the situation, with many detainees suffering from scabies and other untreated health issues. The Israel Prison Service has been accused of neglect, as prisoners report a lack of medical care and resources that could prevent the spread of the disease. Overcrowding and the failure to separate infected detainees have further fuelled the spread of diseases like scabies, putting both adults and children at risk. The PPS and other human rights organisations have condemned these practices, describing them as deliberate and systematic violations of international law. With scabies and other diseases spreading unchecked, the groups warn that the situation could worsen, leading to even more deaths among detainees if immediate action is not taken. (Association for Civil Rights in Israel, 2024; Middle East Eye, 2025b).

Children alike are being subjected to torture and ill-treatment, enduring severe physical and psychological abuse in Israeli prisons. 17-year-old Hasan described, for instance, being brutally beaten by Israeli soldiers, who struck him with rifle butts and kicked him during his arrest in the Jenin refugee camp. Despite informing his captors of his cancer, Hasan continued to be mistreated and was denied medical care. Palestinian children, like Hasan, are often arrested in the middle of the night, subjected to torture, and deprived of basic necessities. They are frequently blindfolded, handcuffed, and interrogated without legal counsel or family presence. These children often face physical mistreatment, such as beatings and harsh conditions, including overcrowded cells and inadequate food (Defense for Children International – Palestine, 2024). There was international outrage over the death of 17-year-old Palestinian Walid Ahmad, who likely died from starvation in an Israeli prison, according to a medical report by an Israeli doctor who observed the autopsy. Ahmad, held for six months without charge, showed signs of extreme malnutrition, colitis, and scabies (Tondo & Associated Press; Mednick, 2025).

Children as young as 12 are frequently arrested, often for minor offences like stone-throwing, and are subjected to long periods of solitary confinement, forced confessions, and inhumane treatment. Such practices, including the widespread use of torture, violate international law and the United Nations Convention on the Rights of the Child, which prohibits torture and cruel treatment of children. These systematic abuses against Palestinian child detainees are a stark reflection of Israel's disregard for international human rights standards and

the rights of children under occupation (Defense for Children International – Palestine, 2024).

Tactics are also used to break the will and resistance of Palestinian prisoners. One of the authors had heard accounts of detainees being forced to listen to Israeli national music without end or to dance to the Israeli national anthem. Others have told of being forced to kiss the Israeli flag, a brazenly symbolic act. Acts of dehumanisation and humiliation do not only occur in prison settings, but also on the streets, highlighting the impunity with which both settlers in the West Bank and soldiers in Gaza act.

Across detainee testimonies, what emerges is not only a catalogue of abuse, but a patterned and symbolic regime of violence that targets the body, mind, and identity of Palestinians in detention. Physical abuse—including beatings, burns, suspension, and sexual violence—is interwoven with psychological techniques designed to degrade, disorient, and control. Solitary confinement, sensory deprivation, and forced nudity are recurring tactics that serve not merely to extract information or punish, but to dismantle the detainee's sense of self and belonging. These acts, while physically harmful, function symbolically as instruments of power, establishing the carceral space as a site of domination and erasure.

Further, the symbolic nature of humiliation—such as being forced to kiss the Israeli flag or undress in front of soldiers—illustrates how violence is not only disciplinary but performative. It communicates the hierarchy between occupier and occupied, human and subhuman. Such testimonies reaffirm that Israeli carceral violence is not incidental, but a structural part of a wider project of control, deterrence, and political domination. They reveal a system in which the prison operates as both a material and symbolic weapon, designed to weaken the resistance of Palestinians.

The role of witnessing beyond a clinical framework

This section examines the responsibilities and complexities of psychological witnessing and documentation in contexts where torture is systematic and politically sanctioned. In cases involving torture and grave human rights violations, mental health professionals are required to integrate clinical expertise with ethical and political engagement. While torture has severe psychological consequences, focusing solely on individual clinical symptoms without engaging in witnessing or advocacy may amount to a profound ethical failure (Herman, 1992; Agger & Jensen, 1996; Martín-Baró, 1994; Summerfield, 1999; Silove, 1999; Silove, 2013; Farmer, 2003; Kleinman, 1997).

In human rights practice, witnessing is both a method of evidentiary documentation and a political act aimed at raising

awareness and fostering change. It involves the collection of evidence—through interviews, documentation, and observation—and its presentation via legal testimony, public reporting, or media engagement (UN, 2022). As a discursive and performative act, witnessing goes beyond the transmission of facts; it appeals to shared moral and political values and calls for a praxis of global responsibility (Perkins, 2009). Witnessing, therefore, is neither neutral nor passive. It is embedded in a relational dynamic between the testifier and the listener, requiring the witness to be an ethically attuned and responsive listener. This dialogic relationship reveals a core tension: the ontological fragility of witnessing. Testimony can collapse into spectacle if this dialogic exchange fails or becomes instrumentalised, undermining the potential for solidarity or structural change (Perkins, 2009).

We argue that mental health practice similarly cannot remain neutral. Demands for justice and social repair are fundamental to recovery from psychological and political trauma. In colonial contexts such as Palestine, individual psychotherapy alone cannot address the collective wounds inflicted by ongoing human rights violations. Despite the persistent neutrality of many humanitarian responses, research underscores that recovery is intimately tied to justice, dignity, and political accountability (Marshall & Sousa, 2017). As such, the strengthening of political advocacy and collective resilience must be a core component of mental health interventions.

Mental health professionals play a critical role in witnessing gross human rights abuses. Barriers to testimony are considerable: survivors may downplay their experiences in comparison to others', or avoid narration altogether due to the retraumatizing effects of recall. Often, the most painful details—those associated with shame, humiliation, or perceived betrayal—remain unspoken. Here, the presence of a trained mental health professional becomes essential. Clinicians possess the tools to create safe environments where such narratives can be ethically and effectively treated and documented.

Assuming this role, however, demands moral courage—especially in political climates marked by censorship and repression. Since October 7, 2023, there has been an unprecedented escalation in the targeting of health professionals in the occupied Palestinian territories. The World Health Organization has documented over 1,000 attacks on healthcare personnel and infrastructure, constituting one of the most violent assaults on health systems in modern conflict history (PHR, 2024). In Gaza alone, these attacks have resulted in at least 747 deaths, 969 injuries, and the destruction or damage of 110 medical facilities. Israeli forces have conducted airstrikes on hospitals, obstructed humanitarian access, and detained medical staff—

actions that violate international humanitarian law (UN Human Rights Council, 2024). Internationally, fears of stigmatisation, professional repercussions, or accusations of antisemitism further discourage open critique, contributing to widespread self-censorship. Mental health professionals may retreat behind claims of neutrality, while the emotional toll of witnessing torture—including burnout and vicarious trauma—further contributes to silencing.

Thus, the practice of witnessing requires supportive professional and institutional networks. In light of the alarming rise in torture and other gross human rights violations, mental health professionals must expand their capacity to document psychological harm. This is not only an ethical obligation but also reinforces their credibility as expert witnesses—often exceeding that of journalists or lay observers. The Istanbul Protocol (UN, 2022) provides a vital framework for the forensic documentation of torture and its psychological effects and should be widely adopted in clinical settings.

Ultimately, the task of the mental health professional is dual: to alleviate suffering and to help translate that suffering to the world in ways that prompt action. By translating pain into testimony and testimony into political engagement—through advocacy, redress, and accountability—clinicians contribute to a broader praxis of global solidarity. The responsibility to bear witness includes a commitment to end impunity and ensure that perpetrators are held accountable. When perpetrators are made aware that they are being watched—and that their actions may have consequences—witnessing becomes a powerful tool of resistance and justice.

Toward a critical human rights approach

A decolonial, justice-oriented mental health praxis—one that supports collective resilience and political agency—is essential when working with survivors of torture and ill-treatment. We concur with Patel (2011, 2019, 2020) that mental health must transition toward a critical human rights approach in order to do justice to survivors of human rights abuses and critically engage with issues of power.

A Critical Human Rights-Based Approach (CHRBA) “to applied psychology goes beyond the mere incorporation of human rights language into healthcare and mental health practice. It positions human rights as a foundational framework for all areas of psychology—research, policy, service delivery, and evaluation—while emphasizing that health is not simply a need but a fundamental right, inextricably linked to justice, equity, and non-discrimination” (Patel, 2020).

CHRBA necessitates critical reflection on how power dynamics shape psychological theory, practice, and even the

human rights framework itself. Both psychology and human rights are socially constructed and historically embedded in dominant Western paradigms, which often perpetuate systems of oppression (Patel, 2020). This reflection should question which rights are prioritised, who benefits from them, and how power dynamics influence their interpretation and enforcement. For instance, dominant conceptions of health and dignity often marginalise certain populations—such as people with disabilities, older adults, and racialised communities—by privileging professional perspectives over those of the individuals receiving care.

Historically, psychology has failed to interrogate power adequately. The discipline has often overlooked the influence of colonial histories, slavery, structural racism, and patriarchy in shaping mental health theory and practice. Mainstream psychological models frequently pathologise individuals while disregarding the socio-political and economic conditions that contribute to their suffering (Patel, 2020). This has led to what Mills (2007 in Patel 2020) terms epistemologies of ignorance, where psychological distress is decontextualised, erasing the impact of systemic issues such as racism, poverty, and inequality. As highlighted in our own work concerning Palestine (see, for example, Helbich & Jabr 2021; Helbich & Jabr, 2022), this individualisation of collective suffering obscures the structural causes of colonial oppression and perpetuates the illusion of the neutrality of mental health professionals. In order to address the mental health needs of Palestinians, it is crucial to connect their social suffering with the violent and oppressive context surrounding them, and to frame trauma within the broader context of human rights violations. Trauma, in this regard, is not merely an individual psychological issue but a direct consequence of systematic human rights violations. The traditional trauma framework, while helpful in documenting suffering, often fails to address the root causes of that suffering—namely, the systemic violence and human rights abuses inflicted by powerful political entities (Helbich & Jabr, 2021).

Focusing solely on trauma without acknowledging the socio-political context risks depoliticising the suffering of Palestinians, reducing it to individual pathologies rather than recognising it as a direct result of political violence. Such an approach undermines the structural dimensions of human rights abuses, treating them as isolated incidents rather than as part of an ongoing process of colonial oppression. In order to effectively alleviate the trauma experienced by Palestinians, there is a need for a political resolution to the root causes of violence, such as occupation, dispossession, and the denial of self-determination. Mental health interventions must therefore incorporate a critical human rights approach that not

only addresses individual suffering but also challenges the political and systemic structures that perpetuate this suffering (Helbich & Jabr, 2021).

A critical human rights-based approach (Patel, 2019, 2020) entails actively examining the social, political, and economic contexts that influence both psychology and human rights. It calls on educators, students, and practitioners to critically discuss how their own identities and privileges—such as whiteness, patriarchy, and economic status—inform their practice. CHRBA necessitates dual awareness: an awareness of the power structures embedded within knowledge systems, and an awareness of one's own positionality (Patel, 2020).

Ultimately, CHRBA in applied psychology is about transformation—dismantling oppressive structures, altering institutions, and challenging dominant narratives:

As a stance against oppression and oppressive practices, structural inequalities and human rights abuses, a CHRBA invites critical reflection of ourselves, our roles as psychologists and the ways in which we may reinforce inequalities and human rights abuses, and, importantly, the ways in which we may challenge and help transform policies and practices which harm people. (Patel, 2020)

Patel challenges us to consider how, as health professionals, we can prevent and respond to the suffering caused by inequality and rights violations. How can we reframe our tools—our theories, methods, and practices—so that they do not replicate harm, but instead contribute to justice and collective well-being?

In confronting widespread and systematic human rights violations, the Istanbul Protocol provides a standardised and internationally recognised framework for the ethical documentation of torture, grounded in principles of compassion, dignity, and justice. By equipping healthcare professionals with the necessary tools and knowledge, the ethical documentation of survivors' experiences can be ensured, empowering them to reclaim agency over their narratives and to pursue accountability and redress (Jabr, 2024b).

However, and more importantly, in our efforts to end torture and uphold the rights of its victims, it is imperative that we stand in solidarity with survivors—bearing witness to their suffering, supporting their healing, and advocating persistently for a world free from impunity and oppression. The public and often celebratory display of human rights abuses on social media by Israeli soldiers underscores the deep entrenchment of this culture of impunity. As Hawari (2024) observes:

The reality is that over the last seven and a half decades, there has been complete impunity for brutalising and slaughtering Palestinians. The ongoing genocide in Gaza and the way in which it is being so brazenly shared on social media by the perpetrators is a manifestation of that impunity. The only way to make sure that it stops and never happens again is to hold not only those who have taken part in the genocide accountable but also those who are complicit. (Hawari, 2024)

It has become evident that relying solely on the frameworks of human rights and international humanitarian law fails to deliver justice to Palestinians. As Richard Falk, former United Nations Special Rapporteur on the situation of human rights in the Palestinian territories, asserts, Palestinian resistance must be supported by a global solidarity movement. He emphasises, “This movement of people in support of the Palestinian national struggle is strengthened by documenting Israeli violations of prisoner rights, under the auspices of the UN Human Rights Council and widely trusted NGOs” (Falk, 2019).

Ultimately, gross human rights violations can only be confronted through moral courage, principled resistance, and an unwavering commitment to speaking out and bearing witness.

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Submitted 5th of May 2025

Accepted 15th of July 2025

Melting Palestinian consciousness and the ongoing genocide in Gaza. Re-reading Walid Daqqa's prison text

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Abstract

Introduction: “Melting consciousness” is a thorough exploration of Palestinian prisoners’ status, authored by Walid Daqqa As’aad Daqqa from within Israel’s Gilboa Prison. The book, stemming from Daqqa’s 25-year prison, goes deep into the psychological and spiritual targeting of prisoners, beyond the physical. It emphasises that the Israeli policies aim to reshape the Palestinian prisoners’ minds to align with an Israeli perspective, especially focusing on the resistant elite within prisons. This microcosmic study of prisoners’ lives offers a simplified yet clear understanding of the broader Palestinian societal context. *Method:* In the first part of the text, Daqqa’s book is widely summarised. In the second part, his predictions are analysed considering current events in the West Bank and Gaza. *Results:* The authors argue that the model described by Walid Daqqa is now being escalated to the whole Gaza, as already predicted by him. We argue that Walid Daqqa’s prison writings are strikingly prescient, theorising the deliberate moulding of Palestinian consciousness in prisoners in ways that anticipate core features of the current genocidal campaign in Gaza.

Keywords: Prisoners; Torture; Psychological War, Palestine, Israel

Introduction

Walid Daqqa was a Palestinian author and political figure born on July 18, 1961, in Baqa al-Gharbiyye. He became known for his activism and was a member of the Popular Front for the Liberation of Palestine (PFLP). Daqqa was imprisoned for 38 years after being convicted of commanding a group that abducted and killed an Israeli soldier, a charge he denied. He obtained a bachelor’s and a master’s degree in political science and produced several works that highlight his suffering as a voice for prisoners and the Palestinian struggle (Daqqa, 2010). He died in custody while being denied medical attention for an oncological process (Rosas, 2024)

In his essay “Moulding Consciousness: Redefining Torture” (Daqqa, 2010), transcends personal memoir to become a profound critique of the concept of torture. The text was only available in Arabic. We would like to introduce the English translation of the book (see ‘Supplementary material’ for the full text), summarise the book, and discuss Waleed Daqqa’s

ideas in present-day Gaza, particularly in the aftermath of the October 7th 2023 acts of violence.

Summarising the text

*Melting Consciousness*¹ was written while the author was in prison. It was taken to the outside by those who could visit him. He never could see the whole text, and the dissimilar length and style of the sections reflect the enormous difficulties in composing it.

Waleed Daqqa opens his work with a reflection on the agony of suffering under conditions of oppression that defy expression. He argues that the inability to articulate pain not

1 The term Walid Daqqa uses is صَهْرُ الوَعْيِ (sahr al-wa’i). صهر literally means Melting (dissolving consciousness) although it has been sometimes translated as Moulding Consciousness. While melting refers to dissolving stable meanings, identities and anchors, moulding would be related to shaping beliefs, perceptions and norms into a desired pattern.

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

only isolates the oppressed from the world but can strip them of identity: “*You find yourself unable to articulate your anguish... or even to utter a comprehensible cry of pain*” (Daqqa, 2010, p. 1). He contends that this muting of suffering is especially acute for Palestinian detainees in Israeli prisons, where torture is no longer physical but psychological and systemic.

He insists that contemporary forms of oppression are “modernised” and cloaked in human rights rhetoric, making them difficult to expose or define. Unlike classical torture, these new forms are diffused and embedded in the routine: “*It becomes your companion—your cellmate, the passing time...*” (Daqqa, 2010, p. 2). The target is the prisoner’s mind and sense of self, not just their body.

Daqqa parallels the experience of prisoners with that of Palestinians outside prison, asserting that both live under a fragmented and controlling structure designed to reshape consciousness according to Israeli objectives. He criticises the inadequacy of traditional political frameworks to address these realities, arguing that Palestinian political thought is rooted in outdated paradigms that do not match the postmodern, “liquid” nature of contemporary Israeli repression (Daqqa, 2010, p. 2).

He concludes by stating that this work is not scientific research, but rather a memory-based appeal written from within the prison itself. It seeks to prompt political and intellectual clarity. “*This is primarily to show that what’s happening... is a comprehensive and scientifically planned program that aims to rebuild Palestinian consciousness*” (Daqqa, 2010, p. 4). The responsibility to confront this lies with Palestinian political forces, not just human rights organisations.

Politicide

Waleed Daqqa contends that the Israeli system of control over Palestinians exceeds classical definitions of apartheid or occupation and instead resembles what he terms politicicide. He draws on the observations of a South African delegation, who found the segregation and restrictions in the Occupied Palestinian Territories to be more extreme and totalitarian than what they experienced under apartheid: not only are Palestinians separated from Israelis, but also from one another through the division of land into disconnected enclaves (Daqqa, 2010, p. 5).

The author argues that while racism underpins Israel’s actions, it is not the ultimate goal—it is a tool used to reshape Palestinian consciousness to fit the vision of a Jewish state. Citing Israeli Chief of Staff Moshe “Bogie” Ya’alon, Daqqa emphasises that the military’s aim since the Second Intifada has been the deliberate “*reshaping of consciousness*,” achieved through the fragmentation of Palestinian space and identity. What begins as physical repression—killings, demolitions, arrests—evolves

into a strategic campaign to erode the moral infrastructure of resistance, namely, the shared values and collective identity that held Palestinian society together during earlier struggles like the First Intifada (Daqqa, 2010, p. 5).

According to Daqqa, since 2004, Israel has implemented a scientifically informed, multi-layered system that operates politically, militarily, and economically to dismantle the idea of the Palestinian people without resorting to physical genocide. He frames this as a form of politicicide or political genocide, a strategy characterised by three primary tactics: (1) fragmenting Palestinian civil society into disorganised chaos; (2) maintaining endless negotiations while entrenching colonisation; and (3) attacking the social values that underpin collective identity, particularly targeting prisoners as symbols of unity (Daqqa, 2010, p. 7).

This system is compared to the dystopian surveillance state in Orwell’s 1984, where control extends into the thoughts and behaviours of individuals through pervasive monitoring—via cameras, drones, and digital surveillance tools. Daqqa believes this all-encompassing control enables Israel to shape Palestinian social, economic, and political life at minimal cost. He asserts that this is a modern, high-tech system of political annihilation unmatched since the Holocaust. However, its goal is not physical extermination but the erasure of cultural and civilizational identity (Daqqa, 2010, p. 8).

To conceptualise this form of oppression, the author proposes using the prison as a model. Israeli prisons are not just carceral institutions but testing grounds for techniques of control later applied to the entire occupied population. Drawing on theorists such as Foucault, Bauman, and Naomi Klein, Daqqa argues that trauma, surveillance, and psychological manipulation form the architecture of this political strategy (Daqqa, 2010, p. 10).

Panopticon

Waleed Daqqa introduces the Panopticon as a theoretical framework for understanding how Israeli prisons—and, by extension, the occupied Palestinian territories—function as systems of control. Drawing on Michel Foucault’s analysis of Jeremy Bentham’s Panopticon, Daqqa argues that Israel employs a similar model of surveillance, not only within prisons but across the broader Palestinian landscape, reshaping society through mechanisms of control that are both real and symbolic (Daqqa, 2010, p. 10).

The author recalls Foucault’s description of the Panopticon as a circular structure with a central watchtower from which an unseen observer can monitor individuals confined in isolated, well-lit cells. This structure ensures maximal visibility of the detainees without reciprocal visibility of the observer. The

architecture is designed to produce a state of conscious and permanent visibility that assures the automatic functioning of power: “*They should never know if they are being observed at that moment, but they must be sure that they might always be under observation*” (Daqqa, 2010, p. 11).

Daqqa stresses that the purpose of such surveillance is not merely to monitor but to internalise control. Prisoners become passive subjects who begin to discipline themselves, embodying the logic of the system. “*They are visible but cannot see. They are subjects of surveillance but never subjects of communication*” (Daqqa, 2010, p. 11). The panoptic effect divides the population, isolates individuals, and renders collective agency impossible.

He emphasises that this model is not limited to prison infrastructure but is mirrored in the geopolitical organisation of the Occupied Territories. Israeli policy isolates Palestinian communities much like the isolated cells in the Panopticon. The illusion of constant surveillance—enabled by drones, cameras, and checkpoints—extends the architecture of the prison to entire cities and towns (Daqqa, 2010, p. 8).

Importantly, Daqqa suggests that this system does not require the constant application of force. Its success lies in its psychological impact: the awareness of potential observation induces self-regulation. As such, Israeli control becomes a self-sustaining apparatus—“*a machine to create and support power independently of the person who exercises it*” (Daqqa, 2010, p. 11).

This framework, Daqqa contends, is essential for analysing contemporary torture and social destabilisation in Israeli prisons. The Panopticon exemplifies how power functions less through direct violence and more through engineered consciousness and isolation. Surveillance and separation thus operate as tools of political repression and cognitive colonisation, reshaping both the prisoner’s psyche and the collective Palestinian identity (Daqqa, 2010, p. 7).

The Doctrine of Shock

Waleed Daqqa draws from Naomi Klein’s *The Shock Doctrine* to argue that the Israeli strategy toward Palestinian prisoners—and Palestinians more broadly—follows a logic of trauma-induced transformation. He begins by citing a CIA interrogation manual that describes a moment of mental paralysis in detainees after experiencing a catastrophic event. In that brief window, the prisoner becomes psychologically compliant and susceptible to influence: “*the detainee... is ready to be filled and compliant more than they were in the past*” (Daqqa, 2010, p. 11)

Daqqa suggests that the doctrine of shock mimics this process at a mass scale. Just as torture aims to collapse an individual’s psychological defences, the shock doctrine seeks to

produce mass disorientation, rendering populations pliable. He references Naomi Klein’s analysis of the 9/11 attacks as a foundational shock that enabled the U.S. government to redefine national identity and introduce previously unthinkable narratives such as “clash of civilizations” and “Islamofascism” (Daqqa, 2010, p. 12).

Tracing the origins of the doctrine, Daqqa recounts CIA-funded experiments in the 1950s by Dr. Ewen Cameron, who subjected psychiatric patients to electric shocks, drug overdoses, and isolation to regress them psychologically to a pre-verbal, infant-like state. Cameron’s goal was not treatment but the creation of a mental blank slate, capable of being reprogrammed—a method later integrated into CIA interrogation protocols and military strategy (Daqqa, 2010, p. 12)

Daqqa points to global applications of this logic: from Pinochet’s Chile to U.S. operations in Iraq and Afghanistan. In the invasion of Iraq, the strategy of “shock and awe” aimed not only to defeat militarily but to erase societal structures, turning Iraqi society into a blank page upon which occupiers could inscribe a new order (Daqqa, 2010, p. 13)

He emphasizes that shock is not always military; it can emerge from economic collapse, natural disaster, or acts of terror. Like an individual prisoner overwhelmed in an interrogation room, societies in shock abandon values they would normally defend. Trauma becomes a means of disabling resistance and enforcing ideological submission (Daqqa, 2010, p. 13)

However, Daqqa underscores that shock is not an inescapable fate. Drawing from Klein’s examples, he notes how some nations—such as post-apartheid South Africa, Lebanon after the 2006 war, or Latin American countries—were able to eventually resist and reverse the effects of shock-induced neoliberalism. The possibility of resilience and recovery, he argues, remains open despite the engineered depth of trauma (Daqqa, 2010, p. 13)

In Daqqa’s view, this framework helps explain not just the individual experience of torture but the broader political strategy underlying Israeli repression of Palestinians: a scientifically calibrated attempt to erase resistance by manufacturing cognitive and societal disintegration (Daqqa, 2010, p. 35)

Hunger Strike as a Second Shock: Reshaping the Consciousness of the Prisoners

Waleed Daqqa examines the hunger strike of 2004 as a strategic turning point in the Israeli state’s broader effort to reshape the consciousness of Palestinian detainees. He situates the hunger strike within a broader context of military operations in Palestinian cities, arguing that the destruction caused by Israeli incursions went beyond targeting resistance fight-

ers—it aimed to instil terror and induce mass psychological shock. This “madness,” as some Palestinian analysts called it, was not irrational but rather a calculated tactic: “*Madness, as it turns out, was a strategy based on many logical calculations*” (Daqqa, 2010, p. 14)

The aim, Daqqa asserts, was to disorient Palestinian society, to break its moral infrastructure and make its members more susceptible to the internalisation of imposed values. Just as Dr. Ewen Cameron’s psychiatric experiments sought to erase individual identity through trauma to implant new behaviour, Israel’s strategy sought to “*erase the ideas and values that form the moral foundation of resistance*”. In place of national consciousness, the state sought to introduce pre-political, individualised identities that could be managed and manipulated (Daqqa, 2010, p. 15).

This was followed by the implementation of the Dayton Plan, which functioned like Cameron’s post-trauma “audio messages” to shape the perceptions of order among detainees and citizens. Concepts such as “rule of law” and “fighting corruption” replaced liberationist ideals like “resistance” and “freedom,” even though Palestinians remained under occupation. The redefinition of concepts was not inherently wrong, but Daqqa argues that their decontextualised presentation weakened the foundations of resistance and served the occupier’s agenda. (Daqqa, 2010, p. 16). Furthermore, he draws a parallel between Cameron’s use of isolation to break identity and the purpose of dividing the occupied land into isolated geographical areas, thereby undermining collective identity.

In prison, this transformation of values was paralleled through increasingly sophisticated administrative tactics. With over 11,000 detainees by 2004, the Israeli prison system faced a dilemma: suppress resistance by chaos (option one) or absorb detainees into traditional organisational frameworks (option two). Initially, the administration favoured the second approach—recognising the benefit of organised, disciplined prisoners. However, from late 2003, under the leadership of Yaakov Genot, this shifted dramatically (Daqqa, 2010, p. 17).

Genot, a Sharon confidant, was appointed to oversee the complete restructuring of the prison system. Backed by an increased budget and a centralised mandate, he standardised procedures, eliminated regional discretion, and launched a series of deliberate confrontations. One of these took place at Ashkelon prison, where physical force was used to provoke unrest and pave the way for a planned hunger strike—a tactic intended to become a second, controlled shock (Daqqa, 2010, p. 19).

The hunger strike was thus not an unanticipated protest, but a confrontation into which detainees were pushed. Daqqa notes that “*never in the history of Israeli prisons has the prison*

administration encouraged detainees to go on a hunger strike like it did in the months before the strike in August 2004” (Daqqa, 2010, p. 20). Genot’s strategy used modern group psychology, psychological warfare, and media manipulation as if preparing for a military campaign. Outside professionals designed the response plan, eliminating personal discretion for guards and creating a “*terrifyingly systematic repression strategy*” that extended across the entire prison network.

Five key measures were implemented in advance (Daqqa, 2010, p. 17-20):

- Widespread strip searches using dogs—considered impure in Islamic culture—to humiliate detainees and assault their dignity.
- Isolation of political leaders in prisons, not through solitary confinement but through structural reorganisation, in order to fragment leadership and disrupt prisoner solidarity.
- Installation of insulating glass in visitation rooms, severing the physical and emotional bond between prisoners and their families, which previously served as crucial psychological support.
- Unified administration under Genot, removing variability between facilities and ensuring complete top-down control of every aspect of prison life.
- Provocations and violence engineered to trigger unrest and channel it toward a strike that could be exploited for reprogramming.

Daqqa argues that the hunger strike became a second shock after the physical and societal trauma of the military incursions and mass arrests. While the prisoners initially attempted to negotiate and de-escalate, the administration refused all dialogue, making the hunger strike inevitable. Genot’s strategy was to use this moment of protest not as a crisis, but as an opportunity for *re-engineering consciousness* (Daqqa, 2010, p. 19).

Within this framework, prisons became laboratories for Israeli political experimentation. The same methods used to fragment and demobilise Palestinian leadership in the occupied territories—geographical isolation, bureaucratic entrapment, and ideological reframing—were mirrored within the prison walls. After the strike, entire sections were reorganised, and internal hierarchies reshaped to allow for the rise of new, more pliable leadership that would no longer represent the original values of the detainee movement (Daqqa, 2010, p. 18).

The result, Daqqa observes, is a prison environment that is “high materially” but “low spiritually”. Detainees may enjoy improved physical conditions, but they suffer a profound moral and psychological disorientation. As one prisoner put it: “*In the past, we were together; today, we are on our own*”. This sense of atomization, of shared meaning eroded, reflects the broader

Palestinian condition under occupation. The absence of visible torture paradoxically intensifies the suffering by making it difficult to name and resist (Daqqa, 2010, p. 18).

Ultimately, Daqqa contends that the hunger strike was transformed into an instrument of state strategy. Its goal was not to break the body, but to reset the mind. The reshaping of consciousness—both inside and outside prison—remains the core of Israeli policy. This summary sets the stage for a deeper analysis of the new methods of modern torture used to maintain this reconfiguration (Daqqa, 2010, p. 18).

Hunger strike: Tactical suppression and the attack on solidarity

Waleed Daqqa analyses how the Israeli prison administration implemented a methodical program of psychological pressure during the 2004 hunger strike—one that went beyond direct physical torture and aimed at dismantling collective consciousness among Palestinian detainees. While the most visible aspect of the strike was the prisoners' resilience and defiance, the systematic nature of repression revealed a strategic objective: to fracture the principle of solidarity that had long defined the National Detainee Movement.

Daqqa enumerates eight specific measures designed to break down morale and social cohesion. These included leaving lights on 24/7 to deprive prisoners of sleep, confiscating everyday comfort items like plastic water bottles and salt—essential for survival during hunger strikes—and broadcasting propaganda over loudspeakers to discredit the strike's leadership. Other techniques sought to humiliate strip searches using metal detectors and attack dogs, naked inspections under the pretext of security, and even daily barbecues held in front of fasting detainees to provoke psychological torment (Daqqa, 2010, p. 21).

Beyond the physical hardship, Daqqa emphasises that the goal was to destroy the psychological infrastructure that sustained collective resistance. Detainees were relocated frequently, disrupting long-standing support networks and undermining emotional resilience. "*The goal was to break the circle of acquaintances and friends... weakening the direct moral circle that provided psychological support for the detainee's resilience*" (Daqqa, 2010, p. 21).

This coordinated program of repression drew inspiration from past global experiences—particularly Latin America in the 1970s and U.S.-run detention sites like Guantanamo and Abu Ghraib. Daqqa references testimonies from Argentina, where torture was not just used to extract information but to destroy core ideological commitments—most notably, the value of solidarity. Prisoners were pressured to betray their com-

rades not for intelligence, which the authorities often already had, but to break their identity as members of a collective (Daqqa, 2010, p. 22).

Similar strategies were deployed in Israeli prisons, particularly targeting religious identity and communal unity. The denial of contact with family, the prevention of legal visits, and the targeting of Islamic sensitivities during searches were meant to isolate detainees from their external and internal sources of psychological strength. These attacks, Daqqa asserts, were "*not merely expressions of anger or sadism*," but deliberate, calculated interventions "*based on global experiences*" (Daqqa, 2010, p. 19) and adapted to the specific goals of Israeli prison policy.

The most vital target, Daqqa argues, was the principle of solidarity itself. "*Solidarity as a principle changed the detainees from a group of people and factions... into a force that prison guards couldn't prevent from staying united*" (Daqqa, 2010, p. 23). By eliminating solidarity, the prison system sought to dismantle the unifying values that enabled organised resistance, both inside and outside prison.

Following the hunger strike, a new policy direction emerged that would have been impossible without the psychological disintegration caused by the strike itself. The administration moved quickly to dismantle the representative structures of the National Detainee Movement, which had operated as a unified national entity. Rather than a centralised, coordinated decision to end the strike, prisons collapsed one by one in disorderly fashion. This chaos, Daqqa notes, was precisely the outcome Genot intended. As a former military figure, Genot understood that "*it's not enough to take over their positions... their defeat has to look as far as possible from organized withdrawal*" (Daqqa, 2010, p. 24).

The strike's formal failure to achieve material demands was less consequential, in Daqqa's view, than the symbolic collapse it produced. The breakdown of collective leadership, the loss of shared frameworks of action, and the erosion of national values constituted a far more profound and more lasting wound. "*Thus, the detainees became more prepared for the formation and implementation of the mind reshaping strategy*" (Daqqa, 2010, p. 24).

Daqqa argues that the hunger strike functioned not only as a protest but also—unintentionally—as the second stage in a state-led shock doctrine, following the mass arrests and incursions. This second shock enabled the dismantling of organisational and ideological infrastructures among detainees, clearing the way for the implantation of alternative narratives and individualised, depoliticised identities (Daqqa, 2010, p. 18).

In sum, the 2004 hunger strike was converted from a potential act of resistance into a mechanism of reengineering.

Through methods inspired by psychological warfare, cultural humiliation, and global repression models, the Israeli prison administration turned a mass protest into a rupture—weakening not the prisoners' bodies alone, but their collective capacity to think and act as a national force (Daqqa, 2010, p. 22).

Procedures after the Strike: Material Abundance as a Torture Tool

Waleed Daqqa argues that following the 2004 hunger strike, the Israeli prison system shifted toward a more insidious and psychological strategy of control: the use of material abundance as a tool of suppression. Rather than confronting collective resistance through direct violence, the prison administration opted to weaken solidarity and reshape detainee consciousness by offering comfort and fragmenting communal structures (Daqqa, 2010, p. 24).

The collective struggle that once characterised the detainees' movement was dismantled and replaced by a model of individualised demands. Post-strike, prisons were reorganised by region—dividing detainees from Jenin, Nablus, Jerusalem, and other areas—thus reinforcing local over national identities. The traditional representative committee system was dissolved, replaced by individual “section reps” selected by the administration, effectively turning spokespeople into intermediaries of control (Daqqa, 2010, p. 25).

Harsh punishments were imposed for any symbolic protest or possession of national imagery, such as photos of Palestinian leaders. Even religious sermons were policed, prohibited from addressing national themes. This repression extended to traditions that once reinforced cohesion—welcoming new detainees or collective prayer—and worked systematically to break down internal democratic structures through constant transfers of leadership figures (Daqqa, 2010, p. 26).

At the same time, detainees were encouraged to submit individual requests and were offered relatively high standards of material comfort—especially in terms of food purchases—through arrangements funded by the Palestinian Authority and international donors. Daqqa observes that Palestinian detainees may be the only political prisoners in the world receiving monthly stipends from a government ministry despite the absence of a sovereign state. These conditions, while superficially humane, serve to depoliticise detainees and shift their attention from national liberation to personal subsistence (Daqqa, 2010, p. 27).

Crucially, this abundance creates internal contradictions. Some detainees live in better material conditions than their families under siege in Gaza. This dissonance fosters alienation, disconnection from the struggle, and a sense of helplessness.

Over time, this becomes a form of learned helplessness that is passed from veteran prisoners to newcomers, reinforcing Israel's control even in the absence of visible repression (Daqqa, 2010, p. 29).

In this context, material abundance becomes not a form of compassion but a sophisticated mechanism of modern torture. Daqqa calls for a redefinition of torture that accounts for psychological erosion, manipulation, and the slow dismantling of political agency through comfort, rather than pain (Daqqa, 2010, p. 3).

Modern Control: Dangerous Value Manifestations in the Lives of Palestinian Detainees

In this final section, Waleed Daqqa offers a profound analysis of how the Israeli prison system uses the mechanisms of modernity—particularly the separation of time and space—to exercise a new, insidious form of control over Palestinian detainees. Drawing on sociological and philosophical frameworks, Daqqa argues that surveillance, bureaucratic distancing, and psychological engineering have replaced direct violence as the primary tools of domination, leading to a redefinition of torture itself.

He begins by asserting that in modern prisons, control is no longer exerted through physical presence or direct interaction, but through technological systems that enable total oversight. Cameras, electronic locks, and centralised monitoring systems allow one guard to control 120 detainees without ever appearing physically present. This transformation gives the illusion of autonomy: detainees now open and close their own cell doors, seemingly managing their own routines. However, this autonomy is an illusion. Control has merely become internalised and more effective. The guard, now just a screen operator, is dehumanised, and the detainee becomes an object rather than a subject in the eyes of the system (Daqqa, 2010, p. 32).

This shift, Daqqa explains, also enables the prison administration to implement its ideological agenda with surgical precision. Surveillance enables detailed control over detainees' time, dividing it into small, tightly regulated units—seven scheduled bathroom breaks, three daily security checks, and strictly assigned outdoor periods. The detainee's time is no longer their own; they cannot even plan a day as they please. This loss of agency fosters a psychological tension: a desire to preserve the symbolic “freedom” of opening one's own door coexists with the recognition that this action is a form of self-subjugation. (Daqqa, 2010, p. 34).

One of the most corrosive aspects of this system is the contradiction between the detainees' self-image as heroes of the resistance and the humiliating realities of prison life. The presence of young female guards overseeing hundreds of prisoners,

often from conservative communities where female authority over men is taboo, undermines traditional perceptions of masculinity and weakens prisoners' self-esteem. Simultaneously, literary and political narratives that once depicted prison as a site of valour and sacrifice now appear disconnected from the modern realities of electronic doors and bureaucratized repression. The figure of the torturer, once a symbol of brute force, now resembles a post office clerk. This dissonance weakens the detainees' capacity to frame their suffering in meaningful, mobilising terms (Daqqa, 2010, p. 34).

The cultural and intellectual consequences of this shift are dire. According to Daqqa, the prison system no longer targets the body—it targets the consciousness. The tools of repression now include restricting access to books, news, and ideas. Religious and trivial content is allowed, but political and academic material is banned. Arabic newspapers are censored, while Hebrew media and “moderate” Arab satellite channels are permitted. The isolation is not just physical; it is cognitive. Sections are segregated to prevent the exchange of experiences, information, or collective political awareness (Daqqa, 2010, p. 40).

Within this environment, geographic identity has replaced national identity. Once guided by ideological principles and political allegiance, the prison's internal structures now revolve around local affiliations—city, village, or refugee camp. Leaders are elected not by ideology or merit but by geography, and factions are subdivided accordingly. This shift has eroded the unifying values of the Palestinian resistance and turned formerly shameful affiliations into dominant organising principles. The prison administration actively engineers these dynamics, transferring detainees to bolster the influence of certain leaders and reinforcing geographic blocs (Daqqa, 2010, p. 37).

The consequences are evident in the daily lives of detainees. The city group now does morning exercise. Prisoners no longer engage in intellectual debates or collective reading; instead, some immerse themselves in body image, repetitive entertainment, or private university studies with individual motivations. This disengagement from national struggle is a direct product of the prison administration's strategic efforts to reshape consciousness (Daqqa, 2010, p. 39).

For Daqqa, the most alarming effect of these changes is the creation of learned helplessness. Material comfort—already analysed in a previous section—is instrumentalised as a form of psychological coercion. Detainees, fearing the loss of privileges, self-regulate and even police one another. They avoid protest not because of visible repression, but because deprivation now threatens their identity and fragile psychological stability. This results in a normalisation of submission, where resistance appears not only futile but socially disruptive. Over time, this pas-

sivity is passed to new detainees, becoming an inherited trait of self-restraint and detachment from collective politics (Daqqa, 2010, p. 34).

The culmination of this psychological reengineering became starkly evident during the Israeli war in Gaza. Historically, Palestinian detainees were known for their unwavering solidarity with international liberation movements. Nevertheless, during this war, detainees remained silent. There were no protests, hunger strikes, or symbolic gestures. For Daqqa, this was not a moral failure, but evidence of the depth of Israeli control. “*Detainees sat watching Arab satellite channels flooded with blood... doing less than any foreign solidarity activist*”. The administration was confident enough in its dominance to raise Israeli flags across the prison yards after the war—a move unthinkable in previous decades (Daqqa, 2010, p. 42).

Daqqa identifies this moment as emblematic of a broader crisis of identity and purpose. The contradiction between how detainees perceive themselves—as part of a resistance—and how they act—or fail to act—has become a profound source of psychological suffering. The internalisation of repression has led to an identity fracture that remains unaddressed by Palestinian political actors or human rights organisations. These institutions, he argues, fail to analyse these developments in depth, often treating violations as isolated rather than systemic. In doing so, they inadvertently reinforce the very framework of control they seek to challenge (Daqqa, 2010, p. 35).

The final and perhaps most dangerous consequence is the normalisation of intra-prison violence. With the collapse of ideological regulation and national faction cohesion, violence has become the default mechanism for conflict resolution. Once taboo, the use of sharp objects and aggression among prisoners is now common. Regional alliances—rather than political ideology—determine loyalty and safety. Detainees who might seek reform or resist this dynamic find themselves isolated or dependent on the very structures they hope to dismantle (Daqqa, 2010, p. 39).

In conclusion, Daqqa argues that the Israeli prison system has evolved into the largest and most methodical project in modern history aimed at reshaping the consciousness of a generation of resistance population. Through technological control, material incentives, cultural isolation, and psychological fragmentation, the prison administration has moved beyond managing prisoners—it now manages meaning itself. Suppose Palestinian detainees, as Daqqa suggests, are the vanguard of the national movement. In that case, the erosion of their collective identity represents not only a crisis of incarceration, but a crisis of nationhood. The legacy of this transformation, he warns, will extend far beyond the prison walls unless urgently

confronted with new theoretical tools, national awareness, and political imagination (Daqqa, 2010, p. 38).

An examination of the text in the context of the Gaza genocide.

In the second part of the paper, we provide a brief update and examine whether his predictions, written from prison, might shed light on conditions that could be characterised as a torturing environment/collective torture affecting the Palestinian population.

1. Panopticon: the all-seeing eye

According to Daqqa, to achieve the social (and thus, political) annihilation of the Palestinian people, the Israeli apparatus fragments Palestinian civil society into disorganised chaos. The geographical fragmentation used by the Israeli apparatus in the occupied territories is total, from hundreds of military checkpoints, hundreds of colonial settlements, the apartheid separation wall and apartheid roads in the West Bank, to the wall surrounding the Gaza Strip. In addition to the divisions into Areas A, B and C to transform the West Bank into 224 islands, or small ghettos, and cut off 62 per cent of its area (Weizman, 2007; UN-OCHA, 2020; Shamir, 2013).

Daqqa's invocation of the panopticon (Foucault, 1995) is not merely metaphorical and can be applied to Gaza and the West Bank in recent decades, where there is a small territory divided into small cells (like those in a prison), each controlled by an entrance (checkpoint or other) and permanently monitored by cameras, drones or other spatial surveillance systems, as numerous studies have documented and discussed over the last fifteen years (Peled, 2018; Ophir, Rosen-Zvi, 2020; B'Tselem, 2019; Dana, 2024; Amnesty International, 2023).

This mass electronic surveillance not only controls the movements of the population but also serves as a source of data, as vehicle registration numbers, individuals, crops, and trade are all monitored. Many of these systems also have built-in biometric recognition patterns (Zureik, 2020; Amnesty International, 2023; Talbot, 2020).

The widespread use of spyware on the computers or mobile devices of authorities, leaders, key figures or simply suspects (at the local but also international level) allows additional access to personal information, photos or conversations, without there being any clear international legislation on the matter (Bodogue, 2025; Gray, 2025). The underlying logic of this system, which could be described as Orwellian (McLachlan, 2020), is that the population is not only monitored but also aware that it is constantly being observed to encourage permanent self-con-

trol, foster mistrust even within families, and lead to demobilisation and, ultimately, submission (B'Tselem, 2019).

The significant development of biometric security measures currently being tested in Gaza is remarkable. According to media reports (The Cradle, 2024) supported by academic studies (Darcy, 2023), the Netanyahu government has approved a plan to establish concentration camps for the population of Gaza, with biometric control of access to food and medical aid, operated by private Israeli and American security companies. The technology would allow anyone to be identified and detained based on specific biometric parameters linked to intelligence databases (Darcy, 2023; Anfuso et al., 2025).

2.- The shock doctrine and how to convince the world of the necessity of violence.

Daqqa's most disturbing claim is that the Israeli prison system is a laboratory, designed not only to repress but to shape the future consciousness of the Palestinian resistance, following the principles developed by Klein in her now classic book on the Shock Doctrine (2009). In this regard, Naomi Klein herself has written about how her concepts are applicable to contemporary Palestine (Klein et al., 2012).

In line with Daqqa and Klein's analysis, Netanyahu has used the aggression of 7 October to take advantage of the state of shock to promote an extremist political agenda that would not be acceptable to the majority of the population under other circumstances, while avoiding internal accusations of corruption that were closing in on him and advancing his policy of exterminating the Palestinian people. The messages conveyed in the context of shock and confusion, and in the idea of reshaping the mind, are at least threefold: (1) " Hamas is to blame " and " Hamas must be eliminated ", deliberately confusing a political organisation with the population as a whole and establishing systems of collective punishment. (2) Israel only exercises " the right to self-defence " using the minimum necessary force and (3) dehumanises the Palestinian people. All together to counteract the proceedings before the International Criminal Court (ICC) and the International Court of Justice, and the report of the United Nations Commission of Inquiry (2025), which refers to " crimes against humanity. of extermination, murder, gender-based persecution of Palestinian men and children, forced transfers, acts of torture and inhuman and cruel treatment " (Flores, 2024; Ajour, 2025; Austin, 2024).

When discussing the hunger strike in 2004, Daqqa describes how the Israeli apparatus used the protest as a turning point in the prisons, an opportunity to advance the plan to reshape the prisoners' consciousness (Daqqa, 2010, p. 19). Along the same lines, there has been extensive debate within

Israel (still ongoing) about whether this was actually a security failure or a calculated political decision, like Pearl Harbour (1941), pointing to a plausible combination of both (Segell, 2024). The objective would be to turn the surprise attack into an opportunity to change the entire Middle East and create a turning point for “the Palestine situation”.

3.- *Tactical repression and attack on solidarity*

Daqqa's book describes how prisons seek to attack forms of leadership, mutual support and solidarity by isolating individuals in an individual struggle for survival. In Gaza, since June 2025, Israel has agreed with the United States to contract the private services of the so-called Gaza Humanitarian Foundation (GFH) for the distribution of humanitarian aid; a foundation that, according to numerous observers, has become a death trap (Euro-Med Human Rights Monitor, 2025), with more than 1,400 people killed while trying to obtain food, according to official United Nations sources, with degrading situations for the population seeking confrontation between families and clans in the struggle to obtain food (Al-Mughrabi & Khaled, 2025).

Despite this, there are no reports of signs of disunity among the population, but rather forms of mutual support and attempts at organisation by the various clans and traditional authorities (OCHA situation reports (2024-25)),² Furthermore, and with the caution that must be exercised when analysing data collected in wartime conditions, surveys indicate majority support for Hamas' strategy among the population in both the Gaza Strip and the West Bank (PSR, 2025).

4.- *The normalisation of submission and cultural erasure*

As a final phase, Daqqa argues that Israel created a situation of relative abundance in prisons that neutralised forms of resistance for fear of losing those few privileges. This can be seen in the situation in Gaza before 7 October, with the emergence of some shopping centres and a small middle class (Times of Israel, 2017). This has been swept away, for obvious reasons, by the current situation.

Final reflections

Daqqa tells us that Israel's goal is political genocide, and to achieve this, it seeks to shape the consciousness of the Palestinian people. It uses a scientifically developed plan based on fragmentation, surveillance, shock, repression, manipulation and submission, both inside and outside prisons.

Extending the analysis from the prison to Palestinian society reveals a fragmented Palestine (Gaza versus the West Bank), which is itself sub-fragmented, like a labyrinth of walls

controlled by the all-seeing eye. 7 October appears as a turning point for Israel, a state of collective shock that is being exploited to endorse a strategy of destruction – of the territory and the population – with no signs, for now, that this is leading to a reshaping of the collective consciousness of the Palestinian people in the direction desired by Israel authorities.

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Acknowledgments

We would like to thank Mahmud Sewail from TRC – Ramallah for coordinating the English translation of the book. We are also grateful to the *Torture Journal* editorial team and the anonymous peer reviewers for their valuable insights and constructive feedback on successive versions of the text.

Submitted 2nd of July 2025
Accepted 25th of Aug. 2025

The necropolitics of Gaza: Architectures of controlled space, surveillance, and the logic of psychological torture

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Abstract

Introduction: This article examines Israel's surveillance architecture in Gaza as a modality of coercive governance, assessing when and how digitally mediated practices may meet elements of torture under the UN Convention against Torture (UNCAT). The analysis is situated within debates on necropolitics, panopticism, and surveillance. *Materials and Methods:* We conduct a doctrinal review of UNCAT Article 1, triangulating NGO investigations, legal filings, and investigative journalism with scholarship on surveillance and trauma. *Results:* Reported systems—facial-recognition programs, large data-fusion databases, spyware, and persistent aerial surveillance—create conditions of continuous visibility and anticipatory threat. Testimonies and clinical reports describe hypervigilance, sleep disruption, depressive symptoms, and other markers of severe mental suffering, alongside state-actor involvement and asserted purposes (intimidation, coercion, punishment). Corroboration varies by source, but evidence converges on patterned psychological harm linked to surveillance exposure. *Discussion* On the record reviewed, Gaza's surveillance practices plausibly satisfy UNCAT's severity, state-involvement, and purpose elements, with intent inferred from design and deployment patterns; definitive legal determinations rest with competent tribunals. *Recommendations:* We recommend independent monitoring with unimpeded access, standardized documentation of surveillance-related mental harm, export-control due diligence for military-AI systems, and safeguards against indiscriminate datafication in conflict zones.

Keywords: Gaza, Surveillance, International humanitarian law

Introduction

This article examines the Israeli surveillance infrastructure in Gaza as a manifestation of necropolitical governance. Drawing on Mbembe's concept of necropolitics and Foucault's panopticon, it explores how digital surveillance extends beyond control to enact structural violence and psychological harm. Gaza is framed as a testing ground for technologies that transform visibility into a condition of existential threat.

History is often composed of a series of turning points, before and after, that point the way to progress or indicate the onset of decline. This is a truism. For Israelis, there was a 'before October 7' and the new calculus of the aftermath. Before the mass killings at the Be'eri kibbutz, and other Israeli locales,

that reportedly saw more than 1200 people murdered, some, reportedly, in ghastly ways, followed by the Israeli reaction to the horror and the emphatic promise to hold the perpetrators of this crime accountable.

Israeli Premier Benjamin Netanyahu said as much when he addressed the US Congress on July 24, 2024. Netanyahu reminded the chamber of the symbiotic relationship that exists between the two great nations. He talked about October 7th and how it was akin to the surprise attack at Pearl Harbor in 1941 and to the terror wrought on 9/11, and, as George Bush had two decades before, he painted the coming battle as "a clash between barbarism and civilization," and he pressed toward a vision of a new order that must now dictate Israeli policy to-

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

ward the Palestinians. Congress members gave Netanyahu 50 standing ovations, except for Palestinian American Rashida Tlaib, who held up a sign that read “War Criminal” on one side and “Guilty of Genocide” on the other. Outside, protesters raged against Netanyahu’s visit and got arrested, while Netanyahu referred to them as “useful idiots” for terrorists.

The most important intention of Netanyahu’s speech was his linkage to the American tragedy and its response to the days of infamy, and to reiterate the bond between the two nations. It also explicitly proposed that the War on Terror was not over yet and that the two partners must now redouble efforts to remove the “barbarians” around us, and amidst whose aim is to collapse civilisation. The short of this: Israel expected US weapons and logistical support in its ‘war’ on Hamas (and, by extension, Hezbollah in Lebanon). The 50 standing ovations answered his expectations. Before October 7, 2023, the United States had supplied around 69% of Israeli weaponry used in their assaults on their stateless Gazan neighbours (Semler, 2024). As the multiple actors allege serious violations of international law; several inquiries are ongoing. And their combined questions about compliance with international courts and mechanisms, such as the ICC and ICJ, as well as the suppression of pleas from NGOs such as Amnesty International and Reporters Without Borders to stop the mass civilian killing, suggest a geopolitical future of lawlessness and moral desertion.

Israel’s reaction to the incursion of October 7 was predictable. But when news broke that rapes, beheadings and brutal executions had, allegedly, taken place, most observers knew how intense the responding rage would be. As writer Sim Kern put it, “For every individual Israeli killed by a Hamas fighter on October 7th, I knew the IOF would slaughter tens or hundreds or even thousands more Palestinians in retaliation” (Kern, 2025). And when news broke that rapes, beheadings and brutal executions had taken place, most everyone could guess how intense the responding rage would be. Armed with American weapons of mass destruction, Israel laid to waste Gaza. By the time of Netanyahu’s speech, the new policy had already bombed 39,000 Palestinians to death¹, most of them women and children², levelled Gaza, and seen Palestinians on the run for their lives.

1 The latest figure is in excess of 63,000 Palestinians killed and 160,000 wounded, according to Al-Jazeera

2 According to a UN Report, the number of women and children killed is around 67%. See United Nations (November 22, 2023). Two Thirds of Gaza War Dead Are Women and Children, Briefers Say, as Security Council Debates Their Plight. Retrieved on June 16, 2025 from <https://press.un.org/en/2023/sc15503.doc.htm>

Before October 7th Israel was in a pattern of containing Palestinians in Gaza, and the West Bank, and even in Jerusalem by watching closely by means of a digital panopticon what Gazans were up to, always suspicious that at some point there would be an eruption of terroristic violence, and that now and then restless Palestinians eager for radical change would have to be mowed down like grass (Dwoskin, 2021). This did not look to many people like a holding pattern meant to stall figuring out a road map for Palestinians and Israelis to travel together toward a two-state solution. Instead, it was a temporary historical bracketing waiting for a historical event that would allow the ruling Zionists to evict Palestinians from the Promised Land once and for all. This aim was, after all, clearly intended by remarks contained in Netanyahu’s Amalek speech, when he called for driving the Palestinians into their own Exodus into Egypt weary, heartsick, broken-down, unwanted by anyone, and their culture and civilization razed by the decisions of an AI machine-thinking system sardonically named The Gospel, as if they were not worthy of human consideration. “We are not being surgical,” one Israeli commander told the media (Davies, McKernan, & Sabbagh, 2023). Whether or not it was planned, erasure has been the net effect in the new necropolis of Gaza in which people move beneath a low-pressure system of persistent movement restrictions, aerial surveillance, and recurrent airstrikes documented by HRW (2023) and OCHA (2024).

This paper argues that Israeli and US interests have been closely aligned since the attack on Pearl Harbor in 1941 and the establishment of the state of Israel in 1948, united by the rhetorical inference of Never Again. The events of 9/11 have been referred to as “another Pearl Harbor” event that needed renewed flourishes of Never Again cleanser. October 7 was the predictable event that came despite the all-seeing panoptic warning system in place. While this paper does not follow the lead on that failure of foreseeing, the subject has been looked into by Israeli journalists (Haaretz, 2024) and American MSM (New York Times December 2, 2023) and by investigative journalists, including prize-winning American journalist, Seymour Hersh, who has pondered aloud in his blog about Netanyahu’s motives for working with Hamas to begin with (Hersh, 2023 and April 04, 2024). In embassy cables released by WikiLeaks back in 2010, there is a suggestion that Israel preferred working with Hamas -- for political purposes.

Methods and approach

This study examines whether Israel’s surveillance regime in Gaza satisfies the four elements of torture under Article 1 of the UN Convention Against Torture (UNCAT): (1) severe physical or mental pain or suffering, (2) intentional infliction, (3) state ac-

tor involvement, and (4) specific purpose (punishment, coercion, intimidation, or discrimination).

Temporal scope and data sources. The analysis focuses on the period from October 7, 2023, to August 2025, examining escalated surveillance practices following the Hamas attacks and Israel's military response. Sources include peer-reviewed scholarship on surveillance, necropolitics, and psychological trauma; reports from established NGOs and international organisations (B'Tselem, Amnesty International, Human Rights Watch, UN OCHA), Investigative journalism with editorial standards from major outlets (The Guardian, Washington Post, +972 Magazine) and Legal documents and proceedings from the International Criminal Court and International Court of Justice

Evaluation framework. The study employs doctrinal legal analysis to assess UNCAT compliance, structured around a systematic evaluation of evidence for each torture element. This legal framework is supplemented by critical theoretical analysis drawing on three theoretical lenses: Mbembe's necropolitics to examine sovereign power over life and death; Foucault's panopticon to understand disciplinary surveillance mechanisms; and Zuboff contemporary surveillance capitalism theory. These frameworks provide the conceptual foundation for understanding how digital surveillance operates as a form of slow violence and psychological domination.

Surveillance as torture

Crises have coincided with expansions of security powers to justify collective punishment. In Gaza's rubble, amidst the world's gaze, another crime hides in plain sight: the slow torture of an entire people through the cold calculus of algorithms. From facial recognition systems that catalogue Palestinians at military checkpoints to Pegasus spyware that infiltrates activists' phones, Israel has transformed occupied Palestine into a laboratory for twenty-first-century oppression—one where the boundaries between warfare, surveillance, and torture dissolve. This paper argues that Israel's surveillance apparatus, enabled by U.S. complicity and justified through apocalyptic Zionist rhetoric, inflicts chronic psychological harm that meets the definition of torture under Article 1 of the UN Convention Against Torture (UNCAT). Further, it examines how Israel's strategic negligence of intelligence warnings before October 7, 2023—mirroring U.S. failures before 9/11—inquiries about a deliberate pattern of crisis exploitation to justify collective punishment.

The analysis proceeds first by dissecting Israel's digital panopticon, demonstrating how tools like the Blue Wolf facial recognition system and Wolf Pack fusion databases institutionalise a surveillance regime that weaponises privacy deprivation

(Foucault, 1977; Weizman, 2017). Second, it locates these systems within a broader geopolitical theatre, where U.S. military aid and diplomatic cover sustain what scholars now term "surveillance colonialism" (Zureik, 2016).

The urgency of this inquiry cannot be overstated. As the International Criminal Court (ICC) weighs charges of war crimes and apartheid against Israeli officials, and as South Africa's genocide case unfolds at the International Court of Justice (ICJ), this paper contributes a timely intervention: surveillance can operate not only as a security tactic but a practice that satisfies elements of genocide determinations. By synthesising legal analysis, whistleblower testimonies, and comparative historical frameworks (including unsettling parallels to Nazi-era psychology), the study exposes how trauma, when weaponised by states, reproduces the very oppression it once sought to escape.

The digital panopticon

Jeremy Bentham's panopticon idea emerged from his visits to a penal facility in Russia in 1786–87, where he observed labour systems designed to maximise state benefit with minimal staff. His proposed circular prison ensured that inmates, isolated in their cells, self-regulated under the illusion of constant surveillance from a central watchtower, a design he claimed would reform criminals through discipline rather than brutality—echoing the Christian notion of God's omnipresent gaze³. Yet critics soon recognised that such "reform" masked a system of social control. Michel Foucault later argued that the panopticon illustrated a historic shift from sovereign power through punishment to disciplinary power through surveillance and normalisation, a logic that now extends into privatised neoliberal regimes of control, such as those employed in Gaza⁴

I argue in this paper that Gaza is a modern digital version of the panopticon. Every Gazan is watched over by a variety of surveillance data extractors designed to implement a system of spatial control (Tawil-Souri, 2011). It is the 21st century's most perfected panopticon—a penitentiary without walls, where disembodied, automated surveillance is the warden (Goodfriend, 2023). Every Gazan, indeed every Palestinian, is regarded as "inferior in rights and status to Jews" and subject to a system of differential rights and controls that B'Tselem and others characterise as apartheid (B'Tselem, 2021). This places each Palestinian in Israel's version of what US President Barack

3 Jeremy Bentham, *Panopticon; or, the Inspection-House* (London, 1791).

4 Michel Foucault, *Discipline and Punish: The Birth of the Prison*, trans. Alan Sheridan (New York: Vintage Books, 2019 [1975]).

Obama's Kill List referred to as "The Disposition Matrix"⁵. The automation system that watches them waits for a mistake of utterance, action, or even though inferred by algorithmic profiling, in an architecture of outer and inner spatial control (Zureik, 2016).

Discussion

The gaze as torture: The tools of human deconstruction

Ships patrol the coastline, preventing entry and exit. Spy balloons map Hamas's underground network and can provide electronic jamming, surveillance drones circle like vultures overhead, and, more recently, "suicide" drones are used for strikes on displacement camps in Gaza (Drop Site, 2025). At checkpoints, biometrics go to work with facial recognition, gait profiling, iris scans, and fingerprinting. Online, all activity is monitored, tagged, and mapped to other users. SIM cards are tagged, organised, and tell your precise location. IP addresses are stored and cross-referenced. All Palestinian activity -- in Gaza, Hebron, and Jerusalem; and even overseas -- is harvested as digitised intel. And it extends beyond even that spatial threshold of the proximal, to encompass the invisible all around you, or what the NSA calls the panspectron, which not only registers what is visible to the human eye but also encompasses radio, radar, microwaves, cellular communication, and so on —. "In many ways, the Total Information Awareness (TIA) program⁶ instituted by the Pentagon in the aftermath of 9/11 is panspectral in nature" (Dahan, 2013: 45). It sees all, even the unseen, and "the panspectron does not merely select certain bodies and certain (visual) data about them. Instead, it compiles information about all at the same time, using computers to select the segments of data relevant to its surveillance tasks. (DeLanda 1991: 206). The panspectron recalls US Senator Frank Church's warning in 1975 that even then, the NSA possessed the power to capture virtually every electronic communication and left one nowhere to hide.

This creates a climate of terror and anticipation for imminent horror. It is an omnipresent surveillance system. As B'Tselem, the Israeli Information Center for Human Rights in the Occupied Territories, put it:

The entire area that Israel controls is ruled by a single apartheid regime, governing the lives of all people living in it and operating according to one organizing principle: establishing and perpetuating the control of one group of people – Jews – over another – Palestinians – through laws, practices and state violence (B'Tselem, 2025).

Calling it Orwellian is a starting point, but not yet enough (Dahan, 2013). What makes this open-air and inner processes prison most insidious is not simply its scope but its psychological effect: surveillance becomes not just a tool of spatial control, but a mechanism of torture. To live under this uncanny⁷ gaze is to live in dread. And the means of producing that dread is the subject of what follows.

The tools of torture

'The Gospel,' Lavender, Blue Wolf, and Red Wolf AI-guided facial recognition targeting systems and like systems are installed throughout the Palestinian diaspora, from Palestine to Europe to the US and even far-flung Australia (Guardian, 2020). The technology is largely American. The Israelis are implementing a proof of concept regarding facial recognition, i.e., providing evidence that the Orwellian idea is not just theoretically sound but also practically viable. Blue Wolf is used in Hebron "which seeks to profile every Palestinian living in the West Bank. Each profile contains photographs, a family history, an educational background, and a security rating" (Middle East Institute, 2022).

This proofing, writes Antony Lowenstein in 'The Palestine Laboratory, is a deliberate and criminal showcasing of products to interested buyers in the surveillance market that opened with the emergence of "terror capitalism." Lowenstein writes:

Israel has developed a world-class weapons industry with equipment conveniently tested on occupied Palestinians, then marketed as "battle-tested." Cashing in on the IDF brand has successfully led to Israeli security companies being some of the most successful in the world. The Palestine laboratory is a signature Israeli selling point. (Lowenstein 2023)

This is the Israel that US neoconservative Elliot Abrams called a "model for the world" in fighting terrorism.

One facial recognition system can be linked with other systems that follow a target most everywhere, and such a network has long been established through the entities seemingly

5 The Disposition Matrix, informally known as a kill list, is a database of information for tracking, capturing, rendering, or killing suspected enemies of the United States.

6 Total Information Awareness (TIA) was a mass surveillance initiative that began in the wake of the events of 9/11. Retrieval from <https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/Surveillance%20Report%202023%20.pdf>

7 The word uncanny comes from the German word Unheimlich. Freud wrote that it describes something that is strangely unsettling, mysterious, and slightly frightening, often due to its unusual familiarity or resemblance to something known. Freud writes, "The subject of the 'uncanny' is ...undoubtedly belongs to all that is terrible—to all that arouses dread and creeping horror..." (Freud 1919. p.1)

named after beasts from Revelations: Five Eyes, Nine Eyes, and Fourteen Eyes⁸. If the intention was to terrify with the anticipation of totalitarian horror ahead, then the names are well-chosen and apt.

Many people have been informed about Pegasus⁹ spyware, the zero-click Israeli spyware from the NSO group that can hack any mobile phone without the user knowing it. It can harvest all data on your phone, including contacts, images, documents, GPS information, social media and other passwords, and view you through your camera and listen in through your microphone. Pegasus is similar to the NSA program known as XKeyScore, which Edward Snowden revealed to the Guardian in 2013¹⁰. Pegasus has been linked to the Saudi stalking of Washington Post journalist Jamal Khashoggi¹¹, who disappeared on a trip to the Saudi Embassy in Istanbul in 2018. Totalitarian governments are prime buyers of Israeli surveillance equipment. The US government has been a partner in the spread of such technology to nations without established human rights, such as the United Arab Emirates, where ex-NSA spies were revealed to be helping to institutionalise a system of surveillance similar to what America has (Washington Post, 2021).

Satellite and Drone surveillance represent an “aerial occupation” over Gaza and allow for the targeted assassination of Palestinian leaders; help enforce spatial control and space that can be inhabited by targeted obliteration of neighborhoods¹²,

weakening collective resolve by constant or unannounced bombardments that bring psychological crisis and bring uncertainty to the procurement of basic essential needs to function as a human being, such as water, food and medical supplies. Israel is assisted in this campaign by the CIA based at Pine Gap in Australia (Declassified Australia November 3, 2023).

Israel and its partners¹³ engage in dragnet social media collection. This includes all browsing activity such as website reads, banking, emails, WhatsApp chats and conversation¹⁴, and hard drive data capture.

Biometric surveillance is both the obvious checkpoint ordeals one may go through -- iris scans, fingerprint scans, x-ray machines, all of which can be recorded and added to a database for future analysis. It also includes dental and medical records, all digitised, which can go into a portfolio or profile. In a dual-use system, such collection can be a convenience to you and authorities doing their job, or it can assist security agents in tracking your past and future bodily transitions. One might glean valuable information, such as DNA signatures. Biometric information is complemented by algorithmic information gleaned from a user's trip to the cybersphere. Algorithmic data is more difficult to understand for the average user because it is composed of probabilities and logical likelihoods over time (i.e., patterns of behaviour and even desire). Algorithms are extremely powerful in probing and analysing human strategic thinking and doing so at the speed of wire. A famous example of how powerful algorithmic analysis can be was when IBM's Deep Blue beat world chess champion Gary Kasparov in 1997, a first for a machine opponent. Another came more recently in Seoul when Lee Sedol, a legendary Go player¹⁵, was soundly defeated by Google's DeepMind AlphaGo. Algorithms present a new, digital version of the Uncanny, as well as bloodless triumphs over the human mind at frightening speed. A recent development in biometric surveillance is the emergence of ChatGPT technology, which can be set up to analyse conversations (and other data) between

8 The Five Eyes (FVEY) is an Anglosphere intelligence alliance comprising Australia, Canada, New Zealand, the United Kingdom, and the United States. Nine Eyes and Fourteen Eyes are countries with intelligence agreements with Five Eyes. (See Five Eyes at Wikipedia for an overview).

9 “Pegasus is an advanced form of spyware designed to install itself on Android and iOS devices without any action from the targeted user. Although not a widespread cybersecurity threat, its use by governments around the world has caused concern.” (Norton AntiVirus 2025)

10 <https://www.theguardian.com/world/2013/jul/31/nsa-top-secret-program-online-data>

11 See Raphael Satter, June 16, 2023, Khashoggi's widow sues Israeli spyware company NSO over phone hacking, Reuters. Retrieved from <https://www.reuters.com/world/middle-east/khashoggis-widow-sues-israeli-spyware-company-nso-over-phone-hacking-2023-06-16/>

12 A helpful timelined visualization of this destructruction titled “A Cartography of Genocide,” is available at Forensic Architecture which has concluded: “The patterns we have observed concerning Israel's military conduct in Gaza indicate a systematic and organised campaign to destroy life, conditions necessary for life, and life-sustaining infrastructure.” Retrieve full report at: <https://forensic-architecture.org/investigation/a-cartography-of-genocide>

13 See Walid El Hourri, May 12, 2025, Digital erasure: How social media platforms are silencing Palestinians in 2024. Advox Global Voices. Retrieved from <https://advox.globalvoices.org/2025/05/12/digital-erasure-how-social-media-platforms-are-silencing-palestinians-in-2024/>

14 See The Intercept, “This Undisclosed WhatsApp Vulnerability Lets Governments See Who You Message” retrievable at <https://theintercept.com/2024/05/22/whatsapp-security-vulnerability-meta-israel-palestine/>

15 Go is an adversarial game between two players with the objective of capturing territory. It can be traced back as far as the 4th century BCE. Sedol was considered invincible, but he left his televised competition with AlphaGo looking shellshocked by the defeat.

Palestinians (or anybody else) and draw conclusions about the subject and the intentions. +972 magazine cites an Israeli officer in pausing the versatility of this new surveillance tool:

“AI amplifies power,” an intelligence source who has closely followed the Israeli army’s development of language models in recent years explained. “It allows operations [utilizing] the data of far more people, enabling population control. This is not just about preventing shooting attacks. I can track human rights activists. I can monitor Palestinian construction in Area C [of the West Bank]. I have more tools to know what every person in the West Bank is doing. When you hold so much data, you can direct it toward any purpose you choose.” (+972 March 6, 2025).

This expresses a mandate that goes well beyond local containment and hints at totalitarian desires, or perhaps it was just a sales pitch.

Fusion Databases are an extraordinarily intrusive weaponization of private information. This information is culled from a user’s daily online social interactions, digitised records dating back to childhood, phone call records, chat transcripts, hospital records, voice samples for training that utility reps inform you about when you call about your bill, image samples from various licensing agencies and credit card companies, credit reports, and so on. They are used for comprehensive profiling and targeting purposes, and for building what NSA whistleblower Ed Snowden called a “permanent record”¹⁶. Reportedly, its cameras can even “see into homes”¹⁷. These personal details are all stored in fusion databases¹⁸.

Evidence of severe mental suffering

This paper argues that the types of surveillance and the intention of its gaze meet the criteria for torture according to UNCAT Art. 1. For one thing, there is a difference between neutral or passive surveillance that might be deployed at, say, an airport

or open public space, where citizens might regard such watching as benign and for their protection against harm, as opposed to personalized surveillance that penetrates one’s psyche, armed with database biases, and intended to let one know that it is a gaze hostile to your life. Alternatively, it may be personalised as a group profile –say, probed for membership in, say, Hamas. Either way, you have discovered that if the hostile gaze is looking for a target, the result, if it finds one, may be the explosive destruction of an entire family, or building where the target is located, or an internet café teeming with collateral damage. You would never know when you would be hit. Such dread would be traumatic, beyond PTSD, which suggests an ending.

The European Parliament has already put out literature that speaks to the human rights implications of using drones and robots to kill people in a so-called warzone. Mass Media outlets, such as Guardian, have decried their use in war – or otherwise. The Directorate-General’s report is troubled, for instance, by the difficulty in distinguishing civilians from combatants, which may lead to “signature” drone strikes that use probabilistic data to determine a strike, leading to careless strikes, many of which are likely to be determined as war crimes. Other critics have warned that such weapons present an opportunity for users in Gaza to have a ready “alibi” should an atrocity occur (Downey, 2025). Others report the effects of intense trauma and constant fear, resulting in nightmares, insomnia, and chronic sleep deprivation (Hamamra et al., 2025).

This infliction is intentional. It recalls the firebombing of Dresden, of which Winston Churchill was said to comment: “It seems to me that the moment has come when the question of bombing of German cities simply for the sake of increasing the terror, though under other pretexts, should be reviewed.” Amnesty International reports on how automated technologies are being used to implement apartheid (Amnesty International, 2023) and Human Rights Watch avers, “Once human beings are reduced to data points, surveilled, sorted, and categorized, it may make it easier to decide who should be subjected to harm, including targeting for lethal action, and to carry out those actions” (Human Rights Watch, 2024). This paper argues that such intentionally imposed trauma, brought on partially by AI surveillance and robotic weaponry, amounts to torture under the UNCAT.

Beyond the digital panopticon: When the gaze becomes torture and promises annihilation.

Torture is most often understood as a violation of the body—something tangible, something bloody. But Article 1 of the UN Convention Against Torture (UNCAT) defines it more broadly: not only the infliction of severe pain or suffering, but also

16 As Snowden wrote in his memoir: “... to digitize something is to record it in a format that will last forever” (p. 15). In his memoir, Permanent Record, he rues the work he did for the NSA and CIA: “At the time, I didn’t realize that engineering a system that would keep a permanent record of everyone’s life was a tragic mistake” (P.6).

17 See Elizabeth Dwoskin, “Israel escalates surveillance of Palestinians with facial recognition program in West Bank,” Washington Post, November 8, 2021, accessed at https://www.washingtonpost.com/world/middle_east/israel-palestinians-surveillance-facial-recognition/2021/11/05/3787bf42-26b2-11ec-8739-5cb6aba30a30_story.html on April 25, 2025.

18 Data fusion is the process of integrating multiple data sources to produce more consistent, accurate, and useful information than that provided by any individual data source. [Wikipedia]

its intentionality, purpose (e.g., punishment, coercion, intimidation), and the role of state actors. Under this definition, the tools of surveillance deployed against Palestinians in Gaza—and their psychological effects—constitute a slow, creeping form of torture: one that leaves no bruises, yet never lets the victim exhale (United Nations, 1984).

This digital torment is not accidental. In *The Palestine Laboratory*, Loewenstein (2023) documents how Israel has weaponised Gaza as a testing ground for surveillance and crowd-control technologies, later exporting them to regimes across the globe. The “lab rats” of this experiment are two million Palestinians, corralled in what Human Rights Watch and other human rights organisations have described as “the world’s largest open-air prison.” Here, surveillance is not about preventing violence; it is about producing paralysis, humiliation, and despair. Every digital signature, every moment of mobile activity, every emotional phone call becomes another input into the logic of domination.

It is not simply that Palestinians are watched—it is that they are made to know that they are watched, always. The gaze does not disappear when the drone flies off; it lingers in the mind, seeping into that place we used to call the soul. This is the essence of psychological torture: the internalisation of control, the colonisation of thought itself. As Fanon (1961) observed in *The Wretched of the Earth*, colonialism’s most enduring violence is psychic. It teaches the colonised to anticipate abuse and adjust themselves to it. As Deleuze has it, “We are in a generalized crisis in relation to all the environments of enclosure...everyone knows that these institutions are finished... [and we await] the societies of control” (October, Winter, 1992, Vol. 59, pp. 3-7).

Recent research supports this conclusion. Studies on anticipatory trauma among occupied populations show that constant surveillance correlates with increased rates of post-traumatic stress disorder, insomnia, depression, and suicidal ideation (Qouta, Punamäki, & Sarraj, 2013; Abujidi, 2021). The trauma is not positive; it is permanent. Gaza’s children grow up knowing that their bedroom windows can be turned into sniper sights or drone targets at any moment. Their parents live with the horror that every digital message might be interpreted as a pretext for violence, their families reduced to data points on a death ledger.

Moreover, this trauma is not isolated from the rest of the world. It is broadcast. Israeli politicians regularly invoke biblical narratives to justify these actions, cloaking state violence in messianic logic. It is no coincidence that surveillance is paired with censorship and disinformation: the same apparatus that tracks Gazans also scrubs their voices from the global discourse.

Palestinian activists abroad are hacked, defamed, or doxxed. This is not surveillance as security—it is surveillance as extermination by erasure (Loewenstein, 2023).

The internalisation of this system leads to a disturbing psychological doubling. Palestinians are not just surveilled—they are forced to perform their surveillance. The algorithms expect patterns; any deviation is suspicious. A smile in the street, a visit to a cousin, a word on WhatsApp—each becomes an act of risk. This coerces Gazans into mimicking the logic of the machine, learning its preferences, appeasing its watchful eye. As Browne (2015) argues, surveillance is always racialised, always calibrated to suppress difference and enforce conformity.

The panopticon, then, is not just digital; it is spiritual. It rewrites the interior life, teaches dread, and disables imagination. This anticipatory annihilation is not accidental. It is the intended consequence of a deeper political strategy—what theorist Achille Mbembe has called necropolitics: the power to decide who may live and who must die. In Gaza, this power is not abstract. It is infrastructural.

Necropolitics and slow death: The digital-physical vice grip on Palestine

If Bentham’s panopticon was designed to discipline and Foucault’s surveillance state to normalise, Israel’s digital matrix in Gaza represents a further evolution—toward what Achille Mbembe (2003) calls necropolitics: the sovereign right not just to discipline or exclude, but to decide who may live and who must die. In Gaza, surveillance is not a tool for managing risk; it is a predicate for erasure. It does not merely “see” Palestinians—it tags, tracks, and forecasts their death, and makes its targets self-conscious in every moment of the imminence of their demise. It is a horror prison. To cite a Palestinian philosopher, who died in a prison within the panoptic society:

There is nothing more harrowing or agonizing than for a person to endure the torment of oppression and suffering without being able to describe it, identify its cause, or trace its source... You find yourself unable to articulate your anguish, to name it, or even to utter a comprehensible cry of pain—an “Ah!” that the free might grasp and comprehend (unpublished letter from Jalbou Prison, 2009).

This necropolitical gaze, rendered algorithmically through biometric checkpoints, drone footage, and data-mined behaviour patterns, is a prelude to extermination. Israel’s kill lists—generated in part by AI-enhanced targeting systems—reflect what Weizman (2017) has called the “forensic turn” in contemporary warfare, where military justification is post hoc and algorithmic guilt is ascribed through pattern recognition. In

such a schema, existence itself becomes an ongoing crime, and life in Gaza is a kind of deferred execution.

This logic is evident in Israel's "mowing the grass" doctrine—a euphemism for routine military assaults intended to debilitate Palestinian resistance. As Laleh Khalili (2020) notes, this approach produces not only immediate casualties but an enduring condition of degradation. Infrastructure is periodically obliterated; schools, hospitals, and water systems are rendered barely functional. The result is slow death, in Lauren Berlant's (2007) terms: not spectacular violence, but attritional destruction. It is life lived under a siege of scarcity, where time itself is weaponised.

Such conditions create what Jasbir Puar (2017) has termed "the right to maim"—a sovereign power that does not kill outright but disables, controls, and exhausts. In Gaza, this manifests as the routine injury of limbs, the denial of medical evacuation, the targeting of civilian infrastructure, and the throttling of electricity and clean water. The weapon is not only the missile or the drone—it is the bureaucratic blockade; the waitlist for chemotherapy; the rejection of travel permits; and the disintegration of hope. It is the murder of journalists on the ground at extraordinary rates who would report on the rubble of Gaza -- a feat that only Mohammed bin Salman, who allegedly ordered Khashoggi's death, could appreciate.

Moreover, the digital and the physical are no longer separable environs. As Weizman (2017) has argued, the terrain of Gaza has been vertically stratified by Israel's control of airspace and subterranean passageways. Surveillance drones colonise the sky while border walls carve up the ground. The human body is triangulated by both domains, its movements and emotions surveilled, constrained, and punished. In this sense, Gaza has become what Mbembe (2003) would call a necropolis—a city of the dead, where sovereignty expresses itself through the calibrated exposure of a population to premature death.

The psychological toll of this regime is vast. Suicide rates among youth have risen sharply, as documented by NGOs like Médecins Sans Frontières and the Palestinian Center for Human Rights. Parents speak of the "death of the future"—a phrase that captures not just despair but the systemic extinguishing of generational continuity. The gaze of the state becomes a curse passed down, an inherited trauma encoded in both memory and metabolism.

In the context of such suffering, the rhetoric of "self-defence" collapses. No state can justify the routine brutalisation of a civilian population under the guise of security when the underlying architecture is designed to deny them not only safety, but significance. To render a people perpetually surveilled, perennially wounded, and structurally starved is to engage

in necropolitical governance by other means. That war leaves no part of the human being intact. It hollows out the psyche, distorts perception, and conditions generations into a logic of helplessness and surveillance-induced self-discipline. The next layer of this analysis addresses precisely that internalisation: the psychological toll of living under constant digital scrutiny.

The psychological toll of living under the gaze

To be watched constantly is not simply a logistical burden; it is a psychic injury. Gaza's surveillance matrix, powered by facial recognition, drones, spyware, and data fusion systems, produces more than visibility; it produces hypervisibility—a condition in which Palestinian life is rendered suspect by default and subjected to a regime of continuous, inescapable scrutiny. The result is a deep, collective psychological trauma that transcends individual suffering and embeds itself in the fabric of everyday life.

The internalisation of this surveillance is a textbook example of Foucault's (1977) theory of disciplinary power. In his account of the panopticon, prisoners begin to regulate their own behaviour in anticipation of being seen. But Gaza's iteration of this phenomenon goes further. The surveillance apparatus is not merely a threat of observation—it is a *indicatesn* gateway to harm. A child tagged by a facial recognition camera may become a target; a WhatsApp message may be used to justify a missile strike. Thus, Palestinians are not just self-policing to avoid punishment—they are navigating a field of algorithmic landmines, where any action might trigger lethal consequences.

This produces what psychologists have termed hypervigilance—a constant state of mental alertness in anticipation of danger. According to studies by Qouta et al. (2013) and El-Khodary & Samara (2019), children in Gaza exhibit elevated rates of post-traumatic stress disorder (PTSD), generalised anxiety, and behavioural regression. These are not anomalies; they are adaptive responses to an environment in which the future is always conditional, and the self is always exposed. The trauma is chronic, ambient, and intergenerational.

Further, this omnipresent gaze triggers a phenomenon that psychologist Lisa Guenther (2013) has described as social death: the erosion of one's ability to interact meaningfully with others due to isolation, fear, or surveillance. In Gaza, the home is not a refuge. Family gatherings, bedroom conversations, and even hospital visits are monitored. There is no sanctuary—not physical, not emotional, not digital. This destruction of relational space severs the communal bonds necessary for resilience, turning solidarity into risk.

One especially pernicious consequence is the emergence of anticipatory murder—the persistent psychological state in which individuals live as though already marked for death.

This is not merely fear of violence; it is the normalisation of non-future. Teenagers forego dreams of university. Parents steel themselves for the possibility that their children may not survive to adulthood. As Khalili (2020) notes, life under siege restructures time itself, replacing aspiration with resignation. In this way, surveillance becomes an ontological condition: it defines not just how Palestinians live, but what they believe living means.

This psychic degradation is compounded by the knowledge that escape is impossible. The border is sealed. The sky is hostile. The internet is monitored. Even exile offers no reprieve, as Palestinian activists abroad face digital harassment, hacking, and algorithmic suppression on social media platforms (Loewenstein, 2023). The panopticon, once a building, is now a borderless state of being. It migrates with the body, encoding trauma in flesh and thought alike.

In such conditions¹⁹, suicide is a major concern^{20,21} and rates have risen above already worrisome heights²².

The cumulative effect is a form of psychological torture that meets all four conditions of the UNCAT definition: severe mental suffering, intent, state involvement, and purpose (United Nations, 1984). It is also a warning to the world. Gaza is not an exception. It is the laboratory model. If unchallenged, the techniques pioneered there—predictive profiling, biometric tagging, AI-curated suspicion—will metastasise across the globe.

Global complicity and exported dystopia

The panopticon is no longer national; it is transnational. Israel's surveillance and psychological warfare against Palestinians is neither designed nor sustained in isolation. Rather, it is embedded in a sprawling global infrastructure of complicity, in which

American, British, and Australian systems, technologies, and ideologies contribute materially to the torment of a besieged people. Gaza is not merely a crime scene; it is a theatre of innovation for the surveillance-industrial complex.

American complicity is foundational. U.S.-made munitions account for a significant percentage of the tonnage dropped on Gaza since October 2023. But it is not only the bombs that are made in America; it is also the architecture of digital torture. Israeli spyware like NSO Group's Pegasus, used to infiltrate the devices of journalists, activists, and ordinary civilians, is modelled after American systems like XKeyscore, developed by the National Security Agency (NSA) and revealed by Edward Snowden in 2013 (Greenwald, 2014). The epistemic violence inflicted through this surveillance is not a byproduct of war—it is a tech export. As Loewenstein (2023) and Zureik (2016) have shown, the Israeli security model is marketed globally as a tested framework for pacification and control.

Israeli intelligence has drawn heavily on its partnership with the NSA, including joint operations and data-sharing programs that have shaped both the theory and practice of twenty-first-century cyberwarfare (Poitras, 2014). This collaboration reflects what one might call a “gain-of-function antagonism,” wherein techniques of psychological domination are intensified through algorithmic refinement. Surveillance becomes a kind of neural weapon, probing for weaknesses and destabilising subjects from within. It maps not only what Palestinians do, but what they might think—and punishes accordingly.

This same logic is mirrored in America's own history of intelligence failure, particularly around 9/11. The 9/11 Commission Report notes that U.S. agencies failed to act on actionable intelligence, including tips from Mossad about potential hijackers. But what has often gone unexamined is how that lapse—intentional or otherwise—was politically useful. As critics observed after the attacks, the “new Pearl Harbor,” enabled by 9/11, allowed for a global war on terror that expanded Israeli and American security goals in tandem (The Tablet, 2018). When the October 7 attacks in Israel were similarly preceded by ignored warnings, the *déjà vu* was chilling. In both cases, crisis became opportunity—and Gaza became a proving ground for a new kind of total war.

The United Kingdom and European Union, too, have been implicated in this export regime through arms sales, intelligence coordination, and facial recognition contracts (Privacy International, 2020). But Australia's role deserves scrutiny. As a member of the AUKUS pact, and home to the CIA's joint Pine Gap facility in the Northern Territory, Australia plays a strategic role in U.S. surveillance targeting throughout the Indo-Pacific, includ-

19 See Al-Jazeera (January 15, 2025). The human toll of Israel's war on Gaza – by the numbers. Retrieved on June 11, 2025 from <https://www.aljazeera.com/news/2025/1/15/the-human-toll-of-israels-war-on-gaza-by-the-numbers>

20 See Fekih-Romdhane, F., Jebreen, K., Swaitti, T. et al. The indirect role of perceived survival expectations in the association between perceived hope and suicidal thoughts among palestinians amid war in Gaza. *Sci Rep* 14, 32035 (2024). <https://doi.org/10.1038/s41598-024-83679-8>

21 See Khatib, Salam. (2024). Suicidal Behavior in Palestine: Epidemiology, Risk Factors, and Prevention. *10.1007/978-981-97-2519-9_16*.

22 Al Majalla (08 Oct 2023). Outbreak of war sheds light on Gaza's dire conditions and rising suicide rate. Retrieved on June 10, 2025 from <https://en.majalla.com/node/301511/culture-social-affairs/outbreak-war-sheds-light-gazas-dire-conditions-and-rising>

ing the Middle East. Pine Gap's geolocation and signals intelligence capabilities feed into real-time military operations.

Even more concerning is the metastasis of this model. As Loewenstein (2023) documents, Israeli surveillance expertise has been exported to authoritarian regimes in India, Myanmar, Hungary, the UAE, and Brazil. American companies—Palantir, Amazon Web Services, and Meta, among them—continue to refine these systems, using AI to fuse disparate data points into suspicion scores, which are then used to detain, flag, or kill preemptively.

This is not just a threat to Palestinians. It is a warning to all of us. The future of policing, border control, immigration enforcement, and public health surveillance is being beta-tested in Gaza. But the panopticon does not stop at the visual or spatial. Increasingly, its most potent mechanisms are auditory and affective. The voice, once the instrument of resistance, has become the surveillance state's newest frontier. What emerges is a terrifying innovation: the speech-enabled, disembodied interrogator.

Legal pathways

The Israeli surveillance apparatus in Gaza is not only a human rights crisis—it is a legal one. Under international humanitarian law, collective punishment, the targeting of civilians, and psychological torture all constitute grave breaches. Yet these violations persist, metastasising behind the shield of "security." The time for reckoning has come. Legal accountability must match the technological sophistication of the crimes.

One such pathway is the International Criminal Court (ICC), where proceedings on Israel's alleged war crimes are ongoing. Surveillance as torture, while not yet central in ICC jurisprudence, could be argued under Article 7 of the Rome Statute, which defines crimes against humanity to include persecution, inhumane acts, and other severe deprivations of liberty "intentionally causing great suffering, or serious injury to body or to mental or physical health." If the systematic psychological assault through mass surveillance can be shown to cause measurable mental suffering—as this paper has argued—then it merits prosecutorial attention.

Another option is the principle of universal jurisdiction, as evoked in the South African case against Israel at the International Court of Justice (ICJ). Countries that recognise this principle can prosecute foreign nationals for grave breaches of international law, even without direct ties to the victims. This framework has precedent in cases of torture, including the arrest of former Chilean dictator Augusto Pinochet in London in 1998.

However, litigation alone cannot bear the burden of justice. Institutional accountability requires divestment, the withdrawal of public and private funds from companies and govern-

ments involved in the development or export of surveillance technologies used to commit human rights abuses. Universities, pension funds, and tech firms must be pressured to sever ties with systems of digital apartheid. The precedent exists: divestment was crucial to dismantling apartheid in South Africa, and it is a moral imperative now.

Limitations

This analysis operates within several constraints. War conditions limit independent verification of surveillance deployment scales and psychological impact measurements. Israeli military sources provide limited transparency regarding AI systems like Lavender and Blue Wolf, while Palestinian testimonies, though essential, may be challenging to corroborate independently. The study relies on NGO documentation, investigative journalism, and legal proceedings that reflect ongoing, contested claims. Additionally, the rapidly evolving nature of surveillance technology means some assessments may become outdated quickly.

Policy and research implications

These findings suggest an urgent need for international legal frameworks addressing digital surveillance as torture. Recommendations include: (1) establishing documentation standards for psychological harm from mass surveillance; (2) implementing safeguards around military AI targeting systems; (3) ensuring press access for independent investigation; (4) developing accountability mechanisms for surveillance technology exports; and (5) creating international monitoring bodies for digital rights in conflict zones. Future research should examine long-term psychological impacts through longitudinal studies and comparative analysis of surveillance regimes globally.

Conclusion

Israel's super-surveillance and censorship, and October 7 exploitation, add up to an integrated torture architecture (Abujidi, 2021). The US has helped inspire such form and function with its non-apologetic rendering of "enemy non-combatants" to black sites, including Abu Ghraib and Guantanamo, where detainees have languished for two decades, in some cases, without being charged with a crime or seeing a day when they will be released. In many cases, detainees have been abused by guards in situations that can only be described as torture. Likewise, as the horrific doings at Abu Ghraib have shown, surveillance has been enhanced and used as a weapon to torture in ways that appeal to the growing number of so-called strongmen and their sadist enforcers. It is now possible, nay plausible, to imagine a near future where dissidents are taken away and fitted with technolo-

gy that installs a bespoke Abu Ghraib or Gitmo in their minds, interrogated by ChatGPT enforcers for the regime²³.

Netanyahu's call to kill monsters in the speech to Congress invokes the deepest themes of morality in the triumph of the rules and regulations and precepts that make culture and civilisation even possible, as Freud and many others have told us. We must fight monsters. And selfishness. One reads this and recalls what Nietzsche admonished us about: He who fights with monsters might take care lest he thereby become a monster. Zionism's fusion of tribal chosenness and militarised trauma has birthed a supremacist logic: the oppressed become oppressors, not despite their history, but because of it.

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23 The US military is looking into it. See Aliya Sternstein, "How AI voicebots threaten the psyche of US service members and spies," at *Defense News*, retrieved on September 1, 2025 from <https://www.defensenews.com/industry/techwatch/2025/05/06/how-ai-voicebots-threaten-the-psyche-of-us-service-members-and-spies/>

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Submitted 30th of Apr. 2025
 Accepted 5th of Sep. 2025

The legal architecture of apartheid: Israel's carceral policies and the erosion of Palestinian rights

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Key points of interest

- Since 7 Oct 2023, Israeli laws, military orders, and court practices have expanded arrest/detention powers and curtailed due-process (longer pre-indictment detention, delayed review, restricted counsel, administrative detention including children), entrenching a discriminatory dual legal regime for Palestinians versus settlers
- This hardened carceral system conflicts with IHL/IHRL and may engage Rome Statute crimes; in light of the ICJ's 19 July 2024 advisory conclusions, the paper urges ending discriminatory measures, restoring safeguards and transparency, and advancing third-state non-recognition and accountability

Abstract

Introduction: This study examines how Israeli domestic legislation, military orders, and judicial practices governing the arrest and detention of Palestinians—intensified after 7 October 2023—operate as a system of discriminatory control across the occupied Palestinian territory and within Israel. It situates recent amendments within international humanitarian and human rights law and the International Court of Justice's 19 July 2024 advisory conclusions on the unlawfulness of Israel's continued presence and the breach of Palestinian self-determination. *Materials and methods:* A qualitative legal analysis was conducted of military orders, Knesset legislation (including the Unlawful Combatants Law), emergency regulations, and court decisions, complemented by official statements, OHCHR materials, and NGO documentation. Where available, lawyer interviews and detainee testimonies informed case studies of Gaza residents, children, and activists. *Results:* Post-October measures expanded arrest powers, lengthened pre-indictment detention, delayed judicial review, restricted access to counsel, designated new detention facilities (e.g., Sde Teiman), and broadened online “incitement” enforcement. “Iron Swords” orders extended timelines under MO 1651; emergency amendments to the Unlawful Combatants Law enabled prolonged detention without prompt review; and civil criminal laws applied to Gaza detainees increased interrogation periods and bans on meeting counsel. Administrative detention surged—including unprecedented numbers of children—amid limited oversight and secrecy regarding detainee identity, status, and conditions. A dual legal regime persists: Palestinians face military courts under military law, while settlers in the same territory fall under Israeli civil law. *Discussion:* The cumulative effect is a hardening carceral architecture inconsistent with fair-trial guarantees and protections in IHL and IHRL and engaging relevant crimes under the Rome Statute. Considering the ICJ's findings and UN practice, the paper calls for ending discriminatory measures, restoring legal safeguards, ensuring transparency, and advancing third-state non-recognition and accountability.

Keywords: Gaza, Palestinians, International humanitarian law (IHL)

¹ To protect the authors from potential retaliation, this article is published under fictitious names. Their legal identities and affiliations are securely held by the editorial office, which has verified authorship and disclosures. The use of pseudonyms does not affect the integrity, provenance, or accountability of the research and the peer-review process.

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

Introduction

Successive Israeli governments have systematically implemented an apartheid system in the occupied Palestinian territory, a policy that has intensified following the far-right shift in Israel's government in early 2023. The new administration swiftly enacted a series of laws and amendments directly targeting Palestinian prisoners and their families, imposing increasingly punitive measures. These include financial penalties, revocation of Jerusalem residency, deportation of family members, and denial of medical treatment funding for Palestinian prisoners from East Jerusalem. In total, more than 30 new laws or amendments have been introduced.

These legislative changes do not account for how the events of October 7 were leveraged to impose a new legal reality on both sides of the Green Line, reinforcing a regime of racial discrimination. The application of these measures varies between the occupied Palestinian territory and historic Palestine (the 1948 occupied areas), particularly in terms of duration and procedural implementation. The Israeli government's declaration of a special state of emergency on October 8th has served as the legal foundation for many of these policies and practices.

Since 1967, Israeli authorities have employed a combination of legislative tools and military orders to exert control over the Palestinian population. The aftermath of October 7th, 2023, has seen an unprecedented expansion of these mechanisms, particularly through a surge in legal amendments and administrative procedures aimed at Palestinian detainees.

This paper examines how Israeli domestic legislation, military orders, and judicial practices collectively function to entrench and sustain an apartheid regime. Special attention is given to the instruments of arrest, detention, and legal disenfranchisement. The study explores how these legal frameworks have evolved in the post-October 7th context and analyses their implications under international humanitarian law, international human rights law, and the Rome Statute. By focusing on legal amendments, detention policies, and the use of military courts, the paper argues that the Israeli legal system operates as a tool of systemic repression, racial discrimination, and apartheid against Palestinians.

Methods

This research is based on a qualitative analysis of Israeli military orders, civil legislation, and court decisions relevant to Palestinian detainees, primarily following the Israeli aggression on Gaza that started on October 7th, 2023. It draws on primary legal texts, including amendments to Military Orders, as well as the Unlawful Combatant Law. In addition, the study incor-

porates official statements and policies issued by Israeli authorities, along with reports and publications from human rights organisations such as Addameer and the Office of the United Nations High Commissioner for Human Rights (OHCHR). Where available, it also includes testimonies of former detainees, as documented in Addameer's reports on the visits lawyers conducted with the prisoners.

The research employs a legal-analytical framework to assess these policies within the context of international humanitarian law, including the Fourth Geneva Convention, the Rome Statute, and the Convention Against Torture. A case study approach is used to examine the effects of these legal frameworks on specific groups of detainees, focusing particularly on residents of Gaza, children, and activists.

Results

Legal amendments in the West Bank and Gaza after October 7th

On October 7th, the Israeli mini-ministerial council for national security affairs (the "Security-Political Cabinet") convened and declared a state of war², which was followed by a military campaign against Gaza. In parallel, Israeli authorities began mobilising all state mechanisms, including the Knesset, ministers, and military commanders, to enact legal amendments and propose new laws. These changes function as executive instruments enabling Israeli forces to expand arrests in both the West Bank and the 1948 territories. As a result, the conditions and locations of detention were modified to accommodate the growing number of Palestinian detainees, even at the expense of fundamental human rights.

Under Military Order No. 1651, §31(c) requires release if no arrest order is issued within 96 hours; §32 allows a police arrest order of up to eight days; and §33(b) ('combat arrest') allows up to eight days' detention during operational activity, while §33(d)³ permits denying access to counsel for 48 hours. For administrative detention, §39 originally allowed a 72-hour extension while an order is considered, and §§275/287 required judicial review within 96 hours and eight days, respectively. Following 7 October 2023, temporary 'Iron Swords' orders extended these deadlines: §39's cap to six full days (144 hours) and judicial review to 12 full days (288 hours). Amendment No. 80 also clarified that the eight-day limit equals 192 hours.

2 On October 8, 2023, the Israeli cabinet confirmed a state of war effective 6:00 a.m. on October 7, 2023.

3 Israel Defense Forces (2009): *Order Regarding Security Directives [Consolidated Version] (Judea and Samaria) (No. 1651)*. Retrieved from <https://www.militarycourtwatch.org/files/server/MO%201651%20.pdf>

Additional amendments affected the issuance and judicial review of administrative detention orders. “Emergency instructions” extended the initial detention period before an administrative order can be issued from 72 to 144 hours (six days)⁴. Even when a judge orders release during investigation or before indictment, the military prosecution can request an additional 144-hour detention to consider imposing administrative detention. Once issued, the judicial review of such orders must occur within 12 days, up from the previous 8⁵. These arbitrary extensions starkly contrast with Israeli civil law, which mandates that detainees be brought before a judge within 24 hours (extendable to 96 hours in exceptional cases⁶). Such dual legal systems reflect deeply discriminatory practices, with Palestinians subjected to harsher military law.

Since its withdrawal from Gaza in 2005, Israel has subjected detainees from the Strip to civil laws, including the 1996 Criminal Procedure Law, the 2002 Unlawful Combatant Law, and the 2016 Prevention of Terrorism Law, which permit trial in civil courts. Conversely, West Bank detainees continue to face military courts. These legal frameworks were further

amended post-October 7th to increase interrogation periods, restrict legal access, and expand arrest powers, thereby lightening the risk of coercion and abuse.

Following the latest aggression on Gaza, multiple orders were issued, including one by Defence Minister Yoav Gallant on October 8th, designating Sde Teiman Camp as a detention facility for individuals labelled as “unlawful combatants” for a 10-week period⁷. From that time until the end of 2023, the Israeli authorities barred the International Committee of the Red Cross (ICRC)⁸ and lawyers from accessing detainees held there. The number of detainees, their legal status, and detention conditions remain undisclosed.

The Unlawful Combatant Law of 2002⁹, which resembles administrative detention in its use of secret evidence and indefinite incarceration without charge, was also amended¹⁰. On October 26th, 2023, “Emergency Orders” authorized not only senior officers but also appointed lieutenant-colonels (sganaloof) to issue arrest warrants¹¹. The period for issuing an arrest warrant was extended from 7 to 30 days, and judicial review could be delayed for up to 45 days, meaning an individual could be held for 75 days without judicial oversight or legal access. The ban on meeting with a lawyer may be extended to 105 days (45 initial, plus 60 additional¹²).

This policy amounts to a de facto legalised form of enforced disappearance. Further amendments were issued on December 18th, raising the warrant issuance deadline to 45 days and ju-

4 Israel Defense Forces. (2023, October 17). *Order Regarding Security Provisions (Amendment No. 80) (Judea and Samaria) (No. 2146)* [Hebrew]; Israel Defense Forces. (2023, October 20). *Order Regarding Extension of Deadlines for Administrative Detention (‘Iron Swords’) (Temporary Order) (Judea and Samaria) (No. 2148)* [Hebrew]. Overview page: <https://www.gov.il/he/pages/extension-deadlines-detention>; Association for Civil Rights in Israel (ACRI). (2024, November 5): *Sweeping use of ‘Combat Detention’ in the West Bank*. <https://www.english.acri.org.il/post/sweeping-use-of-combat-detention-in-the-west-bank>; Wikisource (Hebrew). (n.d.). *Security Provisions Order (Judea and Samaria) – consolidated and updates, including temporary orders (20 Oct 2023–30 Sep 2025)*.

5 Israel Defense Forces (2009): *Military Order No. 1651 (Order Regarding Security Provisions [Consolidated Version] (Judea and Samaria) (No. 1651), 5770-2009)*, HaMoked – Center for the Defence of the Individual. (2009). *Order Regarding Security Provisions (Judea and Samaria) (No. 1651), 5770–2009 [consolidated page]*. <https://hamoked.org/document.php?dID=Documents1055>, Article 31 authorizes detention for up to 96 hours before bringing a detainee before a judge, while Article 33 allows extension to eight consecutive days under security-related justifications. Subsequent “emergency instructions” further extended detention to 144 hours before issuing administrative detention orders, with judicial review postponed up to 12 days. This dual legal framework stands in sharp contrast with Israeli civil law, which generally requires judicial review within 24 to 96 hours.

6 US Department of State (2023): *Country Reports on Human Rights Practices: Israel, West Bank and Gaza*. <https://www.state.gov/reports/2023-country-reports-on-human-rights-practices/israel-west-bank-and-gaza/>

7 Israel Defense Forces (2023): *Detention of Unlawful Combatants (Determining Places of Detention) Order (Temporary Instructions)*. A brief summary in English can be found here: Library of Congress (2024): *Israel: Parliament Adopts Law Expanding Authority to Detain Unlawful Combatants During Wartime or Significant Military Action*: <https://www.loc.gov/item/global-legal-monitor/2024-01-24>

8 International Committee of the Red Cross (2025, January 4): *Israel and the occupied territories: Addressing misconceptions and false information*.

9 State of Israel. (2002). *Incarceration of Unlawful Combatants Law, 5762–2002*. (English translation). <https://www.jewishvirtuallibrary.org/jsourc/Politics/IncarcerationLaw.pdf>

10 The Unlawful Combatants Law defines an ‘unlawful combatant’ (Section 2) as a person who is involved in hostile operations against the State of Israel, directly or indirectly, or is part of a force that conducts hostile operations against the State of Israel and who does not meet the conditions of a prisoner of war, as detailed in Article 4 of the Third Geneva Convention.

11 Israel Defense Forces (2023): *Emergency Orders (Times for Dealing with Unlawful Combatants in Time of War or Military Operations) (Amendment)*, effective until 9 January 2024

12 Wafa News Agency (2025, July 25): *Israeli Knesset approves extension of law allowing detention of Gazans without charges or legal representation*. <https://english.wafa.ps/Pages/Details/159538>

dicial review to 75 days¹³. Detainees may now be denied legal counsel for up to 75 days without court approval, and this can be extended to 180 days¹⁴. These changes supersede previous amendments and remain in effect for several months from publication¹⁵.

On February 22nd, 2024, the most recent amendment, titled “Order to Imprison Unlawful Combatants” (Amendment No.2)¹⁶, defined specific military camps (Sde Teiman, Anaton, Ofer) as detention centres. This order’s validity was until May 9th, 2024.

Gazan detainees transferred to interrogation centres are held under the 1996 Arrests Law¹⁷ and the 2016 Prevention of Terrorism Law¹⁸. These laws allow for 35 days of interrogation before an indictment is filed, extendable by an additional 20 days by a judge¹⁹. However, on November 7th, 2023, the Israeli government extended this to 45 days, renewable for another 45²⁰. The 1996 Arrests Law was also amended to permit the denial of legal counsel for up to 90 days. These procedures

recall older military orders permitting isolation for up to three months without meaningful judicial review.

Such practices, including arbitrary detention, torture, and enforced disappearance, constitute war crimes under international humanitarian and criminal law²¹. Despite these grave violations, Israeli courts have consistently rejected petitions from human rights organizations demanding information on Gaza detainees²². The Israeli authorities have refused to reveal names, numbers, or conditions of detainees, perpetuating a systematic policy of disappearance and impunity²³.

Discriminatory legislation and measures - Military courts (in the context of Israeli occupation)

In the context of the apartheid system imposed on Palestinians, the jurisdiction of Israeli military courts extends to both the occupied Palestinian territories²⁴, without regard to the identity of

13 Law Library of Congress (2024, January 25): *Israel: Parliament Adopts Law Expanding Authority to Detain Unlawful Combatants During Wartime or Significant Military Action*.

14 Gisha (2025, April 25): *Habeas Corpus*. <https://gisha.org/en/habeas-corporus/#:~:text=The%20amendment%20also%20extended%20the%20time%20permitted,be%20denied%20from%2021%20to%20180%20days>.

15 Israel Defense Forces (2023): *Emergency Orders (Times for Dealing with Unlawful Combatants in Time of War or Military Operations) (Amendment)*. Valid since 18 December 2023 and for four months from the effective date.

16 An assessment by the Public Committee Against Torture in Israel (PCATI) is available here (2024, July): *Incarceration of Unlawful Combatants Law (Amendment no. 4 and Temporary Provision – Iron Swords) (Amendment no. 2)*. https://stoptorture.org.il/wp-content/uploads/2024/09/Incarceration-of-Unlawful-Combatants-Law_July-2024.pdf

17 Israel. (1996). *Criminal Procedure Law (Enforcement Powers – Detention) Law*, 5756. State of Israel. https://www.adalah.org/uploads/oldfiles/Public/files/English/Legal_Advocacy/Criminal-Procedure-Law-1996.pdf

18 Israel. (2016): *Prevention of Terrorism Law*, article 47. State of Israel. https://www.gov.il/BlobFolder/dynamiccollectorresultitem/counter-terrorism-law-2016-english/he/legal-docs_counter_terrorism_law_2016_english.pdf

19 United Nations (2015): *Country Reports on Human Rights Practices: Israel*. <https://www.un.org/unispal/document/auto-insert-201992/#:~:text=The%20most%20significant%20human%20rights,particular%20in%20access%20to%20equal>

20 Israel Defense Forces (2023): *Emergency Orders (Swords of Iron) (Extension of Detention for Suspects of Security Offenses)*. Knesset News (2024, January 16): *Approved in final readings: Extension of validity of regulations allowing deferral of meeting by war detainees with an attorney*. <https://main.knesset.gov.il/en/news/pressreleases/pages/press16124q.aspx>

21 United Nations High Commissioner (1949): *Geneva Convention on the Protection of Civilian Persons in Time of War*, article 147, <https://www.ohchr.org/en/instruments-mechanisms/instruments/geneva-convention-relative-protection-civilian-persons-time-war>. International Criminal Court (1998): *Rome Statute of the International Criminal Court*, article 8. <https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>

22 Gisha (2025, April 25): *Habeas Corpus*. cited. Hamoked: *Alwabidi v. Israel Security Forces* (2023, October 31), HCJ 7439/23, https://hamoked.org/files/2023/1666391_eng.pdf See also United Nations, Office of the High Commissioner, Occupied Palestinian Territory, United Nations: (2024, July 31): *Thematic Report: Detention in the context of the escalation of hostilities in Gaza*, HCJ 9021/23, par. 56. <https://www.ohchr.org/sites/default/files/documents/countries/opt/20240731-Thematic-report-Detention-context-Gaza-hostilities.pdf>

23 United Nations High Commissioner (1992): *Preamble of the Declaration on the Protection of all Persons from Enforced Disappearance and Article 2 of the ICPED*. <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-protection-all-persons-enforced-disappearance>. See also Several United Nations Special Rapporteurs (2024, March 20), AL ISR 2/2024: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=28794>

24 Israel declared martial law in the OPT on 7 June 1967. The Israeli Military Commander issued three proclamations asserting the Israeli military’s executive, security, public order and judicial authority over the Palestinian territory (Proclamation No. 1 Regarding Regulation of Administration and Law (West Bank Area), 7 June 1967; Proclamation No. 2 Regarding Administrative and Judiciary Procedures (West Bank Area) 5727-1967; and Proclamation No. 3 Regarding Entry into Force of the Order Concerning Security Provisions (West Bank Area) (No. 3) 5727-1966). The third Proclamation provided for military courts and stated, in Article 35, that the court would follow the provisions of GCIV. Article 35 was quickly repealed. The initial Proclamations were later amended into Military Order 378, which from then

the alleged offender. However, in practice, Palestinians in the West Bank are prosecuted under military law in military courts, whereas Israeli settlers in the same territory are subject to Israeli civil law and civilian courts²⁵. This dual legal framework institutionalises discrimination and reinforces an apartheid regime.

The advisory opinion rendered by the International Court of Justice²⁶ and the resolution of the United Nations General Assembly²⁷ confirmed that Israel, as an occupying power, violates international law by imposing Israeli laws and military orders, breaching the Palestinian people's right to self-determination. The Court further found that separation between the Palestinian population and Israeli settlers in the Occupied Palestinian Territory breaches Article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination—which prohibits racial segregation and apartheid²⁸. The ICJ Advisory Opinion underscores that Israel's unlawful occupation delegitimises the arrests and detentions carried out under its military orders²⁹. Consequently, such practices must be recognised as arbitrary deprivations of liberty lacking legal validity under international law.

For 30 years, Addameer has emphasised the illegitimacy of Israeli military courts in trying Palestinians. It has consistently highlighted the arbitrary policy of the occupation in detaining Palestinians under a system of unlawful practices. It has called

on international bodies to recognise the illegality of the occupation and its enforcement mechanisms.

From a legal standpoint, while Israeli settlers are subject to Israeli legislation and military orders, they are simultaneously governed by Israeli civil law and enjoy a separate trial policy. Israeli settlers who commit offences in the West Bank are tried under Israeli law in courts within the '48 borders, whereas Palestinians are prosecuted under military law in military courts. Even when Israeli settlers kill Palestinians in the occupied territory, they are not tried in military courts (Francis, 2023).

In an explicit rejection of the principle of territoriality in the application of criminal law, and as part of a dual system of justice, the Israeli Knesset enacted legislation granting Israeli court's jurisdiction to try, according to Israeli law, any person who is present in Israel and who committed an act in the territories under Palestinian Authority if those acts would have constituted offenses had they occurred within Israeli jurisdiction. However, this regulation excludes residents of the occupied territories who are not Israeli citizens (Daniele, 2017). This dual justice policy establishes a framework of legal and judicial discrimination based on nationality, whereby military courts apply military law to Palestinians. In contrast, Israeli civil courts apply Israeli domestic law to settlers, regardless of where the offences were committed (Daniele, 2017).

Following how the legislative framework shapes up as apartheid:

- According to Military Order No. 1651 (Order Regarding Security Provisions [Judea and Samaria] (2009)), §§186–200 regulate interrogation and detention without charge, allowing Palestinians to be held up to 90 days before indictment³⁰, whereas Israeli citizens are subject to the Criminal Procedure Law (Detainee Suspects Interrogation) 1996, §§29–30, which caps pre-indictment detention at 64 days in security cases³¹.
- Similarly, §212 of MO 1651 sets the maximum period for completing trial proceedings in military courts at 18 months, extendable in six-month increments (B'Tselem, 2017), while Israeli Criminal Procedure Law 1982, §61 limits the period in civilian courts to 9 months³².
- Sentencing provisions also reflect systemic disparity. Under MO 1651 §268, manslaughter carries a maximum of life imprisonment for Palestinians, whereas under the Israeli Penal

on provided for the military courts, and set out their jurisdiction and the criminal penal code which they would enforce. More information on this subject can be found here: Bar Human Rights Committee of England & Wales (2024): *The Israeli Military Courts in the West Bank of the Occupied Palestinian Territories*. <https://barhumanrights.org.uk/wp-content/uploads/2020/09/BHRC-Military-Courts-Observation-Report.pdf>

25 Israel (1967): *Law to Extend the Emergency Regulations (Judea and Samaria—Jurisdiction and Legal Aid 5727-1967)*. State of Israel, and subsequent amendments allow Israeli citizens in the West Bank to be tried under Israeli law in civilian courts, even for acts committed outside Israel's sovereign borders. Colonel, L (2022, June 7): *The Judea and Samaria Regulations Law: An Explainer*, The Israel Democracy Institute, <https://en.idi.org.il/articles/39012>

26 International Court of Justice (2024, July 19): *Advisory Opinion*, Document Number 186-20240719-ADV-01-00-EN, par. 265. <https://www.un.org/unispal/wp-content/uploads/2024/07/186-20240719-adv-01-00-en.pdf>

27 United Nations General Assembly (2024, September 19): *Resolution adopted by the General Assembly on 18 September 2024, A/RES/ES-10/24*. <https://www.un.org/unispal/document/ga-10th-ess-resolution-18sep24/>

28 International Court of Justice (2024, July 19): *Advisory Opinion*, cited. Paras. 223-229.

29 International Court of Justice (2024, July 19): *Advisory Opinion*, cited. Parag

30 Israel Defense Forces (2009): *Military Order 1651: Order regarding security provisions (consolidated text)*, §§186–200. Cited.

31 Israel. (1996). *Criminal Procedure Law (Detainee Suspects Interrogation)*. State of Israel. Sections 17, 29, 30 and 59–62. <https://www.wipo.int/wipolex/en/legislation/details/15339>

32 Israel. (1996). *Criminal Procedure Law (Detainee Suspects Interrogation)*. Cited.

- Code 1977³³, §298, the maximum penalty is 20 years. Early release is governed by Israeli Penal Law §49 (eligibility after serving one-half), but MO 1651 §287 requires Palestinians to serve at least two-thirds, with early release rarely granted.
- Regarding minors, MO 1651 §136 establishes the age of criminal majority at 16 for Palestinians, in contrast to the Israeli Youth (Trial, Punishment and Modes of Treatment) Law 1971³⁴, §1, which sets it at 18. Regulations under the Youth Law require trained officers to interrogate Israeli minors, while Palestinians are interrogated under MO 1651 provisions lacking equivalent safeguards
 - Finally, MO 1651 §237 requires that detainee confessions be recorded, but in practice, these are frequently written in Hebrew, violating the detainee's right to be questioned in their native Arabic language³⁵. This practice has been widely documented by Addameer and B'Tselem.

In this context, the International Court of Justice noted that the broad spectrum of laws and measures adopted by Israel in its capacity as an occupying power subjects Palestinians to systemic discrimination³⁶. Such treatment cannot be justified, as it is based on race or religion, and it violates Articles 2(1) and 26 of the International Covenant on Civil and Political Rights, Article 2(2) of the International Covenant on Economic, Social and Cultural Rights, and Article 2 of the International Convention on the Elimination of All Forms of Racial Discrimination. The Court further concluded that Israeli legislation and practices serve to maintain a near-complete separation between settlers and Palestinians in the West Bank and East Jerusalem³⁷. As such, they constitute a breach of Article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination³⁸.

Similarly, Francesca Albanese, the UN Special Rapporteur on the situation of human rights in the oPt, confirmed in her report on arbitrary deprivation of liberty that the exclusive jurisdiction of military courts over Palestinians—who are arrested under military orders that apply solely to them and override both Israeli civil and international law—reinforces the discriminatory legal dualism at the heart of the apartheid system³⁹.

The Israeli military orders under which Palestinians are tried significantly restricting both collective and individual rights. Trials before the military judiciary are fundamentally flawed and violate nearly all fair trial guarantees enshrined in international law.

Over time, the occupation authorities have introduced amendments and issued new military orders designed to limit Palestinian rights further. These actions reinforce the apartheid system by subjecting Palestinians to politically motivated trials under military laws imposed upon them. This directly violates the Fourth Geneva Convention, which requires that the occupying power respect and preserve the local laws of the occupied territory and prosecute the local population according to those laws⁴⁰.

Regarding the Israeli laws and military orders imposed on the Palestinians, which affect every aspect of Palestinian life, the ICJ's Advisory Opinion affirmed, in accordance with Article 43 of the Hague-Regulations, that the occupying power must respect the laws in force in the occupied territory prior to the occupation⁴¹. It also stressed that the law of occupation does not allow the occupying power to strip local civil institutions of their regulatory authority. Any regulatory authority ex-

33 Israel. (1977). *Penal Law, 5737–1977*. State of Israel. https://main.knesset.gov.il/EN/about/history/documents/kns8_penallaw_eng.pdf

34 Israel. (1971). *Youth (Trial, Punishment and Modes of Treatment) Law, 5731–1971*. State of Israel.

35 Israel. (2002). *Criminal Procedure Law (Detainee Suspects Interrogation)*. Cited, par. 2

36 International Court of Justice (2024, July 19): *Advisory Opinion*, cited, par. 223.

37 International Court of Justice (2024, July 19): *Advisory Opinion*, cited, par. 266.

38 Article 3 of CERD: “States Parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit, and eradicate all practices of this nature in territories under their jurisdiction”. United Nations (1965): *International Convention on the Elimination of All Forms of Racial Discrimination*, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-convention-elimination-all-forms-racial>

39 Special Rapporteur on the situation of human rights in the occupied Palestinian territory, Francesca Albanese (2023, August 28): *Arbitrary deprivation of liberty in the occupied Palestinian territory: the Palestinian experience behind and beyond bars*, A/HRC/53/59” <https://documents.un.org/doc/undoc/gen/g23/116/61/pdf/g2311661.pdf>

40 Diplomatic Conference of Geneva (1949): *Geneva Convention Relative to the Protection of Civilian Persons in Time of War*, art. 117. https://www.un.org/en/genocideprevention/documents/atrocity-crimes/Doc.33_GC-IV-EN.pdf, art. 117.

41 Article 43 of the International Peace Conference (1907): *Hague Convention (IV) Respecting the Laws and Customs of War on Land and its Annex*: <https://ihl-databases.icrc.org/en/ihl-treaties/hague-conv-iv-1907>: “The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country”. International Court of Justice (2024, July 19): *Advisory Opinion*, cited, par. 212.

exercised by the occupying power must be exceptional and based on specific justifications⁴².

Since the beginning of the occupation, Israel has issued nearly 2,000 military orders regulating virtually all aspects of Palestinian life—political, civil, economic, cultural, and social. There is no single public, official repository in English that consolidates all Israeli military orders issued since 1967. Nonetheless, several authoritative collections allow researchers to locate most of the key instruments: (1) the Israeli Military Orders Database maintained by the Applied Research Institute–Jerusalem (ARIJ)⁴³, which is searchable by order number, legal topic, district, locality and date; (2) HaMoked’s legal document bank⁴⁴, which hosts key orders and consolidated versions—most notably Order No. 1651 in Hebrew and an English translation; (3) Military Court Watch⁴⁵, which provides an English PDF of the consolidated Security Provisions Order (MO 1651); (4) NEVO, Israel’s official legal database (Hebrew)⁴⁶, which contains the military legislation; and (5) archival collections such as Akevot Institute’s digital repositories⁴⁷. Historical surveys by UN bodies⁴⁸ and researchers (Hajjar, 1988; Berger, 2024) indicate that Israel had already issued roughly two thousand orders by the late 1980s, with the corpus expanding thereafter. Through these military orders, the occupying power has criminalised fundamental rights that are central to democratic societies, including freedom of expression and opinion, political participation, and the formation of political parties. These restrictions are also in violation of Article 64 of the Fourth Geneva Convention.⁴⁹

Administrative detention

Since the beginning of the Israeli occupation of the Palestinian territories, the Israeli authorities have implemented a policy of arbitrary administrative detention against Palestinians⁵⁰. Over the years, thousands of Palestinians have been held under administrative detention (B’Tselem, 2025). Administrative detention allows the incarceration of Palestinians without charge or trial, based on undisclosed evidence contained in so-called “secret files” that are inaccessible to both the detainees and their legal representatives.

Administrative detention in the West Bank is codified under Military Order No. 1651 (Order Regarding Security Provisions⁵¹), particularly §§284–294, which empower the military commander to issue six-month renewable detention orders based on secret evidence. The Unlawful Combatants Law of 2002⁵² similarly applies to Gaza detainees. In practice, these provisions enable indefinite detention without charge or trial. Authoritative reports by Addameer (2016) and B’Tselem (2017) confirm that tens of thousands of Palestinians have been held under administrative detention since 1967, affecting all sectors of society. Both organisations emphasise that the six-month orders can be renewed endlessly, despite judicial pledges not to renew, turning administrative detention into a system of prolonged arbitrary imprisonment.

The use of administrative detention tends to spike during periods of popular uprisings and mass protests in the occupied territories. During such times, the Israeli authorities intensify their use of this policy as a means of suppression, control, and intimidation. Not only are new detention orders issued for individuals arrested during protests, but existing orders are frequently renewed, effectively prolonging imprisonment without

42 International Court of Justice (2024, July 19): *Advisory Opinion*, cited, par. 134.

43 Applied Research Institute–Jerusalem (ARIJ). (n.d.). *Israeli Military Orders Database*. <https://orders.arij.org/searchMONo.php>

44 Israel Defense Forces (2009): *Order Regarding Security Provisions (Judea and Samaria) (No. 1651), 5770–2009*, cited.

45 Israel Defense Forces (2009): *Order Regarding Security Provisions (Judea and Samaria) (No. 1651), 5770–2009*, cited.

46 NEVO, Israel’s official legal database <https://nidp.tau.ac.il/nidp/saml2/sso?id=10&sid=0&option=credential&sid=0>

47 Akevot Institute for Israeli–Palestinian Conflict Research. (2023, May 1). *Our first digital document collection is now on air!* <https://www.akevot.org.il/en/news-item/collections/>

48 United Nations Economic and Social Commission for Western Asia (ESCWA). (2019, March 11). *Israeli practices towards the Palestinian people and the question of apartheid* (E/ESCWA/ECRI/2019/1). <https://www.un.org/unispal/document/auto-insert-176206/>

49 Article 64 of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War: “*The penal laws of the occupied territory shall remain in force, with the exception that they may be repealed or suspended by the Occupying Power in cases where*

they constitute a threat to its security or an obstacle to the application of the present Convention. Subject to the latter consideration and to the necessity for ensuring the effective administration of justice, the tribunals of the occupied territory shall continue to function in respect of all offences covered by the said laws. The Occupying Power may, however, subject the population of the occupied territory to provisions which are essential to enable the Occupying Power to fulfil its obligations under the present Convention, to maintain the orderly government of the territory, and to ensure the security of the Occupying Power, of the members and property of the occupying forces or administration, and likewise of the establishments and lines of communication used by them.”

50 Israel Defense Forces (2009): *Order regarding Security Provisions (Judea and Samaria) (No. 1651), 5770–2009*, paras. 271–283, cited.

51 Israel Defense Forces. (2009). *Order Regarding Security Provisions (Judea and Samaria) (No. 1651), §§284–294*, cited.

52 State of Israel. (2002). *Incarceration of Unlawful Combatants Law, 5762–2002*. Cited.

new charges. This also applies to detainees who have received a “substantial” court decision, a pledge not to renew their detention and to release them upon completion of their term (Amnesty International, 2012). In practice, Israeli authorities often disregard these rulings, especially during times of mass protests, treating them as exceptions rather than binding decisions (B’Tselem, 2025).

Further legal amendments have expanded the scope of administrative detention following the declaration of a state of emergency by the Israeli government, ostensibly to increase the number of individuals held as a precaution⁵³. These changes apply to all detainees, including women and children, as well as those held in administrative detention prior to October 7th. Such amendments reinforce a policy of collective punishment implemented by the occupying state against the Palestinians and entrench the use of arbitrary detention as a systematic tool within the Israeli occupation framework.

According to Addameer (2024), between October 7 and December 31, 2023, Israeli forces arrested over 5,500 Palestinians in the West Bank and East Jerusalem, placing approximately 80 percent under administrative detention. By year’s end, the number of administrative detainees reached 3,291—double the figure before October 7. Particularly alarming is the unprecedented rise in children subjected to administrative detention: while the annual average over the previous 16 years was 3–4 children, the number rose to 46 by late 2023, the highest recorded since 1967⁵⁴. This trend has been documented by Addameer, the Palestinian Centre for Human Rights (2024), and Defense for Children International–Palestine (2024).

Following the start of the Israeli military campaign against the Gaza Strip on October 7th, mass arrests escalated dramatically across the West Bank and East Jerusalem. Prisoner rights organisations recorded approximately 5,500 arrests only between October 7th and the end of 2023, with 80% of those detained placed under administrative detention. The number of administrative detainees rose to 3,291 by the year’s end, doubling the number recorded prior to October 7th (B’Tselem, 2025). Particularly concerning is the sharp rise in the number of Palestinian children subjected to administrative detention,

reaching unprecedented levels. This practice constitutes a grave breach of international law, which mandates special protections for children and prohibits arbitrary detention. According to the Palestinian Association for Human Rights, the average number of children held in administrative detention annually over the 16 years prior to October 7th was 3.6. Since the start of the genocide, the number has surged to 46, the highest number of children administrative detainees since 1967⁵⁵.

By the end of 2023, 49 Palestinian children were held in administrative detention at Ofer, Damon, and Megiddo prisons—the highest number in a decade. Beyond Amnesty International⁵⁶, organisations such as Addameer (2023), DCIP (2023), B’Tselem (2025), and Human Rights Watch (2023) have documented the abusive practices accompanying these detentions, including night raids, violent home invasions, physical assaults, blindfolding, denial of legal counsel, and prolonged solitary confinement. These findings demonstrate that administrative detention is systematically used as a punitive measure against children.

The formal authority for administrative detention is found in Military Order No. 1651⁵⁷, §§285–289, which require that an administrative detention order issued by the military commander be reviewed by a military court judge within eight days, and renewable for successive six-month periods. In practice, as shown in reports by HaMoked (2021), military judges nearly always approve such orders, even when based on secret evidence or after criminal charges fail in court. This judicial practice ensures the continuation of arbitrary detention and sustains the broader policy of suppressing Palestinian resistance.

Incitement

The occupation forces not only pursue Palestinians on the ground but also control their lives and prosecute them based on their actions in the virtual world and on social media. Each year, hundreds of Palestinians are arrested for expressing opinions on social media, acts that the occupying state classifies as “incitement” under its legal frameworks⁵⁸. For residents of East

53 Human Rights Council (2024, February 27): *Written statement submitted by Al-Haq, Law in the Service of Man, a non-governmental organization in special consultative status, A/HRC/55/NGO/82*, <https://docs.un.org/en/A/HRC/55/NGO/82>

54 United Nations Office for the Coordination of Humanitarian Affairs (OCHA). (2024, February). Humanitarian update: Impact of detention policies in the oPt. <https://www.ochaopt.org>

55 Military Court Watch (2024, January 31), *Detention Update*, <https://www.militarycourtwatch.org/page.php?id=WkH4ZosDqga1868715AAtP0dyZqiz>

56 Amnesty International (2023): *Horrorifying cases of torture and degrading treatment of Palestinian detainees amid spike in arbitrary arrests*. Amnesty International. <https://www.amnesty.org/en/latest/news/2023/11/israel-opt-horrorifying-cases-of-torture-and-degrading-treatment-of-palestinian-detainees-amid-spike-in-arbitrary-arrests/>

57 Israel Defense Forces. (2009). *Order Regarding Security Provisions (Judea and Samaria) (No. 1651)*, §§285–289. *Cited.*

58 Middle East Monitor (5.01.2023): *Israel arrested 410*

Jerusalem and the territories occupied in 1948, such prosecutions are based on Articles 144(B) and 144(D) of the 1977 Penal Code⁵⁹, which addresses incitement to violence or terrorism. For Palestinians in the West Bank, military prosecutions rely on Articles 251 and 199(C) of Military Order No.1651 of 2009, concerning Security Instructions⁶⁰.

Since October 7th, 2023, most indictments have included a preamble detailing the events of that day, framing it as justification for a wave of unprecedented arrests and administrative detentions⁶¹. This context underscores the political nature of these detentions, reflecting a policy of collective punishment that targets Palestinians indiscriminately, regardless of age, profession, or actual involvement in any violence.

The Israeli authorities have long practised systemic racism and violence against Palestinians. However, the recent escalation has revealed an even deeper level of repression. In the 1948 occupied territories, Palestinians are presumed guilty of “supporting terrorism” unless they can prove otherwise, not the other way around, as required by law. Simply exercising basic constitutional rights, like freedom of expression, has become grounds for arrest and prosecution. Peaceful demonstrations in support of Palestine are frequently criminalised under Israel’s 2016 Anti-Terrorism Law (Adalah Center, 2023).

On October 16, 2023, Palestinian artist and academic Dalal Abu Amneh was arrested for posting the phrase ‘There is no victory but Allah’ on Facebook⁶², which Israeli authorities deemed incitement. After three days, the Nazareth Magistrate Court released her under restrictive conditions, including house arrest, a fine, and a 45-day ban on online activity⁶³. Me-

dia outlets such as Haaretz and Middle East Monitor documented the arrest and trial proceedings. Following her release, Abu Amneh was targeted by a campaign of incitement that included racist protests outside her home, death threats, and institutional pressure from right-wing groups demanding her dismissal from the Technion. These events were documented by Al Jazeera⁶⁴, the Committee to Protect Journalists⁶⁵, and Adalah (2023).

Israeli authorities have also considered amending police regulations to permit the use of live fire against demonstrators under the pretext of “threats to public order”. Palestinians are now routinely accused of incitement not only for what they post on social media, but also for merely “liking” or engaging with content online. Even the presence of certain apps on a Palestinian’s phone – particularly Telegram, which had gained popularity since Meta began heavily censoring Palestinian content – can serve as grounds for arrest⁶⁶.

At checkpoints in the West Bank, occupation forces inspect Palestinian phones for posts or images, especially on Telegram, that show support for Hamas or express sympathy for Gaza. Possession of such content often leads to arrest, beatings, or phone destruction. Even private messages are subjected to scrutiny, with security forces searching for any sign of support for resistance, even subtle hints.

These invasive tactics have led to the arrest of dozens of Palestinian women, especially journalists, students, activists, and human rights defenders across the West Bank and 1948 territories. Some of them, like lawyer Asala Abu Khdair and actress Maysaa Abdel Hadi⁶⁷, were photographed handcuffed, and the

Palestinians for social media activity in 2022, <https://www.middleeastmonitor.com/20230105-israel-arrested-410-palestinians-for-social-media-activity-in-2022-report-says/>; Addameer (24.08.2016): *Daring to Post: Arrests of Palestinians for Alleged Incitement*, <https://www.addameer.org/publications/daring-post-arrests-palestinians-alleged-incitement>

59 Israel. (1977). *Penal Law, 5737–1977*. State of Israel.

60 Israel Defense Forces (2009): *Order Regarding Security Directives [Consolidated Version] (Judea and Samaria)* (No. 1651). <https://www.militarycourtwatch.org/files/server/MO%201651%20.pdf>

61 Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan (2024, August 23): *Global threats to freedom of expression arising from the conflict in Gaza*, A/79/319. <https://docs.un.org/en/A/79/319>

62 Middle East Monitor. (2023, October 19). *Israel arrests Palestinian artist Dalal Abu Amneh over Facebook post*. Middle East Monitor <https://www.middleeastmonitor.com/20231019-israel-arrests-palestinian-artist-dalal-abu-amneh-over-facebook-post>

63 Rochelson, M. (2023, October 19). *Palestinian singer Dalal Abu Amneh released to house arrest after incitement charge*. Haaretz.

<https://www.haaretz.com/israel-news/2023-10-19/ty-article/.premium/palestinian-singer-dalal-abu-amneh-released-to-house-arrest-after-incitement-charge/0000018b-3e3d-d6e2-a3bf-7f7dcd9f0000>

64 Al Jazeera. (2023, October 20). *Palestinian artist Dalal Abu Amneh targeted by incitement campaign in Israel*. <https://www.aljazeera.com/news/2023/10/20/palestinian-artist-dalal-abu-amneh-targeted-by-incitement-campaign-in-israel>

65 Committee to Protect Journalists (CPJ). (2023, October 22). *Palestinian artist Dalal Abu Amneh harassed following release*. <https://cpj.org/2023/10/palestinian-artist-dalal-abu-amneh-harassed-following-release>

66 The campaign to criminalise the use of this app is evident in articles such as this one: The Times of Israel (2024, September 16): *What you need to know about Telegram, the app Hamas uses to spread its message*. The Times of Israel <https://www.timesofisrael.com/what-you-need-to-know-about-telegram-the-app-hamas-uses-to-spread-its-message/>

67 Haaretz (2023, October 30): *Arab Israeli Actress Charged with Incitement Over Oct. 7 Posts*. Haaretz <https://www.haaretz.com/israel-news/2023-10-30/ty-article/.premium/arab-israeli-actress-charged-with-incitement-over-october-7-posts/0000018b-7d00->

images were circulated on social media, constituting a violation of their privacy and right to a fair trial.

Enforced disappearance

Following the launch of Israel's ground offensive in Gaza after October 7, 2023, photos and videos circulated widely across international media and social platforms showing Palestinian civilians stripped to their underwear, blindfolded, and crowded into Israeli military vehicles before being taken to undisclosed locations. Reports by the Associated Press⁶⁸, Reuters⁶⁹, and Al Jazeera⁷⁰ verified these images, while the Office of the UN High Commissioner for Human Rights (2023)⁷¹ expressed grave concern, noting that such treatment may amount to torture or enforced disappearance.

On December 16th, 2023, the Office of the United Nations High Commissioner for Human Rights (OHCHR) announced it had received deeply troubling reports from northern Gaza of mass detentions, ill-treatment, and the enforced disappearance by Israeli occupation forces of potentially thousands of Palestinians, including children⁷². Many were reportedly detained while attempting to flee south or during raids on homes, schools, and shelters. Alarming, detainees were subjected to severe abuse, some of which may amount to torture, including being stripped to their underwear, blindfolded, handcuffed, and photographed in deliberately degrading positions before being taken to undisclosed detention locations.

The OHCHR also reported a growing number of cases in which civilians were killed, sometimes in apparent extrajudicial executions in designated refugee camps, particularly schools.

Such acts could constitute war crimes and warrant immediate and thorough investigation.

The Israeli occupation forces conducted arrest operations throughout various areas of the Gaza Strip. On December 14th, 2023, the Associated Press published a report documenting mass arrest campaigns in the Deir al-Balah area, in northern Gaza. Families were separated, and hundreds of men were forced to strip to their underwear before being loaded onto trucks and transported to a makeshift detention camp on the beach, where they were exposed to hunger and cold, in some cases for days⁷³.

These testimonies were documented by Addameer in its December 2023 urgent update on mass detentions in Gaza⁷⁴. The report includes first-hand accounts from detainees such as Ibrahim Lubbad and Nader Zindah, who described being stripped, assaulted, and subjected to conditions amounting to inhuman and degrading treatment, including denial of food and water. Such findings underscore the systematic use of ill-treatment in the context of mass arrests.

Israeli officials publicly justified and incited mass arrests⁷⁵. Government spokesperson Eylon Levy declared that Israel would 'determine who needs to be arrested, detained, and brought to justice as a Hamas terrorist and who does not'⁷⁶. Former national security advisor Yaakov Amidror described the campaign of arrests as a key step in the 'next phase of the war'⁷⁷. Even more extreme, Jerusalem deputy mayor Aryeh King posted on X calling on the army to 'bury alive' Palestinian detainees, referring to them as 'Nazis' and 'ants'; his remarks were documented by Middle East Eye⁷⁸ and Al Jazeera⁷⁹.

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68 Associated Press. (2023, December 14). *Israel detains scores of Palestinians in Gaza, images show men stripped and blindfolded*. AP News. <https://apnews.com>

69 Reuters. (2023, December 15). *Images of detained Palestinians in Gaza raise concerns*. Reuters. <https://www.reuters.com>

70 Al Jazeera. (2023, December 15). *Images of Palestinians stripped and detained in Gaza spark outrage*. Al Jazeera. <https://www.aljazeera.com>

71 Office of the United Nations High Commissioner for Human Rights (OHCHR). (2023, December 16). *Press briefing note on Gaza detentions*. [Press release], Geneva: OHCHR. <https://www.ohchr.org>

72 UN Human Rights Office – OPT (2023, December 16): *Disturbing reports from the north of Gaza of mass detentions, ill-treatment and enforced disappearances of possibly thousands of Palestinians*, <https://reliefweb.int/report/occupied-palestinian-territory/un-human-rights-office-opt-disturbing-reports-north-gaza-mass-detentions-ill-treatment-and-enforced-disappearances-possibly-thousands-palestinians>

73 Associated Press (2023, December 14): *Hungry, thirsty and humiliated: Israel's mass arrest campaign sows fear in northern Gaza*. <https://apnews.com/article/palestinians-detained-israel-hamas-gaza-war-0ecbc338e4024add059b87b38022086d>

74 Addameer Prisoner Support and Human Rights Association. (2023, December). *Urgent update on mass detentions and abuses in Gaza*. Ramallah: Addameer. <https://www.addameer.org/publications>

75 Holmes, O. (2023, December 15). *Israel defends mass detentions in Gaza amid outcry over images*. The Guardian. <https://www.theguardian.com/world/2023/dec/15/israel-defends-mass-detentions-gaza-outcry-images>

76 Haaretz. (2023, December 15). *Israel's government spokesperson Eylon Levy on mass arrests*. Haaretz. <https://www.haaretz.com>

77 Times of Israel. (2023, December 14). *Amidror: Mass arrests key to next stage of Gaza war*. The Times of Israel. <https://www.timesofisrael.com>

78 Middle East Eye. (2023, December 15). *Israeli deputy mayor calls to 'bury alive' Palestinian detainees*. Middle East Eye. <https://www.middleeasteye.net>

79 Al Jazeera. (2023, December 15). *Israeli official calls Palestinians 'Nazis' and urges they be 'buried alive'*. Al Jazeera. <https://www.aljazeera.com>

Levy further claimed that all men seen in circulated photos were “suspected terrorists” and justified the mass detention of all individuals remaining in areas under evacuation orders, particularly in northern Gaza and parts of the south, with the excuse of “determining who the terrorists are”⁸⁰.

Under the Incarceration of Unlawful Combatants Law, 5762–2002, §3(a)⁸¹ authorises the Chief of General Staff to issue an incarceration order whenever there is reasonable cause to believe that a person is an ‘unlawful combatant’ and that their release would harm state security. The law provides for judicial review before a district court within 14 days and six-monthly periodic reviews (§5), governs access to legal counsel (§6), and creates a rebuttable presumption that a member of, or participant in, a force perpetrating hostile acts poses a security danger (§7). Following October 7, temporary amendments (Dec. 2023, renewed Apr. and Jul. 2024) expanded these timelines⁸², allowing up to 45 days to issue an incarceration order and up to 75 days to hold the first judicial review, and authorising extended denial of access to counsel (up to 75–90 days).

Many detainees from Gaza were transferred to the Israeli army–run Sde Teiman camp near Beersheba. Released detainees described torture, starvation, prolonged blindfolding and handcuffing, and being forced to kneel for hours⁸³. Sick and

wounded detainees were subjected to particularly degrading conditions. A field hospital established at the site reportedly treated patients while shackled to their beds, identified only by five-digit military numbers. Investigations by Haaretz (2024) and Physicians for Human Rights–Israel (2024) corroborate these testimonies, while the Israeli Medical Association’s Medical Ethics Committee⁸⁴ raised concerns after an official visit⁸⁵.

Under Article 2 of the International Convention for the Protection of All Prisoners from Enforced Disappearance, “enforced disappearance is considered to be the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law”⁸⁶.

Article 1 of the same Convention declares that no one shall be subjected to enforced disappearance and explicitly prohibits the use of “exceptional circumstances”, such as war or internal conflict, to justify such acts. Article 24 defines victims as both the disappeared and those directly harmed as a result. Victims have the right to reparation and prompt, fair, and adequate compensation⁸⁷.

The International Committee of the Red Cross further prohibits enforced disappearance under international humanitarian law. Rule 98 of its 2005 compilation applies this prohibition to both international and non-international armed conflicts⁸⁸.

Furthermore, under Article 7(1)(i) of the Rome Statute of the International Criminal Court, the systematic practice of enforced disappearance qualifies as a crime against humanity. Article 7(2) defines this as the arrest, detention, or abduction of individuals with the support or acquiescence of a state or

aljazeera.com

80 The Guardian (2023, December 8): *Footage Shows IDF Parading Scores of Palestinian Men Around in Underwear*. The Guardian, <https://www.theguardian.com/world>

81 State of Israel. (2002). *Incarceration of Unlawful Combatants Law, 5762–2002*. cited.

82 Law Library of Congress. (2024, January 24). *Israel: Parliament adopts law expanding authority to detain unlawful combatants during wartime or significant military action*. <https://www.loc.gov/item/global-legal-monitor/2024-01-24/israel-parliament-adopts-law-expanding-authority-to-detain-unlawful-combatants-during-wartime-or-significant-military-action/>; Public Committee Against Torture in Israel (PCATI). (2024, February). *Incarceration of Unlawful Combatants Law – Amendments and implications*. https://stoptorture.org.il/wp-content/uploads/2024/02/Incarceration-of-Unlawful-Combatants-Law_February-2024.pdf; Diakonia IHL Centre. (2024, August 30). *Unlawful incarceration? The legality of Israel’s military detention regime in Gaza*. <https://www.diakonia.se/ihl/news/unlawful-incarceration-legality-military-detention-regime-gaza/>; Saul, B. (2025, April 8). *Gaza amendments to Israel’s “Unlawful Combatants Law” are inconsistent with international law*. *Opinio Juris*. <https://opiniojuris.org/2025/04/08/gaza-amendments-to-israels-unlawful-combatants-law-are-inconsistent-with-international-law/>

83 Harel, A., & Shpigel, N. (2024, January 22). *Torture, starvation, and shackling: What goes on at Israel’s Sde Teiman camp*. Haaretz. <https://www.haaretz.com/israel-news/2024-01-22/ty-article/.premium/torture-starvation-and-shackling-what>

[goes-on-at-israels-sde-teiman-camp/0000018c-3e2d-dc4b-a7ad-7ffdf3f60000](https://www.haaretz.com/israels-sde-teiman-camp/0000018c-3e2d-dc4b-a7ad-7ffdf3f60000)

84 Israeli Medical Association – Medical Ethics Bureau. (2024, March). *Statement following visit to Sde Teiman field hospital*. Jerusalem: IMA.

85 Office of the United Nations High Commissioner for Human Rights (OHCHR). (2023, December). *Press release on reports of mass detentions and abuse in Gaza and Israel*. [Press release], Geneva: OHCHR. <https://www.ohchr.org>

86 United Nations (2006): *International Convention for the Protection of All Persons from Enforced Disappearance*, article (1). <https://www.ohchr.org/sites/default/files/disappearance-convention.pdf>

87 International Convention for the Protection of All Persons from Enforced Disappearance, article (24), cited.

88 International Committee of the Red Cross: *Rule 98. Enforced Disappearance*. International Humanitarian Law Database. <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule98>

political organisation, followed by a refusal to acknowledge the deprivation of liberty or provide information on the fate or whereabouts of those persons, with the intent of removing them from the protection of the law for a prolonged period of time⁸⁹.

The core elements of this crime, according to the Rome Statute, are:

- The perpetrator arrested, detained, or abducted one or more persons;
- The perpetrator knew or intended that this act would be followed by a refusal to acknowledge the deprivation of liberty or disclose the fate or whereabouts of the person(s);
- The aim was to remove the individual(s) from legal protection for a prolonged period
- The perpetrator was aware that these actions were part of, or intended them to be part of, a widespread or systematic attack against a civilian population⁹⁰.

Discussion

Francesca Albanese, the current Special Rapporteur on the situation of human rights in the oPt, has pointed out that that 'the widespread and systematic arbitrariness of the occupation's carceral regime is yet another manifestation of Israel's inherently illegal occupation, and that third States have a duty not to contribute or condone Israel's settler-colonial apartheid, which criminalizes Palestinians for reclaiming or refusing to forsake their collective right to exist as a people, and act to realize all conditions that would allow the Palestinian people to realize their rights, including their inalienable right to self-determination.'⁹¹

In her recommendations, Ms. Albanese added that Israel's system of arbitrarily depriving Palestinians of their liberty in the occupied Palestinian territory, emanating from an irredeemably unlawful occupation, be abolished tout court, because of its inherent incompatibility with international law. She also stressed that the State of Israel, as a first step towards long-

term remedies for decades of arbitrary deprivation of liberty of the Palestinian people, must release all Palestinian detainees, especially children, detained for acts devoid of offensiveness under international law. According to Ms. Albanese, third States should not recognise as lawful, aid or assist Israel's occupation given its commission of internationally wrongful acts⁹².

As for the competent authorities at the local and international levels, they must acknowledge the illegality of arresting Palestinians in the oPt and trying them before military courts under military orders and discriminatory laws, according to the following:

- States: States are responsible for respecting and implementing the ICJ's advisory opinion after it was adopted by a majority of the United Nations General Assembly. The Court confirmed this in its ruling. The Court concluded that all States are under an obligation not to recognise as legal the situation arising from Israel's unlawful presence in the oPt and not to render aid or assistance in maintaining the situation created by Israel's continued presence in the oPt. Furthermore, the Court stressed that it is the responsibility of all States to bring an end to any obstacle arising from Israel's unlawful presence in the oPt to the exercise of the Palestinian people's right to self-determination. In addition, all States Parties to the Fourth Geneva Convention are under an obligation to ensure Israel's compliance with international humanitarian law, as stipulated in that Convention.

Among the States' obligations in this regard are recognising the illegality of the arrest and trial of Palestinians, while demanding the occupying State dismantle its military judicial system, suspend all military orders imposed against the Palestinian people for years, treat Palestinian detainees and prisoners as arbitrarily and illegally detained, and immediately release all Palestinian male and female prisoners.

- The United Nations and international organisations: The advisory opinion of the International Court of Justice affirmed that international organisations and the United Nations should not recognise the situation resulting from Israel's illegal presence in the occupied Palestinian territories. In this context, international organisations and the United Nations, particularly the Working Group on Arbitrary Detention and the Special Rapporteur on the Independence of Judges and Lawyers, must treat Palestinian prisoners and detainees as arbitrarily detained and unlawfully held. They should demand their release from the illegal occupation prisons and pressure the occupying state to dismantle the illegitimate military judicial system.

89 International Criminal Court (1998): *Rome Statute of the International Criminal Court*, <https://www.icc-cpi.int/sites/default/files/2024-05/Rome-Statute-eng.pdf>

90 Assembly of States Parties to the Rome Statute of the International Criminal Court (2002): *International Criminal Court. Elements of Crime*. <https://www.icc-cpi.int/sites/default/files/Publications/Elements-of-Crimes.pdf>

91 Special Rapporteur on the situation of human rights in the occupied Palestinian territory, Arbitrary deprivation of liberty in the occupied Palestinian territory, Michael Lynk (2021): *Situation of human rights in the Palestinian territory occupied since 1967*, <https://documents.un.org/doc/undoc/gen/n21/299/63/pdf/n2129963.pdf>

92 *Ibid.*

– The Palestinian people of all forms, and lawyers defending prisoners and detainees:

In light of the important advisory opinion of the International Court of Justice and the adoption of a General Assembly resolution declaring the Israeli occupation illegal with the majority of countries voting in favour, it is essential for the Palestinian people in all their forms, as well as for the prisoners and detainees, institutions working in the field of prisoners' rights, and lawyers defending them, to open a broad Palestinian discussion on the necessary mechanisms for dealing with the occupying courts as illegal tribunals. This includes exploring the possibility of ceasing to appear before these courts in order to avoid legitimising them, ultimately aiming for the complete dismantling of the military judicial system.

Conclusions

The International Court of Justice (ICJ) has issued its advisory opinion on the legality of the Israeli occupation, in light of the occupying state committing genocide against the Palestinian people⁹³. This opinion comes amid an intensification of arrest campaigns across the occupied territories and a marked increase in crimes perpetrated by the occupation forces and settlers against the Palestinian people.

While the ICJ's opinion is significant in affirming the illegality of the Israeli occupation and declaring that the occupying state is obligated to end its unlawful occupation of Palestinian territory as swiftly as possible, it does not directly address the legality of the arrest and trial of Palestinians by the occupying state or the use of its military courts. This raises the question: In light of the ICJ's advisory opinion, how are the arrest and prosecution of Palestinians under Israeli military orders or domestic criminal laws to be considered illegal?

Since the onset of the Israeli military occupation of Palestine in 1967, the occupation authorities have issued a wide array of military orders that impact every aspect of Palestinian life. A military judicial system was established to exert control and domination over the Palestinian population, functioning alongside the legislative authority of the Israeli military commander. Through these military orders, fundamental rights have been criminalised. This military legal regime constitutes

a form of apartheid, systematically using its powers to suppress and deter the Palestinian people, entrench the occupation, and deprive Palestinians of their right to self-determination.

Arrest and detention have long been used by the Israeli authorities as a tool to violate the Palestinians' right to self-determination. Since 1967, according to documentation collected by Palestinian prisoners' organisations, the Israeli occupation forces have arrested over one million Palestinians⁹⁴, many for exercising fundamental rights, most notably the right to self-determination and resistance against occupation. Under Israeli military orders, all Palestinian political organisations are deemed unlawful, and affiliation with them is criminalised, often resulting in months or years of imprisonment. Arrests continue on the basis of political affiliation, expression of opinion, participation in union and student activities, and resistance within the framework of internationally recognised rights.

The ICJ's advisory opinion explicitly states that the unlawful policies and practices of the Israeli occupation have exacerbated the violation of the Palestinian people's right to self-determination⁹⁵. These policies, sustained over decades, have systematically deprived Palestinians of this right and threaten its future realisation. The Court concluded that such illegal practices breach the occupying state's obligations to respect this fundamental right, emphasising that the right to self-determination is inalienable and cannot be constrained by the occupying power. The Court further asserted that violations of this right directly undermine the legitimacy of Israel's presence in the occupied Palestinian territory⁹⁶.

The ICJ affirmed that Israel's continued presence in the Occupied Territories is unlawful, constituting an ongoing internationally wrongful act that incurs state responsibility⁹⁷. As such, Israel must repeal all laws and measures that sustain this illegal situation, including those that discriminate against Palestinians in the West Bank and Gaza.

Consequently, the legal obligation is in Israel to bring an end to its presence in the Occupied Territories as expeditiously as possible, and to provide full reparation for the harm caused by its internationally wrongful acts. The Court underscored Israel's ongoing duty to uphold the right of the Palestinian peo-

93 Report of the UN Secretary-General (2024, December 19): *Advisory opinion of the International Court of Justice on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of the continued presence of Israel in the Occupied Palestinian Territory*, A/79/588. <https://docs.un.org/en/A/79/588>

94 Middle East Monitor (2017, April 17): *One million Palestinians detained by Israel since 1948*. Middle East Monitor, <https://www.middleeastmonitor.com/20170416-1-million-palestinians-detained-by-israel-since-1948/>

95 International Court of Justice (2024, July 19): *Advisory Opinion*, cited, par. 243.

96 *Ibid.*

97 International Court of Justice (2024, July 19): *Advisory Opinion*, cited, page. 6.

ple to self-determination and to comply with its obligations under international humanitarian and human rights law.

At the tenth emergency special session of the United Nations General Assembly on Palestine, on December 11th, 2024, the Assembly adopted a resolution, supported by 124 state members, calling on Israel to end its illegal presence in the Occupied Palestinian Territories within 12 months. The resolution also urged Israel, as the occupying power, to comply immediately with its international obligations, as articulated in the ICJ's Advisory Opinion, including refraining from impeding the Palestinian people's exercise of their right to self-determination, particularly their right to an independent and sovereign state over the entirety of the occupied Palestinian territory⁹⁸.

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Submitted 2nd of June 2025

Accepted 20th of Aug. 2025

98 United Nations (2024, September 18): *General Assembly adopts resolution demanding an end to the Israeli occupation of Palestine*, <https://news.un.org/ar/story/2024/09/1134616>

Starvation as torture: Deliberate hunger violations against Palestinian children

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1 Defense for Children International - Palestine

Key points of interest

- Israel's obstruction of aid and destruction of food, water, and health infrastructure in Gaza are intentional, systematic acts causing child malnutrition and deaths—meeting legal thresholds for starvation as a method of warfare and torture, and supporting an inference of genocidal intent.
- These practices trigger state duties—to recognize starvation as torture (*jus cogens*), ensure immediate, unimpeded humanitarian access, and pursue criminal investigations under CAT, the Geneva Conventions, and the Rome Statute, including state responsibility and universal jurisdiction.

Abstract

Introduction. This paper examines Israel's deliberate use of starvation and deprivation against Palestinian children in Gaza since 7 October 2023, arguing these are not collateral effects but a systematic, discriminatory strategy. By impeding food, water and medical care and destroying civilian infrastructure, the conduct meets thresholds for starvation as a method of warfare, torture, and genocide. **Materials and Methods.** We conducted detailed interviews using a semi-structured protocol (Defense for Children International–Palestine, 2024) triangulated with secondary human-rights reporting and legal data. **Results.** Evidence shows coordinated, prolonged obstruction of humanitarian aid and destruction of agricultural land, water systems, and medical infrastructure, producing catastrophic child malnutrition and documented deaths from starvation and disease. Where these practices are intentional and pursued with knowledge of their effects, they constitute torture under international law. The discriminatory impact on Palestinian civilians, especially children, supports an inference of genocidal intent and grounds state responsibility and universal jurisdiction. **Conclusions.** Israel's starvation policy toward children in Gaza qualifies as torture and amounts to genocide. The paper urges recognition of starvation as torture under *jus cogens*, immediate unimpeded humanitarian access, and prompt criminal investigations. States must enforce obligations under CAT, the Geneva Conventions, and the Rome Statute to protect Palestinian children's rights and dignity.

Keywords: Gaza, Palestinian children, Starvation, Torture

Introduction

Since October 7, 2023, Israel has escalated its longstanding policies of domination and control over the Palestinian people into an unprecedented campaign of destruction in Gaza. Beyond relentless bombings and ground assaults, Israel has deliberate-

ly weaponized starvation as a central tool of war. This tactic has been particularly targeted at Palestinian children, especially those with disabilities and newborns, whose acute susceptibility to malnutrition and dehydration continues to cause mass

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

death and suffering. Israel's use of starvation is a systematic strategy aimed at eradicating Palestinian life and society.

While the prohibition of starvation as a method of warfare is well established under international humanitarian law, there is growing recognition that when starvation is inflicted intentionally, systematically, and with a discriminatory purpose, it also constitutes torture under international human rights law. The deliberate infliction of severe pain and suffering through the deprivation of food, water, and medical care, with the intent to punish, intimidate, or destroy, squarely falls within the definition of torture codified under the Convention Against Torture.

This paper draws on evidence collected by Defense for Children International – Palestine (DCIP) to demonstrate that Israel's use of starvation against Palestinian children are not isolated violations, but integral to a broader strategy of torture, collective punishment, and genocide. As an occupying power under international law, Israel has an affirmative obligation to protect and sustain the occupied population's welfare, including ensuring access to food, water, and medical care. Israel's deliberate destruction of Gaza's life-sustaining resources, obstruction of humanitarian aid, and use of starvation as a weapon against Palestinians not only violate foundational components of international law, but also amount to the crime of genocide, aimed at dismantling Palestinian existence.

Recognising starvation as a form of torture has critical legal and moral implications. Torture constitutes a peremptory norm under international law, triggering universal jurisdiction and obligating the international community to act. This paper argues that international accountability mechanisms must urgently recognise and address Israel's starvation policies not merely as war crimes, but as acts of torture and components of genocide, demanding immediate and decisive intervention.

Method

Between October 2023 and July 2024, the research team documented individual cases of infant and child deaths related to malnutrition and starvation in the Gaza Strip. These cases were selected as illustrative examples of broader patterns of deprivation previously quantified by humanitarian agencies and corroborated by aggregate data from Defense for Children International – Palestine (DCIP) and other protection actors. Case identification was conducted through direct interviews with family members and review of relevant medical records provided by treating clinicians. Interviews were carried out predominantly at displaced persons' shelters and hospital premises. Interviewers included trained human rights field researchers with prior experience in documenting violations against children. All

members of the team underwent a one-day refresher training on the use of the standardized child rights documentation protocol¹ that included (a) Identification data – name, sex, age, date of birth, (b) Circumstances of displacement and deprivation – access to food, water, shelter, and healthcare during the relevant period; (c) Medical history and clinical course – symptoms, diagnoses, interventions, and outcomes, with verification from medical professionals when possible. Medical verification was obtained from paediatricians at Kamal Adwan Hospital, Al-Shifa Hospital, and other facilities. In all cases where hospital records were inaccessible due to the destruction of infrastructure or the loss of personal belongings of the family, clinician testimony was used as a secondary verification source.

The cases presented in this paper do not constitute an exhaustive list of cases, nor are they collected for epidemiological purposes. Through the analysis of individual narratives, the paper wants to exemplify the use and impacts of starvation in children.

Ethical considerations

All interviews with parents were conducted with verbal informed consent. Interviewers adhered to a trauma-informed approach.

An overview of medical literature

Starvation is a severe form of undernutrition caused by prolonged and inadequate intake of calories and essential nutrients. Clinically, it manifests as wasting (low weight-for-height), stunting (low height-for-age), and significant weight loss, all of which carry serious and potentially fatal medical complications (Alnabih et al., 2024; Abuzerr et al., 2024). In children, starvation initiates a cascade of metabolic changes, which lead to starvation ketosis, a condition that may cause lethargy, vomiting, hypoglycemia, and seizures, especially in children under ten, whose energy reserves are limited and metabolic needs higher (Alnabih et al., 2024; Abuzerr et al., 2024).

As starvation progresses, the breakdown of protein results in muscle wasting, weakened immune responses, and greater infection susceptibility (Bahour et al., 2025). Gastrointestinal function deteriorates due to mucosal atrophy, leading to malabsorption and diarrhea (Sah and Dawas, 2024). Cognitive consequences include diminished attention, memory, and psychomotor functioning, often accompanied by apathy, irritability, and social withdrawal. Children may present with stunting,

1 Defense for Children International – Palestine. (2024). *Child rights documentation and interview protocol* [Unpublished internal protocol].

wasting, or signs of kwashiorkor, such as edema from protein deficiency (Abuzerr et al., 2024).

In Gaza, a mixed-methods study conducted in April 2024 found an average weight loss of 18.7 kg among civilians in the northern governorates, indicating widespread and severe malnutrition (Alnabih et al., 2024). Children in Gaza were presenting with electrolyte imbalances, diarrhea, and secondary infections, exacerbated by lack of clean water and healthcare (Sah and Dawas, 2024; Abuzerr et al., 2024).

Long-term effects of childhood malnutrition are profound and often irreversible. Screenings in northern Gaza confirm that one in six children under two is acutely malnourished, far surpassing the WHO emergency threshold (Abuzerr et al., 2024). Malnutrition in early life, especially during the critical first 1,000 days of life, has led to permanent stunting and impaired linear growth. Studies link this to lower IQ, poor academic achievement, and persistent behavioural difficulties, likely tied to structural changes in the brain, including reduced myelination and impaired neural connectivity (Alnabih et al., 2024; Sah and Dawas, 2024). These changes contribute to a cycle of trauma and social harm, with implications for Gaza's future recovery.

Starvation has also been documented as weaponised against pregnant women. Malnutrition in pregnancy is associated with intrauterine growth restriction, low birth weight, and premature birth, all of which are documented in hospitals across Gaza (Sah and Dawas, 2024).

Treating childhood malnutrition requires WHO-guided, multi-phase care involving clinical monitoring, therapeutic feeding, and micronutrient supplementation. However, reintroducing food after prolonged starvation carries serious risks. Refeeding syndrome, a life-threatening condition marked by shifts in fluid and electrolytes like phosphate, potassium, and magnesium, can result in cardiac failure, seizures, and death if not carefully managed (Abuzerr et al., 2024). Such care is not accessible to the thousands of children enduring starvation in Gaza.

Starvation as Torture

Under international law, torture is the intentional infliction of severe physical or mental pain for purposes like obtaining information, punishment, intimidation, or discrimination, by or with the consent of a public official.² The constitution of

starvation as torture under international law has been debated by international scholars and can be assessed based on the intent, severity and resulting suffering of the starvation (Dannenbaum, 2024; Global Rights Compliance, 2024). One might argue that using starvation as a means of removing a civilian population from an area, rather than using lethal force, might indeed constitute a war crime, but may not function as a method of torture. Yet, in the context of Israel's ongoing genocide against Palestinians in Gaza, Israel is intentional using starvation as a method of producing irreversible damage, qualifying as torture (B'Tselem, 2024). With no safe place in Gaza left for Palestinians, and the inability of most Palestinians to leave Gaza, Israel's state policy of depriving Gaza of life-sustaining resources, Israel seeks to cause slow, pain and suffering to thousands of Palestinians, especially newborns and children.

Israel's Historic Control of Palestinians' Natural Resources

Israel's control of Palestinian people's access to land, food and the means of agricultural production, from machinery to fertilizer, are hallmarks of its ongoing illegal occupation of the oPt and its continuous oppression of the Palestinian people. Since 2007, Israel has imposed a blockade on Gaza, which imposed severe restrictions on Gaza's agricultural production and fishing industry, among many other facets of Palestinians' livelihood. Fishing, a culturally vital and historic means of livelihood for Palestinians in Gaza, has been heavily restricted by Israeli authorities, narrowing fishing zones to an unsustainable limit. From the sea, the Israeli military routinely fires at Palestinian fishing vessels, causing injuries and fatalities, detains fishermen, and arbitrarily confiscates boats and equipment (United Nations Office for the Coordination of Humanitarian Affairs [UNOCHA], 2019; United Nations Human Rights Council, 2013). On land, Israel has squeezed Gaza's use of agricultural land along the perimeter fence, illegally erected along the border of the Gaza Strip. Although this land belongs to Palestinians, Israeli forces have implemented a "buffer zone" that extends Israel's control over land along the perimeter fence. This buffer zone has been subject to aerial spraying of herbicides, further reducing an already restricted access to farmland (United Nations General Assembly, 2018).

² Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (adopted 10 December 1984, entered into force 26 June 1987) 1465 UNTS 85. Hereafter CAT. Article 1 of the UN Convention Against Torture, torture is defined as "any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted

on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions."

Access to potable water has also been systematically placed under the control of the occupying power. In the West Bank, aquifers are tapped by Israel's privatized water company, Mekorot, and are sold to Palestinians, the sole option for Palestinians living in villages without running water, while existing Palestinian wells are seized or destroyed by Israeli settlers, as well as Israeli authorities, who also ensure any permits for a new well to be built or repaired are routinely denied (Al-Haq, 2022). Palestinians' access to water sources in the West Bank has also severely restricted Palestinian agriculture and plantations for products such as dates, which require a large amount of water to produce. Meanwhile, in Gaza, subject to extremely poor water quality, Palestinians are forced to rely heavily on desalination plants that remain dependent on access to the electrical grid that is owned and controlled by Israel (DCIP, 2025). In addition, illegal Israeli settlements and settlers within the oPt have continued to pillage natural resources within the oPt for export, including wine, Dead Sea minerals and olives (Nicoletti & Hearne, 2012; Al-Haq & Don't Buy into Occupation Coalition, 2022).

In its capacity as an illegal occupying power, Israel has entrenched a regime of control over Palestinians' access to food and water, creating a dependency on international aid and products parasitically sold by Israel for survival. Under international law, an occupying power must administer resources for the benefit of the occupied population. The Hague Regulations of 1907 make clear that natural resources must be preserved and may not be exploited for the occupier's benefit (Hague Convention (IV), 1907). Israel's exploitation and destruction of Palestinian resources violate these obligations, establishing an economic and physical stranglehold that predates the most recent siege. It is within this context that we must explore Israel's use of starvation as a tool of torture.

Israel's Actions in Gaza: Environmental and Economic Destruction

Following October 7, 2023, Israel has further exploited its control over Palestine's natural resources by attacking all life-sustaining agriculture, water supplies and farmland throughout and across Gaza. Israeli forces have directly targeted agricultural areas within Gaza, attacking greenhouses, food warehouses, mills and bakeries, aiming to eliminate Palestinians' capacity to grow and produce enough food to feed the population (Human Rights Watch, 2023). Israel has deliberately cut electricity to what few desalination plants have not been destroyed within Gaza, deliberately minimising Palestinians' drinking water (Associated Press, 2025). The relentless military campaign has resulted in large-scale environmental destruction amounting to ecocide (Forensic Architecture, 2024). The systematic targeting of Gaza's agricultural land, water infrastructure, and food pro-

duction facilities has deliberately undermined the environmental foundations necessary for human survival. Farmlands have been razed, irrigation systems destroyed, and water sources contaminated, rendering vast areas of Gaza uninhabitable. This environmental devastation is intentional and calculated to inflict conditions of life that make the continued existence of the Palestinian population impossible. By destroying Gaza's environment, Israeli forces have contributed to a broader aim of genocide by eliminating Palestinians from their homeland.

Israel's Use of Starvation against Palestinian Children

On 9 October 2023, Israel halted all entry of food, water, medicine, fuel and electricity into Gaza. Throughout the subsequent 15 months, Israel allowed only a limited amount of aid to enter Gaza, while simultaneously targeting aid convoys, aid workers, and Palestinians collecting such aid. In June 2024, famine was declared to have spread throughout Gaza (OHCHR, 2024), as Israel's deliberate strategy of deprivation and starvation expanded the precarious food situation within Gaza into a catastrophic collapse of all food and healthcare systems, resulting in the widespread starvation of children.

In the first months of 2024, paediatricians at Kamal Adwan Hospital reported admitting between 70 and 100 cases of malnourished children daily, with severe cases rising steadily amid Israel's total blockades on aid and supplies. Table 1 reflects case examples to illustrate clinical presentation and causes of death.

Among the victims was Karam Mohammad Adel Qadada, a 10-year-old boy, who succumbed to malnutrition and electrolyte imbalances on 30 March 2024. Trapped for a week in Al-Shifa Hospital without food supplies and later transferred between collapsing medical facilities, Karam's death illustrates one of the first cases of the direct consequences of the systemic deprivation of food.

Abdulaziz Abdurrahman Salem, a newborn infant displaced multiple times during his mother's pregnancy, died of cardiac arrest at just one week old. His mother, unable to breast-feed due to extreme hunger, found no formula available in the besieged hospital, leading to Abdulaziz's death from hunger and lack of oxygen. Similarly, Anwar Mustafa Al-Khudari, a three-month-old boy, died of malnutrition. As there was no formula due to Israel's blockade, and as his mother could not produce any milk due to her own lack of nutrition, Anwar would cry all night from hunger. His temperature rose and he started having convulsions. He died four days later on 14 February 2024.

Jude Ahmad Al-Barsh, another one-week-old infant who died on 2 March 2024, was deprived of both breastmilk and infant formula due to Israel blocking the entry of aid into Gaza. Jude's mother, who had given birth to triplets after a decade of

Table 1. Deaths by starvation. *Kawal Adwan Hospital*

Name	Age	Date of death	Key deprivation factors	Reported clinical course / outcome	Notes (facility / context)
Abdulaziz Abdurrahman Salem	1 week	2 March 2024	Mother unable to breastfeed due to extreme hunger; no infant formula available	Kamal Adwan Hospital. Cardiac arrest; death due to hydrolytic disbalance and lack of oxygen	Mother displaced multiple times during pregnancy
Anwar Mustafa Al-Khudari	3 months	14 Feb 2024	No formula due to blockade; mother unable to lactate due to under-nutrition	Kamal Adwan (Beit Lahia) Persistent hunger. Fever and convulsions preceding death from malnutrition	—
Jude (Joud) Ahmad Al-Barsh	1 week	2 Mar 2024	Deprived of breastmilk and formula due to aid blockade	Kamal Adwan Hospital Placed in nursery for a week. Died from starvation after seven days	One of triplets; aid entry blocked
Sahar Tawfiq Al-Zabda	Neonate	28 Feb 2024	Malnutrition with severe dehydration; mother couldn't breastfeed;	Kamal Adwan Hospital ICU with severe respiratory distress during 10 days until death by exhaustion	Father unable to register birth amidst siege and displacement.
Mila Saleh Younis Abdunabi	3 years	2 Mar 2024	Deprived of food. Electrolyte deficiencies (potassium & magnesium)	Kamal Adwan Hospital ICU with severe respiratory distress during 4 days until death.	Mother is ICU nurse at Kamal Adwan Hospital.
Musab Salem Abu Asr	4 years	11 Feb 2024	Family unable to afford food prices as they spiked under blockade. Emaciation and progressive wasting.	Al-Ahli Arab Hospital , transferred to Kamal Adwan Progressive “skeletal” malnourishment → death	Transferred due to to shut of ICU unit at Al-Ahli hospital due to power outages
Nahed Othman Haboush	3 months	3 Apr 2024	Repeated dehydration; Two hospitalizations. Mother unable to breastfeed due to lack of food; no formula due to siege	Kamal Adwan Hospital ICU and respiratory support for 3 days	Second child in family lost to starvation

infertility, was forced to witness one daughter die from starvation within days of her birth. Sahar Tawfiq Al-Zabda, who died on 28 February 2024, similarly died of malnutrition after spending ten days on a respirator at Kamal Adwan Hospital, her father unable even to register her birth amid the ongoing blockade.

Deprived of food, three-year-old Mila Saleh Younis Abdunabi died from malnutrition and severe deficiencies in potassi-

um and calcium on 2 March 2024 after relying on respirators in the days leading up to her death. Her mother, who worked as an intensive care unit nurse at Kamal Adwan Hospital, was unable to save her daughter.

The family of Musab Salem Abu Asr, a four-year-old boy who deteriorated into skeletal malnourishment before his death on 11 February 2024, was not able to buy any food due

to the skyrocketing prices of food due to the Israeli blockade. Nahed Othman Haboush, only three months old, died on 3 April 2024, after repeated hospitalisations for dehydration. Nahed was the second child his family lost to starvation, as his mother was not able to breastfeed due to the lack of food, nor was any baby formula available due to the Israeli siege.

On 2 March 2025, Israel once again barred all aid from entering Gaza. As of 30 April, Israel has still not allowed any aid to enter Gaza, as aid organisations' food supply runs dry, such as the World Food Programme (United Nations, 2025). As of 25 April 2025, at least 52 children have died from starvation in Gaza, while thousands more are at risk, as Israel continues to prevent lifesaving supplies from reaching the Palestinian people in Gaza (Al-Mughrabi & Farge, 2025).

Starvation in Israeli Detention

Israel's use of starvation extends to its treatment of Palestinian detainees, including children. According to documentation collected by DCIP, child detainees report receiving spoiled or insufficient food in Israeli prisons. The deliberate manipulation of food quality constitutes cruel, inhuman, and degrading treatment and torture.

The systematic use of starvation within Israeli detention facilities represents an extension of Israel's broader policy of deprivation against Palestinian civilians, now manifesting through the direct targeting of imprisoned children.

The death of Walid Khalid Abdullah Ahmad, a 17-year-old Palestinian child detainee from Silwad in the central occupied West Bank, illustrates the lethal effects of deliberate starvation policies in detention. Held in Megiddo prison located in northern Israel, Walid suffered prolonged malnutrition, dehydration, and untreated infections, leading to extreme body wasting, colitis, and fatal internal injuries. An autopsy revealed that Walid exhibited signs of blunt force trauma, deep muscle and fat wasting, and inflammatory damage likely from beatings. Despite multiple visits to the prison clinic where he reported head injuries and severe hunger, Walid was systematically denied adequate food, water, and medical treatment until his collapse and death in March 2025. His death — the first documented death of a Palestinian child inside Israeli prisons in the history of Israel's occupation — is emblematic of a pattern where starvation, medical neglect, and abuse are deliberately employed against Palestinian child detainees.

Similarly, Mustafa (pseudonym) was abducted by Israeli authorities in January 2025 and was first held at Sde Teiman detention camp, where detainees were forced to kneel for hours while blindfolded, denied access to clean water, and given

moldy, insufficient food unfit for consumption. The absence of clean water led to widespread dehydration, illness, and infections among the children. After two weeks, Mustafa was transferred to Megiddo prison, where he continued to suffer from deliberate starvation, receiving only a few spoonfuls of rice per day. The severe caloric deprivation caused malnutrition, constipation, fungal infections, and persistent physical weakness. Medical requests were systematically ignored or met with violence, deepening the physical and psychological harm he endured throughout his detention.

These cases reveal the use of starvation, contaminated food, and denial of necessities as methods of torture designed to break down the physical and psychological resilience of Palestinian child detainees. Moreover, starvation within Israeli detention facilities is not a byproduct of war but an intentional tactic wielded to inflict maximum harm on Palestinian children, thereby advancing broader goals of control, punishment, and extermination.

Hunger-related deaths in Gaza

Beyond deaths from direct starvation and from disease exacerbated by hunger, a human-rights accounting must also include civilians killed while seeking food. As of 13 August 2025, United Nations reporting estimated 1,373 such deaths—859 near distribution sites and 514 along convoy routes—with children reportedly comprising at least half of the victims.³

Legal Implications

Israel's use of starvation against Palestinians constitutes multiple, overlapping violations of international law (Defense for Children International - Palestine, 2025). The use of starvation as a method of warfare is prohibited under customary international law and is explicitly recognised as a war crime under the Rome Statute, as well as a crime against humanity, when carried out systematically against a civilian population (International Committee of the Red Cross, 2005; Rome Statute of the ICC, 1998). Moreover, the obstruction of humanitarian assistance, including food, water, and medical supplies, breaches the Fourth Geneva Convention (GCIV) and violates the Convention on the Rights of the Child (CRC), particularly Articles 6 and 24, which safeguard children's rights to life, survival, and access to health services (GC IV, 1949; CRC, 1989). Together, these violations demonstrate that Israel's starvation policies are not isolated infractions, but are part of a broader framework of inter-

3 United Nations. (2025, August 13). Gaza: Nearly 1,400 Palestinians killed while seeking food, as UN warns airdrops are no solution. <https://news.un.org/en/story/2025/08/1165552>

national crimes amounting to systematic and widespread attacks against a civilian population.

In the context of Israel's ongoing illegal occupation, Israel's obligations are even more stringent. Under the GCIV and the Hague Regulations, Israel, as the occupying power, has an affirmative duty to ensure the welfare of the civilian population, including providing adequate food, medical care, and humanitarian relief, specifically obligating the occupying powers to ensure the provision of food and medical supplies and mandates special protections for children. These obligations are reinforced by international human rights law, including the CRC and the International Covenant on Civil and Political Rights (ICCPR), which guarantee children's rights to life, health, and protection from torture and inhuman treatment even in situations of armed conflict and occupation (ICCPR, 1966; CAT1984).

Israel's systematic use of starvation against Palestinians must be recognised not only as a war crime and grave breach of humanitarian law, but also as a method of torture under international law. Israel's deliberate infliction of severe pain and suffering through starvation, combined with coercive and discriminatory intent against Palestinians, constitutes acts of persecution and inhuman treatment under the Rome Statute and the CAT. The *actus reus* of Israel's starvation tactic has been made all too clear through our extensive documentation. However, it is the demonstrable intentionality behind these actions, evident by statements from Israeli leaders and military commanders (Law for Palestine, 2024), that highlights the *mens rea* behind Israel's actions. It is clear that Israel's use of starvation is intentionally designed to punish, intimidate, and weaken the Palestinian population collectively and individually, with the clear involvement and authorization of Israeli state authorities.

Recognizing starvation as torture is not a semantic exercise but has real legal consequences. Torture is prohibited absolutely under all circumstances, including war, occupation, and national security emergencies. Importantly, it is a *jus cogens* norm — a peremptory norm of international law from which no derogation is permitted. Acts of torture trigger universal jurisdiction obligations, requiring states to investigate and prosecute offenders wherever they are found. States that fail to act may themselves be in breach of their international obligations under treaties such as the CAT and the Geneva Conventions. Framing Israel's starvation policies as torture thus highlights the gravity of the violations and underscores the corresponding international responsibility to hold perpetrators accountable and to provide reparations to victims.

Beyond its classification as torture, Israel's starvation strategy also constitutes collective punishment, itself prohibited under Article 33 of GCIV. Collective punishment refers to the

imposition of penalties, suffering, or retaliation against a civilian population for acts they have not individually committed. Israel's policies of starvation affect the entire civilian population of Gaza without distinction and are paradigmatic examples of collective punishment. The Rome Statute further recognises collective punishment as an inhuman act under crimes against humanity when committed as part of a widespread or systematic attack against any civilian population (Art.7(h), Rome Statute of the ICC, 1998). The intentional infliction of mass suffering through starvation functions not only to punish individuals but to break the collective social fabric of Palestinian society. In this sense, Israel's use of starvation amounts to a form of societal torture, systematically dismantling the structures for survival that sustain a community and people's life.

The deliberate starvation of Palestinians must be understood not only as a violation of specific legal categories but as part of a broader, coordinated policy of extermination, dehumanisation, and genocide. Israel's starvation of Palestinians is not merely a violation of humanitarian norms; it is part of a broader genocidal strategy aimed at dismantling Palestinian existence.

Policy Recommendations

Based on the above findings, we recommend:

- Enact an immediate and comprehensive arms embargo and unilateral sanctions alongside diplomatic and financial pressure to pressure Israeli authorities and forces to end the genocide of Palestinians in Gaza, the Israeli apartheid regime, and the Israeli military occupation of the occupied Palestinian territory;
- Protect the integrity of investigations by the International Court of Justice and the International Criminal Court that aim to hold perpetrators accountable, including condemning sanctions and other punitive threats or actions toward members of the Court;
- Use all available means, including those above, to demand Israeli authorities to uphold Palestinian children's rights as outlined in the Convention on the Rights of the Child, which the State of Israel has ratified; and
- Enact the provisional measures as ordered by the International Court of Justice by providing immediate and uninhibited aid to Gaza, by any means necessary, as is the *erga omnes* duty of all UN member states under international law.

Conclusion

The starvation of Palestinian children is not a collateral consequence of armed conflict; it is a deliberate policy employed with precision and intent. As this paper has demonstrated, Israel's systematic deprivation of food, water, and medical aid—compounded by its direct assaults on Gaza's agricultural and human-

itarian infrastructure—constitutes torture under international law. Israel’s use of starvation is not merely a war crime or violation of humanitarian principles; it is the intentional infliction of severe physical and mental suffering for purposes of domination, punishment, and erasure.

Israel’s starvation policy violates core obligations under international law and further breaches the non-derogable prohibition of torture as a jus cogens norm, triggering universal jurisdiction and compelling international accountability. The denial of aid and the targeting of civilians, including children, through starvation must be recognized as both individual and collective torture—acts that dismantle not just bodies, but the social fabric of a people.

These acts are not isolated, but form part of a coordinated strategy aimed at dismantling Palestinian life and sovereignty. The international community must respond with clarity and urgency. Legal accountability is not optional—it is a legal and moral imperative. Failing to act in the face of weaponized starvation erodes the foundation of international law and leaves children in Gaza to die not of hunger, but of impunity.

Addendum

This paper was submitted in April 2025 and collected evidence of a systematic practice of Starvation against children. Accord-

ing to data reported by WHO, UNICEF, and the Nutrition Cluster⁴ in mid-2025, Global Acute Malnutrition (GAM) index was 24% in North Gaza and Severe Acute Malnutrition (SAM) was 9% in the same area.

In August 2025 (see Table 2) the United Nations System declared famine (IPC Phase 5) in Gaza Governorate⁵ (Gaza city). The three famine thresholds were breached: Global Acute Malnutrition (prevalence of acute malnutrition among children) > 30%, SAM: Severe Acute Malnutrition (critical malnutrition) > 10%, CDR (Crude Death Rate (deaths per 10,000 people per day) > 2/10,000/day; U5DR (Under-Five Death Rate (deaths per 10,000 children under five per day) >

- 4 World Health Organization. (2025, July 27). Malnutrition rates reach alarming levels in Gaza. <https://www.who.int/news/item/27-07-2025-malnutrition-rates-reach-alarming-levels-in-gaza--who-warns>; UNICEF & WFP. (2025). Gaza Nutrition Cluster Brief – June 2025. Retrieved from <https://reliefweb.int>; OCHA. (2025, August 12). Flash Update #116: Gaza Humanitarian Impact. <https://reliefweb.int>, WFP. (2025, April). Emergency Food Security Assessment – Gaza Strip. Retrieved from <https://www.wfp.org>
- 5 Food and Agriculture Organization of the United Nations, United Nations Children’s Fund, World Food Programme, & World Health Organization. (2025, August 22). Famine confirmed for first time in Gaza.

Table 2. UN-Confirmed Famine in Gaza City (August 2025): Reasons, Evidence, and Sources. Date: 24 August 2025

Reason / Driver	What UN/IPC Reported	Key Figures (as cited)	Primary Source / Date
Famine criteria met (IPC Phase 5)	UN-backed IPC assessed—on reasonable evidence—that the three famine thresholds were breached in Gaza Governorate (Gaza City). FAO, UNICEF, WFP, and WHO jointly confirmed the famine status.	Area-level criteria: extreme food deprivation; GAM ≥ 30% (or SAM ≥ 10%); CDR > 2/10,000/day (or U5DR > 4/10,000/day). >500,000 already in IPC 5; projection >640,000 by late Sep 2025.	Joint FAO/UNICEF/WFP/WHO release, 22 Aug 2025
Collapse of food access	Household hunger indicators sharply worsened, with adults skipping meals so children could eat; many reported going days without food.	In Gaza City, very severe hunger >3× higher vs. May; 39% reported going days without eating.	Joint FAO/UNICEF/WFP/WHO release, 22 Aug 2025
Child & maternal malnutrition surge	A sharp rise in child acute malnutrition and risks for pregnant/lactating women; poor birth outcomes rapidly increasing.	>12,000 children newly acutely malnourished in July (6× since start-2025); 1/4 severe; 1 in 5 babies premature/underweight.	Joint FAO/UNICEF/WFP/WHO release, 22 Aug 2025

Acronyms: IPC: Integrated Food Security Phase Classification (global standard for classifying food insecurity and famine); GAM : Global Acute Malnutrition (prevalence of acute malnutrition among children); SAM: Severe Acute Malnutrition (most critical form of acute malnutrition). CDR: Crude Death Rate (deaths per 10,000 people per day). USDR: Under-Five Death Rate (deaths per 10,000 children under five per day).

4/10,000/day). Almost 40% reported “days without eating”. The projection is that more than 640,000 persons will be in IPC5 by late September.

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Submitted 8th of May 2025
Accepted 4th of Sep. 2025

Widespread torture of Palestinian children used as human shields by the Israeli military

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Abstract

Background: Israel's occupation, apartheid and blockade of the Gaza Strip have always exposed Palestinian children to traumatic experiences. Their trauma has been exacerbated since 7 October 2023 through different practices by the Israeli military, including the well-established and institutionalised use of Palestinians as human shields. *Methods:* The article provides details on four recent incidents throughout the Occupied West Bank, where Israeli soldiers have deliberately targeted and forced Palestinian children into being human shields. Drawing also from testimonies collected by other organisations, it explains how each incident affected these children, both physically and mentally. *Results:* Children reported significant long-term trauma they sustained after being used as human shields, sometimes for several hours, as well as the pain they felt while being beaten repeatedly by Israeli soldiers. *Discussion:* The legal analysis demonstrates how such acts qualify as torture. It further examines how Israel's indiscriminate attacks targeting Palestinian civilians who Israel claims are shielding military objectives give rise to terror and may amount to inhumane treatment. It finally and briefly expands the scope of analysis to discuss how Israel's acts in using Palestinian civilians as human shields fit into the ongoing genocide against the Palestinian people.

Keywords: human shields, torture, trauma, children.

Introduction

For decades, Palestinian children living in the Occupied Palestinian Territory (OPT) and subjugated under Israel's settler colonial apartheid regime have been routinely harassed, arbitrarily arrested and detained, and mistreated or killed by Israeli soldiers. Since 7 October 2023, Israel has continued its practices of using Palestinians as human shields. Israeli violations against Palestinian children include in particular systematic incidents where Israeli soldiers have deliberately coerced Palestinian children into being human shields, for various purposes, such as walking in front of them, shielding Israeli forces from hostile fire, removing suspicious objects from the road, asking Palestinian residents to

come out of their homes and standing inside Palestinian houses where soldiers have set up military positions, so that Palestinian armed groups will not fire at the soldiers (Meloni & Tognoni, 2012). The pattern is often accompanied by arbitrary detentions, beatings to obtain information on members of the Palestinian resistance and the use of intimidating methods, including the presence of police attack dogs.²

Such horrific experiences have had adverse effects on the mental health of Palestinian children - some of whom were not

1 To protect the authors from potential retaliation, this article is published under fictitious names. Their legal identities and affiliations are securely held by the editorial office, which has verified authorship and disclosures. The use of pseudonyms does not affect the integrity, provenance, or accountability of the research and the peer-review process.

2 UNRWA, UNRWA Situation Report #169 on the Humanitarian Crisis in the Gaza Strip and the West Bank, including East Jerusalem (1 May 2025), <https://www.unrwa.org/resources/reports/unrwa-situation-report-169-situation-gaza-strip-and-west-bank-including-east-jerusalem>
Defence for Children International – Palestine (DCI-P), "They were trying to exterminate us": Palestinian children in Gaza tortured by Israeli military (21 August 2024), https://www.dci-palestine.org/_they_were_trying_to_exterminate_us_palestinian_children_in_gaza_tortured_by_the_israeli_military

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

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older than nine - who are still suffering from trauma caused by the fear of being directed by Israeli soldiers holding their weapons.³

Israel's use of this practice as part of this genocide is described by one former Israeli soldier, Nadav Weiman, who is now director of Breaking the Silence, an Israeli civil society organisation exposing the crimes committed by the Israeli military, stating:

From what we understand it was a very widely used protocol, meaning there are hundreds of Palestinians in Gaza who have been used as human shields. Palestinians are being grabbed from humanitarian corridors inside Gaza ... and then they're being brought to different units inside Gaza – regular infantry units, not special forces And then those Palestinians are being used as human shields to sweep tunnels and also houses. In some cases, they have a GoPro camera on their chest or on their head and in almost all of the cases, they are cuffed before they are taken into a tunnel or house to sweep and they are dressed in IDF uniform.⁴

Since 7 October 2023, Al-Haq has collected a number of testimonies describing new instances of the use of Palestinian children as human shields across the OPT, reflecting an increase thereof in the midst of Israel's genocide against the Palestinian people.

Background

During the Second Intifada, in 2002, the Israeli military's use of Palestinian civilians as human shields became an open military policy.⁵ Forcing Palestinian civilians to search apartments, scan booby trapped buildings and other locations is well-established practice in the Israeli military and is known as the "Johnnie procedure" or the "neighbour" procedure.⁶ Israel's practice of using Palestinian children to remove explosive devices during the Second Intifada, was explained in a testimony collected by

the NGO Breaking the Silence from a Major in a reserve unit assigned to Bethlehem:

We reached the first area where there were pipe bombs, the man from the bomb clearing unit says to me: okay, have a look inside the houses here, find a few kids, call them out to come and collect all the pipe bombs, put them all in a heap, we'll blow them up and go. My question to him was very very simple: is it dangerous? He said to me: yes. I said: okay, is it dangerous enough for something to happen? He said to me: yes. I said to him: so they can't do it, the kids, because it blows up. He said: no, it's not very dangerous. I said: If it's not very dangerous, then fine, I see there are three of you here, each one of you can pick up a few, put them in a heap, blow them up and then we'll go.

For context, the technical officer further outlined that:

For three weeks now, that's what we do, everybody agrees to do it, why are you suddenly hardheaded? And I asked him what he meant to say? He said to me: We're here three weeks. Every time we find an area with explosives, pipe bombs, we take out a few kids from the nearby houses, they collect the explosives for us, we blow them up and that way we finish our day by eleven [in the morning] instead of five [in the afternoon].⁷

Israel's High Court of Justice subsequently ruled *Adalah et al., v GOC Central Command, IDF* in October 2005 that any use of Palestinians for military actions was forbidden as it was illegal under international law.⁸ This case concerned a petition launched by seven human rights organisations against a new procedure replacing the "neighbour procedure", described in the judgement as follows: *Israeli soldiers wishing to arrest a Palestinian suspected of terrorist activity may be aided by a local Palestinian resident, who gives the suspect prior warning of possible injury to the suspect or to those with him during the arrest.*⁹ The "prior warning procedure" can be used when the civilian consents to helping the soldiers without being subjected to force or threatened with violence or arrest and if the commander of the

3 DCI-P, Israeli forces use Palestinian children as human shields during siege of hospital (23 September 2024), https://www.dci-palestine.org/israeli_forces_use_palestinian_children_as_human_shields_during_siege_of_hospital.

4 The Guardian (2024), *Palestinians describe being used as 'human shields' by Israeli troops in Gaza*, https://www.theguardian.com/world/2024/oct/21/palestinians-describe-being-used-as-human-shields-by-israeli-troops-in-gaza?CMP=share_btn_url.

5 B'Tselem (2017), *Human Shields*, https://www.btselem.org/human_shields.

6 United Nations General Assembly, "Report of the United Nations Fact-Finding Mission of the Gaza Conflict", 25 September 2009, A/HRC/12/48, para. 1093.

7 Breaking the Silence (2002), *Find a few kids, call them out to come and collect all the pipe bombs, put them up and go*, <https://www.breakingthesilence.org.il/testimonies/database/147799>.

8 HCJ 3799/02, *Adalah et al., v GOC Central Command, IDF et al.*, (23 June 2005), <https://www.legal-tools.org/doc/762ab3/pdf/>

9 High Court of Justice (2005), *Adalah et al. v. GOC Central Command, IDF et al.* HCJ 3799/02, p. 1.

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force believes that it will not endanger the civilian.¹⁰ Despite the ruling, Israeli soldiers continued to routinely use Palestinian civilians as human shields, including during so-called Operations Cast Lead (2008-2009)¹¹ and Protective Edge (2014).

During Operation Cast Lead in 2008, the Israeli military “coerced Palestinian civilian men at gunpoint to take part in house searches during the military operations. The men were blindfolded and handcuffed as they were forced to enter houses ahead of Israeli soldiers”, as evidenced by published testimonies of Israeli soldiers who took part in the military operations. The 2009 United Nations Fact Finding Mission on the Gaza conflict (UN FFMGC) concluded “that this practice amounts to the use of Palestinian civilians as human shields”.¹² The “neighbours procedure” also known as the “Johnnie procedure”, forced Palestinians to:

Walk through and scan buildings suspected to be booby-trapped, and in which it ordered them to enter certain areas before combat forces, in order to find wanted persons there; also described are cases in which the army used residents as a ‘human shield’ which accompanied the combat forces, to serve as a shield against attack on those forces. Thus, residents were stationed on porches of houses where soldiers were present, in order to prevent gunfire upon the houses.¹³

As explained by the Israeli organisation B’Tselem, such “use of civilians is not an independent initiative by soldiers in the field but the result of a decision made by senior military authorities.¹⁴ The vast majority of these use of human shields “were never investigated, and those that did resulted in no further action. Soldiers were prosecuted in one case only . . . were given a three-month conditional sentence” and “none of their commanding officers were tried”.¹⁵

Israel continued to use this practice,¹⁶ in particular in 2014 during Operation Protective Edge in Gaza, and no Israeli soldier or commander was prosecuted.¹⁷ As documented by the human rights organisations Lawyers for Palestinian Human Rights and Al-Mezan, “at least five Palestinians in Gaza, including a child, had their lives endangered when used as human shields by Israeli military forces” as part of this operation.¹⁸ According to their report,

The five incidents [...] are part of a pattern of reported human shield use against Palestinian civilians by Israel’s military forces over a number of years that has effectively gone unpunished. This state of affairs is indicative of there being an established practice or policy of Israel’s military to use Palestinian civilians as human shields.¹⁹

On 13 May 2022, Israeli soldiers blew up the door of Muhammad and Manal Mer’eb’s apartment in the al-Hadaf neighbourhood in Jenin. Shortly after, an exchange of fire arose between Israeli soldiers and armed Palestinians, including Mahmoud Mer’eb, who Israeli soldiers attempted to draw out of the house. During this attempt, they used his sister ‘Ahd aged 16 and his grandmother as human shields. Ahd recalled:

After 10 minutes, one of the Border Police officers ordered us to move a few meters and sit on the edge of a concrete wall that belongs to one of the houses. We sat there for about 15 minutes, and then the military opened fire at our house. My younger brothers cried and screamed in fear. My mother asked one of the Border Police officers to let us move away so we could be safe and so she could calm my younger brothers down. I was also terribly scared of the shooting.²⁰

10 B’Tselem (2017), *Human Shields*, https://www.btselem.org/human_shields.

11 Al Mezan, (9 April 2009), *The Use of Palestinian Civilians as Human Shields by the Israeli Occupation Forces* <https://mezan.org/public/en/post/37718/The-Use-of-Palestinian-Civilians-as-Human-Shields-by-the-Israeli-Occupation-Forces>.

12 United Nations General Assembly, “Report of the United Nations Fact-Finding Mission of the Gaza Conflict”, 25 September 2009, A/HRC/12/48, para. 55, 1032-1106.

13 United Nations General Assembly, “Report of the United Nations Fact-Finding Mission of the Gaza Conflict”, 25 September 2009, A/HRC/12/48, para. 1093.

14 B’Tselem, “Human Shields”, 11 November 2017, available at: https://www.btselem.org/human_shields.

15 Ibid.

16 Human Rights Council, “Anatomy of a Genocide- Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese”, 25 March 2024, A/HRC/55/73, para. 59.

17 B’Tselem, “Human Shields”, 11 November 2017, available at: https://www.btselem.org/human_shields.

18 Lawyers for Palestinian Human Rights and Al-Mezan, “Justice Denied-Gaza human shield survivors and the systematic failure of Israel’s military investigation system to provide accountability”, September 2018, p.1.

19 Ibid.

20 B’Tselem (2022), *Border Police officers use members of Jenin family as human shields*, https://www.btselem.org/human_shields/20220619_border_police_officers_use_members_of_jenin_family_as_human_shields.

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In 2023, before October 7, human rights organisations once again documented further acts of the Israeli military using Palestinian civilians as human shields in the West Bank. In the first half of 2023, Israeli soldiers used at least five Palestinian children, including two toddlers, as human shields.²¹ In a further attack on 4 July 2023, Israeli soldiers raided the Jenin refugee camp. They stopped an ambulance, ordering two Palestinian paramedics out and using them as protection against Palestinian shooting for more than half an hour.²² (Shawer, 2024).

Methods

The information provided in this paper was primarily extracted from field investigations conducted by trained field researchers of Al-Haq's Monitoring and Documentation Department, as well as testimonies collected from 7 May to 16 September 2024 from persons who have been victims of the documented alleged violations (first-hand interviews) or direct eyewitnesses. Cases were purposively selected where the alleged victim was a minor when he or she was coerced into being a human shield by Israeli soldiers. The information was obtained in the presence of one of the children's parents, and the interviewees were informed that their testimonies could be used for advocacy and accountability purposes and authorised Al-Haq to do so. Affidavits were taken by Al-Haq Field Researchers who have special training. In terms of our analytical approach, we used structured extraction and thematic synthesis (physical harm, trauma). Records are stored offline in a secure databank and managed by Al-Haq's Monitoring and Documentation Department. Photographic evidence is additionally preserved by EyeWitness to Atrocities for court-standard accountability purposes.

Results

Al-Haq documented several incidents where Palestinian children were used as human shields. (Al-Haq, 2025). Some of them occurred in the Tulkarem Refugee Camp, in the West Bank.

Palestinian child, K.A., aged 11, told Al-Haq that Israeli soldiers forced him to walk in front of them and open the doors of an apartment on 6 May 2024. He further recalled:

The soldiers began searching the apartment, and during that, one of them asked me in understandable Arabic if there were any men in the house. I told him, "No." Here, that soldier forced me, accompanied by other soldiers, to walk in front of them inside the apartment and open the closed doors.

I cannot describe my feelings and the intensity of fear that I felt while the soldiers were taking me from inside the apartment... Then they forced me to walk down the stairs to the main entrance of the building and to the first floor of the building. I was walking among about 20 soldiers, all of them armed...

He also recounted how Israeli soldiers severely beat him with wooden sticks as he was used as a human shield, insinuating that he was a member of an armed Palestinian group, while placing police dogs in close proximity to him: "I was crying from the intensity of the pain and fear".

Also on 6 May 2024, Palestinian child M.M, aged 13, was forced to act as a human shield by Israeli soldiers during the Israeli military's raid on Tulkarm refugee camp, and was subjected to the same pattern of beatings. He recalled:

[T]he soldiers asked me to knock on the door of the apartment on the second floor... blew up the door of the apartment and then forced me to enter it and search if anyone was inside, which I did, as the soldiers were standing behind me. Then the soldiers entered the apartment and searched it, during which time I was detained by one of the soldiers in front of the entrance to that apartment, where the soldier who was detaining me beat me with a stick in his possession...

I received several blows from him on my lower limbs and back, then he directed several blows with his hands to my head and face. He was asking me in understandable Arabic about the whereabouts of the Kutba members, meaning the Palestinian gunmen belonging to what is known as the Tulkarm Camp Battalion, and whenever I told him that I did not know, he struck me sometimes with the stick and sometimes with his hands, amidst my crying, fear, and pain... One of the police dogs accompanying the soldiers was always close to my body, but the soldiers were placing an iron cage over the mouth of that dog. However, seeing that dog caused me more fear.

Another Palestinian child, I.A., aged 15, was used as a human shield by Israeli soldiers during their raids of Al-Sawalmeh neighbourhood in the Tulkarm refugee camp, on 6 May 2024:

21 Defence for Children International-Palestine, (18 May 2023) "Israeli forces use five Palestinian children as human shields", https://www.dci-palestine.org/israeli_forces_use_five_palestinian_children_as_human_shields.

22 Mosab Shawer, (31 January 2024) "West Bank human shield describes "100 breathless minutes" held by Israel", Al-Jazeera, <https://www.aljazeera.com/features/2024/1/31/west-bank-human-shield-describes-100-breathless-minutes-held-by-israel>.

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During that field investigation, I was beaten by some of the soldiers who hit me with their hands all over my body... The Israeli soldiers used me as a human shield for a period ranging between an hour and a half and two hours... I felt fear and extreme danger to my life all that time.

Further, on 29 August 2024, Palestinian child M.S., aged 9, was forcibly removed by Israeli soldiers from his home in Nur Shams refugee camp in Tulkarm and forced to open doors for soldiers who also used military dogs in the camp:

[The Israeli soldiers] got everyone out of the house except me. They kept me with them and told me to go and open the door in Arabic. They were behind me, ready to shoot. I actually went towards the door and tried to open the door, but I couldn't. I told them that I couldn't open the door. However, one of the soldiers repeated his request for me to open the door and said to me, "Go back and open the door"...

[The soldiers] brought a dog behind me who was with the soldiers after removing the muzzle from its mouth. I saw that and the soldiers were calling the dog by the name 'Lucy'. I went into that room and the dog entered from behind me and started smelling everything inside the room. Then it started smelling me by getting close to my body. At that time, I felt very afraid.

Palestinian children who have been subject to inhuman and degrading treatment are also suffering from trauma. In Gaza, Mohammad Shbeir, aged 17, who was taken captive and used as a human shield by Israeli soldiers, recounted: "I was handcuffed and wearing nothing but my boxers" (CNN, 2024). Forced to walk ahead of Israeli soldiers in the Gaza Strip, in December 2023, Ahmed, 16, recalled: "We were so scared that we might be killed at any second. They were beating us with their weapons telling us to keep moving". Ahmed and his cousin, Shadi, 11, were used as human shields for half a day. Shadi's father observed that his son was struggling with post-traumatic stress disorder (PTSD), described by Shadi in the following terms: "I was going to the bathroom all the time, I was so scared to go on my own. I dream that soldiers are coming to take me and hit me".²³

23 Independent, (2024), *Stripped and held at gunpoint, the Gaza schoolboys 'forced to be Israel's human shields'*, <https://www.independent.co.uk/news/world/middle-east/israel-human-shields-gaza-war-b2604589.html>.

Treating the entire Palestinian population in Gaza as human shields

It should further be noted that Israel has treated the entire population in Gaza, including children, as human shields, for their location or presence near objects, which Israel considers to be "shielding" of military objectives and therefore it asserts, are targetable. In November 2023, Israel's Ministry of Foreign Affairs referred to "the residents of the Gaza Strip as human shields" and accused Hamas of using "the civilian population as human shields".²⁴ As noted by the United Nations Special Rapporteur on the Occupied Palestinian Territory in her report, "[t]wo rhetorical elements of this key legal policy document indicate the intention to transform the entire Gaza population and its infrastructures of life into a "legitimate" targetable shield: the use of the all-encompassing the combined with the quotation marks to qualify civilians and civilian objects".²⁵ Following its military orders given on 13 October 2023 to 1,1 million Palestinians in the north of Gaza to move south, Israel warned that "[a]nyone who chooses not to evacuate from the north of the Gaza Strip to its south may be identified as a partner in a terrorist organization".²⁶ Notably, Israel's High Court of Justice, previously found in 2006 that should civilians decide to stay in combat areas, they do so of their own free will, out of support for the terrorist organization, they should be seen as persons taking direct part in the hostilities.²⁷ More recently, Israel's Prime Minister Netanyahu, stated on the social media platform 'X', Israel's position on targeting human shields, stating:

This is why I authorized yesterday the renewal of military action against Hamas. Israel does not target Palestinian civilians. We target Hamas... And when [Hamas] embed themselves in civilian areas, when they use civilians as human shields, they are the ones who are responsible for all unintended casualties... Palestinian civilians should avoid any contact with Hamas..., and I call on the people of Gaza,

24 State of Israel, Ministry of Foreign Affairs, (2 November 2023) "Hamas-Israel Conflict 2023: Key Legal Aspects", <https://www.gov.il/en/pages/hamas-israel-conflict2023-key-legal-aspects>

25 Human Rights Council, "Anatomy of a Genocide"- Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese", 25 March 2024, A/HRC/55/73, para. 60.

26 Olivia Alafritz and Giselle Ruhyyih Ewing, (21 October 2023) "Israeli military steps up warnings to north Gaza residents, preparations for ground offensive", Politico, <https://www.politico.com/news/2023/10/21/idf-prepares-for-ground-invasion-00122881>.

27 High Court of Justice of Israel, *The Public Committee v. The Government of Israel*, Judgment, 14 December 2006, para. 36.

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get out of harm's way. Move to safer areas. Because every civilian casualty is a tragedy and every civilian casualty is the fault of Hamas.²⁸

Discussion

The use of human shields is a method of warfare prohibited by international humanitarian law (IHL). It takes advantage of the presence or movements of civilians, whether voluntary or involuntary, to shield military objectives or combatants from an attack, or to shield, favour or impede military operations.²⁹ It is important to note that IHL strictly prohibits the use of human shields. As the Geneva Convention state, “the presence or movements of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.”³⁰

In terms of “presence”, one must understand situations where “civilians are placed on or close to military objectives and those where military objectives are placed in the midst of civilians”. (Bouchié de Belle, 2008). Article 23 Geneva Convention III Relative to the Treatment of Prisoners of War (CG III) and Article 28 of Geneva Convention IV Relative to the Protection of Civilian Persons in Times of War (CG IV) respectively prohibit the use of prisoners of war and civilians to “render certain points or areas immune from attack”.

Article 51(7) of Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (AP I), which has attained customary status (Henckaerts et al., 2012), expands the scope of this protection. It reads:

The presence or movements of the civilian population or individual civilians shall not be used to render certain points or areas immune from military operations, in particular in attempts to shield military objectives from attacks or to shield, favour or impede military operations. The Parties to the conflict shall not direct the movement of the civilian population or individual civilians in order to attempt to shield military objectives from attacks or to shield military operations.

In terms of applicability, Israel's recognition of the customary status of this rule, as well as that of many provisions of AP I, renders its failure to ratify it irrelevant.³¹

The wording of “Article 57(1) shows (“shall not be used to render”, “in order to attempt to shield”), that an intention to use the civilian population in order to shield an area from military attack is required.”³² In this respect, the ICTY found that “the perpetrator must intend to shield a military objective from attack or shield, favour or impede military operations.”³³ Belligerents can only attack objects which “by their nature, location, purpose or use make an effective contribution to military action”, whose “total or partial destruction, capture or neutralization” in the circumstances ruling at the time “must offer a definite military advantage”. Paragraph 3 of this provision adds that “[i]n case of doubt”, an object “shall be presumed not to be so used.”³⁴ Israel has also grossly misused these rules.

In this vein, Israel's claims that armed groups fighting from urban areas as deliberately “embedded” in the population to such an extent that it “cannot be concluded from the mere fact that seeming ‘civilians’ or ‘civilian objects’ have been targeted, that an attack was unlawful”,³⁵ this interpretation defeats the purpose of the above legal framework. It reverses the presumption of civilian status in case of doubt, which should deter an attack on areas where the overwhelming majority of the popu-

28 Prime Minister of Israel @IsraeliPM, Tweet (7:15 pm, 18 March 2025), <https://x.com/IsraeliPM/status/1902076306533314722>

29 International Committee of the Red Cross, “How does the law protect in war”, https://casebook.icrc.org/a_to_z/glossary/human-shields.

30 Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflict (Protocol I), 8 June 1977, Art. 51(7); see also Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949 (“Fourth Geneva Convention”) Article 28; ICRC, IHL Database, Customary IHL, Rules 97, available at: https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul.

31 Human Rights Council, “Report of the Detailed Findings of The Independent Commission of Inquiry Established Pursuant to Human Rights Council Resolution S-21/1.”, 24 June 2015, UN Doc A/HRC/29/52 (2015 COI), para. 24.

32 United Nations General Assembly, “Report of the United Nations Fact-Finding Mission of the Gaza Conflict”, 25 September 2009, A/HRC/12/48, para. 493; see also 2015 COI, para 470.

33 ICTY, *Prosecutor v Karadzic* (Trial Judgment) IT-95-5/18, 24 March 2016, para. 526.

34 Protocol I, Article 52 (2) and (3); ICRC, IHL Database, Customary IHL, Rule 8, available at: https://ihl-databases.icrc.org/customary-ihl/eng/docs/v1_rul/.

35 State of Israel, Ministry of Foreign Affairs, (2 November 2023) “Hamas-Israel Conflict 2023: Key Legal Aspects”, <https://www.gov.il/en/pages/hamas-israel-conflict2023-key-legal-aspects>.

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lation is civilian. Moreover, treating the entire northern area of Gaza as one single military objective blatantly violates the principle of distinction and amounts to an indiscriminate attack.³⁶ Indeed, Article 51(5)(a) of Additional Protocol I provides that “an attack by bombardment by any methods or means which treats as a single military objective a number of clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian object” is to be regarded as “indiscriminate”. Further such attacks and acts of violence which spread terror, including indiscriminate and widespread shelling, are prohibited under Article 51(2) of Additional Protocol I.³⁷

International human rights

According to Article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to qualify as torture, the conduct must (a) inflict severe psychological and physical pain or suffering, (b) be committed by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity, (c) with intent and (d) the purpose of discrimination and punishing or obtaining from the victim or a third person information or a confession.

The different Israeli practices consisting of the use of Palestinian children as human shields, as described above, generally involve both mental and physical pain. As outlined in Al-Haq’s cases above, Palestinian children K.A., M.M. and I.A. were all severely beaten by Israeli soldiers, with their hands or a stick, in particular in the case of I.A., who was hit on multiple occasions. Furthermore, the fact of the attacks taking place in the context of a decades-long unlawful belligerent occupation and genocide in the Gaza Strip, exposes children to “continuous cycles of violence and trauma, profoundly affecting their mental health” resulting in psychological impacts with long-term consequences (WHO et al, 2025), exacerbated even further by their use as human shields. Shadi still has PTSD and nightmares recurring from the abduction and beating he was subjected to. In addition, the use of aggressive police dogs, sometimes without their muzzle, searching in close proximity to the children, also played a crucial role in terrorising them. The child M.M., re-

called how he was particularly affected by the shot fired by the Israeli soldier just above his shoulder.

Considering the circumstances, the age of the children, their inability and that of their parents, to defend themselves against Israeli soldiers armed with military weapons and dogs — as well as the context of Israel’s settler colonial apartheid regime, belligerent occupation and genocide — it is beyond dispute that the fear we are discussing does not constitute mere pain but meets the threshold of severe pain or suffering as required by Article 1 of the Convention against Torture. The first criterion is thus established. That the pain or suffering must be inflicted by a person acting in an official capacity is clearly established in the case of the Israeli soldiers. The second element is thus satisfied as well. As for the third criterion, the intent to torture, this can be inferred from the context, Israeli soldiers raiding Palestinian homes, which is a common practice, and using the children for specific purposes. It is plain that the soldiers meant to cause fear among the children, so they could deploy them as human shields. It is also plain that they intended to hit the Palestinian children for the same purpose.

Finally, the perpetrator must inflict pain or suffering to punish, discriminate or obtain information. The context of the Israeli occupation of the Palestinian territory, characterised by decades of implementation of a regime of institutionalised racial segregation and apartheid discriminating against Palestinians,³⁸ leaves little doubt about the discrimination of Palestinian children in the cases at hand, because they are Palestinians. The raids of Palestinian homes are only one manifestation of Israeli discriminatory policies. Furthermore, K.A.’s testimony indicates that the soldiers were after information on suspected

36 Al-Haq, (13 October 2023) “Urgent: Israel’s Evacuation Order to 1.1 Million Palestinians in Gaza is Direct Forcible Transfer, Urgent Intervention is Needed”, <https://www.alhaq.org/advocacy/21896.html>.

37 ICRC, IHL Databases, Rule 2. Violence Aimed at Spreading Terror among the Civilian Population, <https://ihl-databases.icrc.org/en/customary-ihl/v1/rule2>

38 Committee on the Elimination of Racial Discrimination (“CERD”), Concluding Observations on the Combined Seventeenth to Nineteenth Reports of Israel, CERD/C/ISR/CO/17-19, 27 January 2020, <https://undocs.org/CERD/C/ISR/CO/17-19>, para. 23; UN HRC, Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michael Lynk, A/HRC/49/87, 12 August 2022, <https://undocs.org/A/HRC/49/87>, para. 52; Amnesty International, (2022), “Israel’s Apartheid Against Palestinians A Look Into Decades of Oppression and Domination” <https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/>; B’Tselem, (12 January 2021) “A regime of Jewish supremacy from the Jordan River to the Mediterranean Sea: This is apartheid”, https://www.btselem.org/publications/fulltext/202101_this_is_apartheid; Addameer et al., (29 November 2022) “Israeli Apartheid: Tool of Zionist Settler Colonialism”, <https://www.alhaq.org/cache/uploads/download/2022/12/22/israeli-apartheid-web-final-1-pageview-1671712165.pdf>.

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members of a Palestinian armed group. All the criteria of the crime of torture are thus satisfied, leading to the conclusion that the conducts documented in the paper qualify as torture.

In terms of context, these acts constitute crimes against humanity to the extent that they are part of an attack against a civilian population and connected to a State's policy, Israel's policy of discrimination and oppression of the Palestinian people. They also constitute war crimes as they are committed in the context of an international armed conflict and against protected person as per the Fourth Geneva Convention, namely Palestinian civilians.

In Gaza, such use and targeting of Palestinian children as human shields can be considered as genocidal acts. Genocide is defined as acts committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, as such.³⁹ These acts include “*causing serious bodily or mental harm to members of the group*”.⁴⁰ This underlying crime is similar to the material element of torture as analysed above.

In *South Africa v Israel*, the International Court of Justice (ICJ) concluded that Israel is carrying out acts in Gaza that amount to a “plausible case” of genocide.⁴¹ To reach this conclusion, the ICJ noted that the Israeli military had killed 25,700 Palestinians in Gaza, injured 63,000 others and destroyed or partially damaged 360,000 housing units.⁴² In 2025, the situation in Gaza has deteriorated to a horrific point. In total, on 3 September 2025, the Israeli military had caused the death of 63,746 Palestinians, injured 161,245 others and destroyed or damaged 436,00 housing units (92%) in Gaza.⁴³ These figures and facts can only reinforce the ICJ's conclusion of a plausible case of genocide. The terrorisation of Palestinians used and targeted as human shields is part and parcel of this genocide. The requisite intent can be inferred where this is the only reasonable inference to be made, but only in the absence

of direct evidence thereof.⁴⁴ This understanding is corroborated by the International Criminal Court's Elements of Crimes which similarly requires a finding of intention.⁴⁵

Since 7 October 2023, Israel has repeatedly stated that it complies with IHL as opposed to Hamas it accused of hiding behind civilians and civilian objects. This misleading rhetoric is incorrect. The report of the 2015 Commission of Inquiry concluded that Hamas “encouraging the population of Gaza to remain in conflict zones, as opposed to evacuation to safer areas... was not representative of a violation of the prohibition on the use of human shields in the absence of such an intent.”⁴⁶ A distinction was drawn between the wilful use of human shields and acts which have a mere shielding effect but deprived of the requisite intent.

Using this narrative, Israel has treated the whole population of the Gaza Strip as a single military objective and, therefore, legitimate targets, which has led to the abovementioned significant death toll. As denounced by Francesca Albanese in her report “Anatomy of a genocide”, the “Israeli executive and military leadership and Israeli soldiers have intentionally distorted jus in bello principles, subverting their protective functions, in an attempt to legitimize genocidal violence against the Palestinian people”.⁴⁷

More generally, it can be supported that Israeli raids are intended not only to terrorise the Palestinian population, but also to deter any resistance to Israel's occupation and apartheid of the Palestinian territory, the illegality of which has been determined by the International Court of Justice in its 19 July 2024 Advisory Opinion.⁴⁸ Deterring such resistance facilitates the advancement of Israel's settler-colonial project in the OPT, which in turn leads to the eradication of the Palestinian people.

39 UN Office of the High Commissioner for Human Rights (OHCHR), Convention for the Prevention and Repression of the Crime of Genocide (Genocide Convention) (1948), Article II.

40 Genocide Convention, Article II (b).

41 *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Provisional Measures, Order of 26 January 2024, I.C.J. Reports 2024*, p. 3, para. 54.

42 Ibid, para. 46.

43 UN Office for the Coordination of Humanitarian Affairs, “Reported impact snapshot-Gaza Strip (3 September 2015)”, 3 September 2015, available at: <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-3-september-2025>.

44 International Criminal Tribunal for the former Yugoslavia, Prosecutor v Mladić (Trial Judgment) IT-09-92, 22 November 2017, para. 3382.

45 Elements of Crimes, adopted by the Assembly of States Parties to the International Criminal Court (ICC), 9 September 2002, Article 8 (2) (b) (xxiii), “The perpetrator intended to shield a military objective from attack or shield, favour or impede military operations.”

46 Human Rights Council, “Report of the Detailed Findings of The Independent Commission of Inquiry Established Pursuant to Human Rights Council Resolution S-21/1.”, 24 June 2015, UN Doc A/HRC/29/52 (2015 COI), para. 482.

47 Human Rights Council, “Anatomy of genocide- Report of the Special Rapporteur on the situation of human rights in the Palestinian territories, Francesca Albanese”, 1 July 2024, A/HRC/55/73, page 1.

48 *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024.

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Conclusion

The paper provides the contextual background of the use of Palestinians as human shields, including the practice whereby Israel characterises the entire population in Gaza including children as shielding military objectives. It then delves into the individualised use of the practice of shielding against Palestinian children, with concrete incidents and testimonies collected by Al-Haq, among other organisations. These incidents have caused significant trauma to Palestinian children, in addition to the arbitrary beatings they were subjected to. As such, they qualify as acts of torture, meeting all the requirements enshrined in the Convention against Torture. They further constitute war crimes, crimes against humanity and acts of genocide.

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Submitted 29th of May 2025

Accepted 26th of Sep. 2025

Israeli attacks against medical personnel and facilities in Lebanon: A violation of International Humanitarian Law

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Key points of interest:

- Israeli strikes on Lebanon's health sector from October 2023 to January 2025 formed a consistent and widespread pattern of violations of international humanitarian law.
- These actions caused the deaths of hundreds of medical workers and patients, forced the closure or partial shutdown of dozens of facilities, and crippled emergency response systems, thereby denying the population timely and essential healthcare during armed conflict.
- Such conduct breaches the core IHL principles of distinction, proportionality, precaution, and medical neutrality, which require combatants to safeguard healthcare and humanitarian actors at all times, pointing to a systematic policy that may amount to war crimes.

Abstract

Introduction. This article examines the violations of International Humanitarian Law (IHL) concerning Israeli attacks on medical personnel and facilities in Lebanon between September 23rd and October 23rd, 2024. *Method.* Based on data from the Lebanese Center for Human Rights (CLDH), the study highlights attacks on medical units, personnel, and humanitarian organisations. *Results.* The study documents more than 250 attacks on hospitals, ambulances and medical personnel, paramedics and patients. *Discussion.* The results are compared with available data from the World Health Organisation, the Ministry of Public Health and INGOs. *Conclusions.* The findings indicate severe and repeated breaches of IHL, particularly under the Geneva Conventions and Additional Protocols. This study emphasises the urgent need for accountability and the enforcement of international legal frameworks to safeguard medical neutrality in conflict zones.

Keywords: International Humanitarian Law, Geneva Conventions, war crimes, medical neutrality, Lebanon, Israeli Defence Forces

Introduction

The escalation of hostilities between Israel and Lebanon has led to significant civilian casualties and damage to essential infrastructure, including medical facilities. The conflict intensified in mid-September 2024, following heightened border skirmishes and aerial bombardments. Israeli airstrikes targeted multiple locations within southern Lebanon, including residential areas

and key civilian infrastructure, exacerbating an already fragile humanitarian crisis. The Lebanese Ministry of Health reported that, as of October 23, 2024, over 1,500 civilians had been killed, including 356 children and 214 medical workers. Additionally, more than 7,300 individuals sustained severe injuries, and at least 112,000 people were displaced due to the destruction of their homes and communities.

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

Beyond immediate casualties, the destruction of medical infrastructure has severely impacted Lebanon's ability to provide urgent and long-term healthcare services. Hospitals in the affected areas operated at over 250% capacity, and shortages of essential medical supplies, including anaesthetics and antibiotics, further compromised patient care. The damage to roads and transportation networks also delayed emergency response times, leaving many injured without access to life-saving interventions. The targeting of health facilities is not only a humanitarian crisis but also a grave breach of the Geneva Conventions, raising urgent concerns about compliance with IHL.

This article seeks to examine these violations through a legal framework and assess their implications for international justice. It will analyse evidence of targeted attacks against medical units, investigate the extent to which these attacks violate IHL, and explore potential avenues for legal accountability.

Methodology

The research utilises incident-specific data collected by CLDH through media reports, official records from the Lebanese Ministry of Public Health, and data from international humanitarian organisations such as the United Nations and the Red Cross. Fact-checking procedures were applied to ensure data reliability by contacting primary sources in the Health Ministry and local administrations. The study examines the documented violations concerning medical personnel and infrastructure using relevant IHL articles, including Articles 24 and 18 of the Geneva Conventions and Protocol I (ICRC, 2024) (see Table 1).

Results

Through its online monitoring and fact-checking, CLDH found there were 67 attacks on hospitals, 177 assaults on ambulances, and 19 attacks on rescue vehicles. The Israeli Forces were reported to have directly targeted medical facilities and personnel, resulting in the deaths of 16 medical personnel and 206 paramedics, with 73 and 257 others injured, respectively. Specific attacks included airstrikes on hospitals such as Salah Ghandour and Fakih, and targeting of Red Cross and Islamic Health Authority ambulances (CLDH, 2024).

These actions violate the First and Fourth Geneva Convention articles, specifically GC I, art. 24 (Protection of medical personnel); GC IV, art. 18 (Protection of civilian hospitals); and AP I, arts. 12 (Medical units), 15 (Civilian medical & religious personnel), 21–31 (Medical transports, emblems, etc.). (ICRC, 2024).

The destruction of medical infrastructure had a cascading impact on the broader humanitarian situation.

Table 1. Summary of Attacks on Medical Infrastructure and Personnel

Type of Facility	Number of Attacks	Casualties (Killed)	Casualties (Injured)
Hospitals	67	79	156
Ambulances	177	109	257
Rescue Vehicles	19	34	98
Medical Staff (General)	-	16	73

Over 47% of hospitals in affected regions ceased operations due to physical destruction or lack of medical supplies. Patients requiring intensive care, including dialysis and post-operative recovery, were forced to seek treatment in already overwhelmed facilities in Beirut. The International Red Cross reported at least 76 instances where ambulances carrying injured civilians were either delayed or prevented from reaching hospitals due to IDF checkpoints or road blockages.

Table 2. Breakdown of Medical Facility Closures in Southern Lebanon

Facility Type	Fully Destroyed	Partial Damage	Non-Operational Due to Lack of Supplies
Public Hospitals	12	25	31
Private Clinics	8	14	19
Ambulance Stations	6	11	20

Our data must be added to that available from other sources. According to the World Health Organization (2024) there were 137 Israeli attacks on healthcare in Lebanon between October 7, 2023 and November 21, 2024 (see Table 2). Furthermore, “47% of attacks on health care – 65 out of 137 – have proven fatal to at least one health worker or patient in Lebanon”, a proportion allegedly higher than that observed in

any contemporary war. Human Rights Watch (2024) reported multiple Israeli attacks targeting medical workers, ambulances, and facilities, such as strikes killing paramedics at a civil defence centre in Beirut and at hospitals in southern Lebanon. These attacks killed at least 163 health and rescue workers and damaged many ambulances and hospitals throughout 2024. They called for immediate cessation and investigations. Amnesty International documented at least 222 medical and civil defence personnel killed and hundreds wounded between October 2023 and late November 2024. They investigated several attacks, suggesting war crimes, and found no evidence justifying military targeting of these medical sites. They emphasised the violation of international humanitarian law protecting medical personnel and infrastructure (Amnesty International, 2025). Additionally, CNN's 2024 investigation found that the IDF's bombing campaigns targeted 107 ambulances, significantly limiting emergency medical response capabilities. Furthermore, Israeli forces had launched airstrikes in "lethal proximity" to at least 19 hospitals and within 500 meters of 24 medical facilities. Reuters also has reported on airstrikes to Rafik Hariri University Hospital, with the hospital severely damaged and 18 people killed and 60 injured. A joint Al Jazeera and United Nations report (2024) mapped Israeli attacks on Lebanon's healthcare system, illustrating the extensive destruction of hospitals, clinics, and mobile medical units across the country.

The Lebanese Ministry of Public Health (2025) issued an official comprehensive report (8 October 2023 – 27 January 2025). The report records 68 distinct attacks against hospitals across Lebanon, affecting 38 hospital facilities. As a result, eight hospitals were forcibly closed, seven were only partially operational, and two remain closed at the time of reporting. The toll includes 16 deaths, 74 injuries, and damage to 25 vehicles, including ambulances. Regarding Primary Health Care Centers (PHCs), a total of 63 centres were attacked, with 58 forcibly closed. Among these, 10 were destroyed and 50 were partially damaged. The attacks targeted both governmental centres and facilities run by associations such as Amel, Imam al-Sadr Foundation, and the Lebanese Red Cross. The report also provides extensive detail on strikes against emergency medical services, listing 237 separate attacks on EMTs, ambulance teams, and civil defence centres. These resulted in 201 deaths, 253 injuries, and the destruction or damage of 177 ambulances, 59 fire trucks, and 18 rescue vehicles. The attacks affected multiple organisations, including the Islamic Health Authority, the Lebanese General Directorate of Civil Defense, the Red Cross, and Islamic Scout Associations. Many incidents involved direct strikes on ambulances that were perfectly identified or EMT teams while on duty, demonstrating a recurrent

pattern of purposely targeting first responders. In summary, the report documents widespread and systematic assaults on Lebanon's health system: dozens of facilities damaged or destroyed, hundreds of health workers and patients killed or injured, and significant disruption of essential services. This large-scale targeting not only devastated Lebanon's health infrastructure but also severely restricted civilians' access to medical care during the Israeli Army attacks.

Each of these studies uses different methodologies and has a different scope. For instance, while WHO data counts attacks on healthcare and casualties within those incidents, the MoPH has emphasised impacts on the national health system and infrastructure. Human Rights Watch, Amnesty International, and our own study do not aim to be exhaustive, but rather analyse a concrete, cross-sectional, and verified subset of incidents to facilitate a legal analysis with conclusions and recommendations in humanitarian and accountability terms. The figures of each source are not expected to match perfectly.

But, overall, the overwhelming evidence supports the assertion that IDF actions have severely impaired Lebanon's medical system. These attacks disrupt essential medical services, endanger civilian lives, and create long-term humanitarian consequences.

Discussion

Article 24 of the First Geneva Convention unequivocally protects medical personnel attached to the armed forces, as well as civilians working under their direction, when performing medical tasks. The article also covers certain civilians working under the auspices of the armed forces in the field. These people, whether they are doctors, nurses, ambulance workers, or volunteers, are protected from direct attacks. The core requirement is that such personnel abstain from direct participation in hostilities; as long as they remain within the humanitarian sphere, they must be respected and shielded from violence. Any deliberate attack against them not only violates Article 24 but also undermines the principle of medical neutrality, which is foundational to International Humanitarian Law (IHL).

Article 15 of Additional Protocol I broadens this protection to include civilian medical and religious personnel. Unlike the original convention, which primarily safeguarded military medical staff and staff of civilian hospitals, Article 15 recognises the essential role of civilian actors, particularly in conflicts where state and non-state systems often overlap. This includes not only guaranteeing their respect and protection but also providing assistance in situations where it is needed.

Thus, respect and protection are granted to all civilian medical personnel and civilian religious personnel, as defined

in Article 8 of the Protocol, sub-paragraphs (c) and (d), where such protections are traditionally offered in the conventions only to military medical and religious personnel and to medical staff at civilian hospitals. This extension of protection is strongly justified, as many countries today plan for cooperation or coordination between military and civilian medical services during armed conflict.

The earlier presented data under the provision of Article 15 highlights attacks on medical personnel, resulting in numerous casualties, including fatalities. These attacks on medical personnel violate the principle of “medical neutrality” under IHL.

Medical personnel at the Red Cross, Islamic Health Authority Centres, civil defence and hospitals are protected under Article 15. Thus, Israel’s targeting of medical professionals violates Article 15 while also causing secondary injury by impeding the care of injured civilians and combatants. These violations have a domino effect, blocking aid from reaching people most in need, delaying important life-saving procedures, and instilling dread in other healthcare personnel, making them hesitant to continue their job. The persistence of these attacks implies a systemic Israeli breach of medical neutrality, which could amount to war crimes given the purposeful and recurrent character of the violations.

On the other hand, Article 18 of the Fourth Geneva Convention provides immediate protection to civilian hospitals. These hospitals are safeguarded and deemed inviolable, unless they are used to conduct hostile acts against the enemy, in addition to their humanitarian functions. Even then, warnings must be issued before any action is taken.

Hospitals should never be attacked or threatened with violence, and they should always be properly labelled as medical facilities. As the data presented earlier shows, Israeli airstrikes have attacked Ghandour and Fakhri hospitals and damaged Ablah hospital throughout October 2024. Hospitals serve as safe havens in conflict zones, providing care to civilians and combatants who have ceased to participate in hostilities. Attacking such facilities constitutes a breach of the fundamental principles outlined in Article 18, which requires the complete security of civilian hospitals. The continuous attack on hospitals indicates an Israeli possible systematic targeting of hospitals while denying their protected status (Amnesty International, 2025, Human Right Watch, 2024).

Article 18 states that hospitals lose their protection if they are used for military reasons. However, it is evident that the hospitals targeted by the Israeli airstrikes were not used for such purposes. The attacks breach the principle of distinction, which requires warring parties to distinguish between military and civilian targets. Even if a hospital is near a military target,

indiscriminate strikes are prohibited under IHL. The claimed strikes on these facilities would not only violate the Geneva Conventions. Still, they would also have long-term humanitarian effects, such as the inability of civilians to receive care and the loss of essential infrastructure.

During an armed conflict, ambulances and other medical transportation are critical. Attacks on these units violate Articles 19, 21 –22 and Article 35 of the first Geneva convention, Articles 22 and 38-39 of the second Geneva convention, Article 18 of the fourth Geneva convention, Articles 12, 13 and 21-31 of the additional Protocol I, Article 11 of the additional Protocol II, and rules 28 and 29 of the customary international humanitarian law which require the respect and security of medical units like hospitals and other facilities dedicated solely to medical purposes must be respected and protected under all circumstances. Medical units cannot be attacked, and their access cannot be restricted. Additionally, the above articles grant respect and protection to any means of transportation assigned exclusively to the conveyance of the wounded and sick, medical personnel, and/or medical equipment or supplies, in the same manner as medical units. The attack on ambulances, especially when combined with specific threats⁶⁸ (October 12), is a serious infringement of IHL because these vehicles are clearly identified for medical purposes and are part of a humanitarian mission. The timing of the attacks that were initiated during patient transportation or evacuation attempts, and the planned nature of the threats, indicate a violation of the standards of proportionality and precaution. These principles compel combatants to avoid using disproportionate force that could endanger civilians or medical personnel, and to ensure that any military advantage gained is not offset by the damage done to civilian life and infrastructure. Targeting ambulances jeopardises both the present and future ability to care for the injured, a breach that contradicts the core principles of IHL.

Aside from breaching the conventions and Protocols, the attacks on the Red Cross, Islamic Health Authority Centres, civil defence, civilian hospitals, and ambulances violate Rules 25, 26, 28 and 29 of customary IHL. Furthermore, because they intentionally target individuals and facilities protected by IHL, these acts may be classified as “war crimes” under international law. In-depth analysis of these breaches demonstrates that beyond the immediate harm of killing or wounding medical personnel, these violations have long-term impacts. They inhibit the delivery of essential health services to civilian populations, cause disruptions in public health systems, and inflict psychological terror on communities reliant on these services.

Civil defence organisations are officially designated as protected organisations during armed conflict under the Geneva

Convention Protocol I (Article 62)⁶⁹. Civil defence workers are protected as long as they remain neutral and perform only humanitarian tasks such as rescue operations, firefighting, medical support, and relief efforts⁷⁰.

Article 62 - General protection⁷¹ dictates:

“1. Civilian civil defense organizations and their personnel shall be respected and protected, subject to the provisions of this Protocol, particularly the provisions of this Section. They shall be entitled to perform their civil defense tasks except in case of imperative military necessity.”

“2. Buildings and ‘ matériel ‘ used for civil defense purposes and shelters provided for the civilian population are covered by Article 52 . Objects used for civil defense purposes may not be destroyed or diverted from their proper use except by the Party to which they belong.”

Customary IHL Rule 31 states that civil defence personnel, equipment, and structures (such as civil defence facilities) should not be targeted. Attacking these individuals or facilities without a legitimate military objective violates this norm, particularly in situations where their activities focus on relief and rescue. Thus, based on the data, attacks on civil defence members and their centres in places like Tyre, Nabatiyeh, and Baraachit are apparent breaches of these provisions.

Under the Convention on the Safety of United Nations and Associated Personnel (1994), UN staff are entitled to protection from direct attacks in conflict zones. This extends to personnel involved in humanitarian relief, peacekeeping, and refugee assistance, such as UNHCR and UNIFIL workers. Furthermore, UN sites are frequently identified by distinctive signs or flags. Attacks on these places, such as the UNIFIL facility, are only lawful if they are directly involved in combat or military operations, which is usually forbidden. Thus, the murder of a UNHCR worker in Beqaa and the injury of 15 UNIFIL troops during an Israeli airstrike on their complex suggest a probable violation of the 1994 Convention, as such individuals are explicitly protected when engaged in non-combat tasks. Without proof of their engagement in hostilities, these attacks represent Israeli violations¹.

Conclusion

This report underscores grave violations of IHL principles and protections. Article 24 of the First Geneva Convention and Ad-

ditional Protocol I ensures the protection of medical personnel and humanitarian personnel, explicitly safeguarding individuals who provide care to the injured and sick without participating in hostilities, including both military and civilian staff. The documented assaults on medical personnel and paramedics from the Red Cross and Islamic Health Authority Centres, civil defence and health centres directly contravene this provision, violating the core principle of “medical neutrality” upheld by IHL. Not only do these attacks result in immediate harm, but they also obstruct life-saving care for civilians and combatants, instilling fear among medical personnel and creating long-term detriments to health care delivery in conflict zones.

Similarly, Article 18 of the Fourth Geneva Convention provides clear protection to civilian hospitals if they are not used for military purposes. Data presented earlier on the Israeli attacks on Ghandour, Fakih, and Ablah hospitals point to significant breaches of this article, with no evidence suggesting these facilities were used for hostile purposes. These actions disregard the principle of distinction, which obligates combatants to differentiate between civilian and military targets, leading to further disruption of essential health services and loss of civilian lives.

Moreover, attacks on medical transportation and ambulances violate Articles 35 of the First Geneva Convention, Articles 21-31 of Protocol I, Article 11 of Protocol II, which mandate respect and protection for medical vehicles. Strikes on ambulances, especially during patient transport, reveal violations of the principles of proportionality and precaution, as these actions unnecessarily endanger civilians and medical personnel while compromising immediate medical response capabilities.

Additionally, the attacks on civil defence and humanitarian personnel and facilities breach Articles 62 and 52 of the Geneva Convention Protocol I, which ensure protection for civil defence organisations engaged in purely humanitarian functions. Customary IHL Rule 31 further reinforces the protection of civil defence assets and personnel, yet the strikes on civil defence members in Tyre, Nabatiyeh, and Baraachit reflect serious violations of these norms. The targeting of UN staff and facilities contravenes the 1994 Convention on the Safety of United Nations and Associated Personnel, an agreement that explicitly prohibits attacks on UN personnel engaged in peacekeeping or humanitarian tasks.

These patterns of attacks not only breach established IHL norms but may also amount to war crimes under international law. The documented violations against medical, civil defence, and humanitarian personnel disrupt essential services, endanger civilian lives, and perpetuate a climate of fear that hinders

1 UNHCR. (2024, September 24). *UNHCR mourns killing of beloved staff member and contractor staff in Lebanon*. <https://www.unhcr.org/lb/news/unhcr-mourns-killing-beloved-staff-member-and-contractor-staff-lebano>

the operation of humanitarian efforts. Considering this evidence, there is a pressing need for accountability and adherence to IHL standards to ensure the protection of civilians and humanitarian actors in conflict zones, as well as to ensure that no entity is granted immunity from adherence to universal frameworks. Moreover, it is crucial to emphasise the need for the Government of Lebanon to take actionable steps to prevent similar violations in both current and future conflicts, ensuring that effective measures are put in place to safeguard humanitarian efforts and uphold international law and that accountability is granted.

Recommendations:

- The Government of Lebanon should utilise its Universal Jurisdiction on Foreigners in National Courts by instructing the Minister of Justice to request the Prosecutor General at the cassation court to initiate a public action before the regular judiciary. This action aims to hold Israel accountable for its violations.
- The Government of Lebanon should move forward with acceding to the Rome Statute of the International Criminal Court (ICC). Alternatively, you may proceed with a declaration under Article 12(3) of the ICC without parliamentary ratification. This would enable Lebanon to bring a case related to the Israel Defense Forces' (IDF) potential war crimes, specifically in relation to the targeting of civilian infrastructure and humanitarian workers.
- The government of Lebanon should make use of Article 8 of The Convention on the Prevention and Punishment of the Crime of Genocide, which allows any contracting party to request that the appropriate UN bodies take measures, in accordance with the UN Charter, to prevent and suppress acts of genocide.
- The United Nations Security Council should establish an international investigation mechanism to thoroughly examine Israel's systematic targeting of humanitarian and medical workers in Lebanon. This investigation should focus on documenting evidence of violations of International Humanitarian Law (IHL) and ensure accountability for those responsible.
- State institutions, as well as national and international non-governmental organisations, must intensify advocacy efforts to ensure full adherence to IHL, emphasising the protection of medical teams, ambulances, hospitals, medical facilities, and humanitarian workers in Lebanon. This should include the creation of public awareness campaigns, as well

as targeted diplomatic and legal advocacy at the international level, particularly within the UN system, to pressure Israel to comply with its obligations under IHL.

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Submitted 20th of May 2025
Accepted 24th of Sep. 2025

A conference to raise awareness on torture and the Istanbul Protocol

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Abstract

Introduction: The “Aspects of Trauma and Torture” conference, a collaborative effort between the Public Committee Against Torture in Israel and Physicians for Human Rights Israel, aimed to elevate awareness and deepen comprehension of torture and its multifaceted psychological, social, and legal ramifications. Centred around the launch of the Hebrew translation of the updated Istanbul Protocol, the conference addressed the diverse populations in Israel vulnerable to torture, including Israeli citizens, African asylum seekers, and Palestinian detainees. *Method:* Utilising a series of interdisciplinary lectures and interactive sessions, participants explored the profound implications of trauma and torture on individuals and communities, with a particular emphasis on the critical role of mental health, medical, and legal professionals in prevention and advocacy. This study investigated how participation in a conference focusing on trauma and torture influences attendees’ levels of awareness and motivation to engage in actions against torture. Forty attendees completed an online questionnaire that incorporated both open-ended and closed questions regarding the conference’s impact. *Results:* The findings revealed significant increases in attendees’ familiarity with the subject matter, a strengthened sense of professional collegiality, and an enhanced commitment to combating torture. Notable variations were observed between physical and virtual participants, as well as between those with an active role at the conference and passive attendees, and between individuals in psychosocial professions and those in other disciplines. *Discussion:* The findings highlight the pivotal role of conferences as catalysts for human rights education and advocacy, while also identifying areas for improvement in accessibility and engagement within hybrid formats. These insights contribute to the broader discourse on effective strategies for addressing torture and fostering systemic change. Furthermore, the article proffers recommendations for future conferences.

Keywords: torture, awareness, human rights education, Israel, Istanbul Protocol, descriptive research

Introduction

Globally, numerous individuals are subjected to torture or cruel, inhuman, and degrading treatment at the hands of state actors or non-state armed groups. Scholarly research has consistently demonstrated that torture inflicts enduring trauma and profound psychological sequelae on victims. The maltreatment of protestors and detainees, particularly Palestinian individuals

residing under Israeli occupation, is reportedly pervasive in Israel and has been characterised as systematic, reflecting both practice and policy. Notably, despite filing over 1400 legal complaints against Israeli authorities, only two criminal investigations were initiated, and no indictments were issued (Kotef & Amir, 2025).

A principal factor contributing to the perpetuation of impunity for torture in Israel is the paucity of evidentiary material,

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

which impedes prosecutorial proceedings and judicial determinations of guilt. This deficiency of evidence can be attributed, in part, to a deficit of knowledge regarding the systematic documentation of torture among medical and legal practitioners. Comprehensive knowledge and objective data regarding the prevalence of torture are constrained, given that such acts are often concealed and denied by state authorities. The Istanbul Protocol, the United Nations manual outlining procedures for the effective investigation and documentation of torture and other cruel, inhuman, or degrading treatment or punishment (UN Office, 2022), has been employed and disseminated within Israel for many years, albeit among a relatively circumscribed cohort of committed professionals (Mukamel, 2016; Senesh, 2019; Weishut, Rokach, et al., 2024; Weishut, Steiner-Birman, et al., 2023). The Istanbul Protocol comprises guidelines for interviewing and examining individuals who allege torture, documenting complaints, and implementing legal and sociological strategies for the eradication of torture. In this region, the aforementioned protocol serves to document allegations of torture across diverse populations, including Palestinians who have experienced ill-treatment at the hands of either Israeli or Palestinian authorities, asylum seekers from various countries who have endured ill-treatment in their countries of origin or during transit to Israel, and victims of Israeli police violence.

The salience of torture as a critical issue within Israeli and Palestinian societies was amplified following the events of October 7, 2023. This period witnessed the emergence of a new cohort of potential torture victims, namely Israeli individuals affected by the Hamas attacks, including those subsequently released from captivity (Edwards, 2024; United Nations Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, 2024). Concurrently, there has been a reported exponential increase in the prevalence and severity of torture allegations concerning Palestinian detainees in Israel (United Nations Office of the High Commissioner for Human Rights, 2024). Consequently, at a time when allegations of torture have reached unprecedented gravity, the Istanbul Protocol has assumed heightened relevance and urgency. Furthermore, the prevailing political climate has become increasingly challenging for human rights advocacy, particularly in cases where such advocacy diverges from governmental policies or the objectives of the state's security apparatus. Non-governmental organisations (NGOs) face considerable obstacles in sustaining their initiatives, and activists are subjected to marginalisation and aggression. As a result, there exist limited fora in which discourse on issues such as torture can occur.

Although considerable reports document instances of violence and torture perpetrated against Palestinian detainees

from the West Bank and “unlawful combatants” from Gaza, direct access to these individuals remains severely restricted. Legal counsel visits within penal institutions are infrequent, and post-release examinations are often unattainable, particularly for those returning to Gaza (B'tselem, 2024). Consequently, the prevention and eradication of torture constitute enduring and critical challenges within the global human rights discourse. Notwithstanding extant international legal frameworks, the practice of torture persists globally, necessitating the development and implementation of robust strategies for both awareness and prevention. Scholarly conferences are indispensable in disseminating knowledge (Paul Vincent & Donald, 2024) and can significantly facilitate collaborative efforts and dialogic exchange among policymakers, subject matter experts, and civil society organisations. Furthermore, the strategic employment of science communication can substantially contribute to public awareness regarding societal challenges (cf. Hindle et al., 2024).

Notwithstanding the explicit prohibition of torture and ill-treatment stipulated in international conventions, discrepancies between normative frameworks and practical implementation persist, wherein professionals may deviate from established ethical standards. Empirical evidence from a survey indicates that over one-third of medical students in Mauritius expressed support for corporal punishment during custody. This same study further revealed a pronounced interest in acquiring knowledge concerning the role of medical professionals in addressing the needs of torture victims (Agnihotri et al., 2007). The issue of complicity of medical and mental health professionals in acts of torture, as well as their dereliction of duty in documenting, reporting, and treating victims of torture, has been documented across diverse settings and nations (Miles, 2020; Siddiqui et al., 2013), including Israel (Physicians for Human Rights - Israel, 2025; Ziv, 1999). Recent observations suggest a significant hardening of attitudes among physicians toward Palestinian detainees, particularly those from Gaza, following the events of October 7th. This attitudinal shift is manifested in a reluctance to provide medical treatment and to document potential evidence of torture or violence experienced by detainees (Dyer, 2024).

Scholarly conferences focused on torture possess the potential to substantially influence participants' comprehension of torture and its deleterious human consequences. Empirical investigations suggest that public attitudes and awareness are pivotal determinants in driving societal shifts conducive to torture prevention. Furthermore, exposure to scholarly discourse elucidating the inefficacy of torture and its contravention of fundamental human rights principles has been shown to mark-

edly diminish public endorsement of its deployment (Kearns & Young, 2018). An exhaustive cross-national study demonstrated that, specifically within contexts of armed conflict, cognizance of the Geneva Conventions significantly attenuated support for the maltreatment of prisoners of war and, to a lesser extent, decreased support for targeting civilian populations (Wallace, 2019).

Conferences foster capacity building by creating structured training programs and facilitating professional networking opportunities for individuals engaged in the field. This exchange of expert knowledge can augment skills related to monitoring and reporting instances of torture. Moreover, conferences have the potential to function as catalysts for policy reform. Research conducted by McEntee et al. (2016) indicated that international conferences addressing human rights concerns, including the prevention of torture, correlate with demonstrable augmentation in state adherence to established international norms.

While the theoretical advantages of conferences in advancing knowledge concerning torture are apparent, further empirical inquiry is necessary to quantify their specific impact. The authors of this study, having been involved in organising the conference, sought to evaluate its effects. Consequently, this research endeavours to address a lacuna within existing scholarly literature by examining the extent to which participation in a conference focusing on trauma and torture influences attendees' familiarity with, and propensity to act upon, this issue. This endeavour aims to generate valuable insights into human rights education and public awareness campaigns. The central hypothesis posited that participation in such a conference would significantly enhance awareness and action regarding these critical issues.

The conference

The conference entitled "Aspects of Trauma and Torture" was convened through a collaborative effort between the Public Committee Against Torture in Israel and Physicians for Human Rights Israel. Its central focus encompassed torture, cruel, inhuman, or degrading treatment, and their associated sequelae. This conference coincided with the launch of the Hebrew translation of the updated Istanbul Protocol, which serves as the internationally recognised guide for documenting torture. Given the Istanbul Protocol's substantial reliance on interdisciplinary collaboration among physicians, mental health professionals, and legal practitioners (Weishut, Rokach, et al., 2024; Weishut, Steiner-Birmanns, et al., 2023), the conference was designed for professionals within these domains. The conference aimed to galvanise the medical and legal communities toward

adopting the Istanbul Protocol within their professional practices and areas of expertise and facilitate its acceptance as a legally admissible evidentiary tool.

The event was conducted in Tel Aviv and online in December 2024. It materialised amidst the ongoing armed conflict between Israel and its neighbouring states, a situation that persists at the time of this writing. The conference employed a hybrid format, a model widely regarded as the future trajectory of scientific conferences (Valenti et al., 2021). A third party financed the conference, enabling the option to waive participation fees, which aligns with established recommendations for enhancing inclusivity for socioeconomically disadvantaged individuals and those who lack the capacity for in-person attendance (Paul Vincent & Donald, 2024). Invitations to the conference were disseminated through newsletters of human rights organisations, social media platforms, and via a snowball sampling technique among staff and volunteers.

The conference encompassed a diverse array of topics about human rights, trauma, and ethical considerations, with a particular emphasis on the operational application of the Istanbul Protocol. It aimed to illuminate various facets of the subject matter while addressing the distinct vulnerabilities of diverse populations affected by torture, namely Israeli citizens, African asylum seekers, and Palestinian individuals. The exclusion of discussions concerning acts of torture and inhuman treatment within Gaza was necessitated by the lack of Israeli professional access to verifiable data. The conference was primarily directed toward medical, mental health, and legal professionals, while remaining accessible to the public with an interest in the subject.

Most lectures were delivered in person, supplemented by a limited number of virtual presentations. The organisers were acutely aware of the inherent challenges individuals might face in participating in a conference focused on torture. Indeed, numerous prospective attendees were apprehensive and reluctant to engage with the subject. Recognising the emotionally charged nature of the conference, a dedicated mental health professional was assigned to support participants as needed.

A total of 117 individuals participated, with 72 attending in person and 45 participating virtually. The participants represented a diverse range of professional backgrounds, with the majority identifying as social workers, psychologists, physicians, or lawyers. The conference commenced with an overview of the legal landscape surrounding torture in Israel and the general utilisation of the Istanbul Protocol. It concluded with a panel discussion focusing on the situation since October 7th. In the interim, 16 concise lectures were presented, distributed across four parallel sessions. The presenters represented a broad

spectrum of institutions, including academic universities, medical centres, non-governmental organisations (NGOs) dedicated to human rights and refugee advocacy, legal advocacy groups, and therapeutic clinics specialising in treating torture survivors. The main subjects were as follows:

Torture Survivors and Refugees: A salient theme of the conference centred on the lived experiences of torture survivors, with particular emphasis on asylum seekers in Israel originating from Eritrea and Sudan. Presentations addressed therapeutic modalities for working with these survivors of torture across African regions and the Sinai Peninsula, focusing on trauma recovery, the imperative of culturally sensitive care, and the distinct mental health needs of refugees subjected to collective violence. Concurrently, the deleterious conditions of the detention of Palestinian individuals within Israel and their subsequent ramifications were examined. A critical point of discourse revolved around the imperative of providing accessible services for survivors of torture.

Psychological Evaluations: Several presentations were dedicated to exploring the application of the Istanbul Protocol in documenting and assessing the physiological and psychological sequelae of torture, primarily concerning Palestinian survivors, including both adult and paediatric populations. Subject matter experts underscored the significance of interdisciplinary collaboration between medical and mental health professionals to ensure comprehensive care and rigorous legal documentation. The role of professionals in utilising the protocol to substantiate victims' claims and facilitate their recovery was highlighted. Further presentations addressed the phenomena of moral injury and secondary trauma experienced by those witnessing or involved in the care of torture survivors. Additionally, the long-term societal impacts of exposure to torture, including the intergenerational transmission of trauma and the implications of sexual torture, were discussed.

Legal and ethical issues in torture: Multiple presentations scrutinised the legal frameworks governing torture and human rights violations, with a specific focus on the principle of non-refoulement, which prohibits the return of refugees to countries where they face the risk of torture. Legal scholars discussed the challenges encountered by medical professionals and human rights defenders in confronting these violations, particularly concerning LGBTQ+ asylum seekers. Additionally, discussions encompassed specific scenarios of torture, such as the medical management of Palestinian detainees and the ethical considerations surrounding force-feeding during hunger strikes. These presentations further addressed the broader ethical dilemmas medical professionals and human rights advocates confront in such contexts.

Work with families of Israeli hostages: Another focal point was the psychological distress experienced by families and communities of Israeli hostages. Presentations concentrated on group psychotherapy interventions for individuals secondarily and tertiary affected, addressing the ramifications of ambiguous loss and delineating therapeutic models for supporting those impacted by abductions and terrorism. The necessity of family therapy in facilitating reunification with relatives returning from abduction or terrorism was also examined, with a focus on ameliorating relational strain stemming from prolonged trauma, including physical and psychological torture during captivity.

Human rights education in medicine: A proposal was advanced to integrate human rights education into medical curricula, underscoring the pivotal role of healthcare professionals in addressing the needs of patients who have experienced torture. This discourse encompassed the application of the Istanbul Protocol in training medical students and practising professionals."

Method

Participants

Participants in this study were all attendees of the conference "Aspects of Trauma and Torture," who were invited to participate voluntarily by completing a feedback questionnaire. The sole inclusion criterion was attendance at the conference. A total of 40 attendees (34% of the conference participants) completed the survey, comprising 29 physical and 11 online attendees. The participants represented a diverse demographic, with birth years ranging from 1943 to 2009 ($M = 1970$) and professions spanning medical (15%), psychosocial (52.5%), legal (12.5%), and other fields (10%). Among the respondents, 72.5% identified as women, 20% as men, and 7.5% as other or were unidentified. Although we do not have exact information on conference participants beyond those who completed the survey, on the face of it, these demographics appear to be in line with those of the overall attendance, with a majority of middle-aged women in psychosocial professions.

Instrument

A questionnaire was designed to assess the impact of the conference on trauma and torture on attendees' knowledge and awareness. The survey began with an introductory statement explaining its purpose and assuring participants of their right to voluntary participation, anonymity, and data confidentiality. The questionnaire used a Likert scale to measure participants' interest in and familiarity with the topic of torture before and af-

ter the conference. It also included questions about their professional background, level of involvement in the conference, and perceived professional benefits gained. Additionally, the survey gauged the conference's impact on participants' willingness to act against torture and any changes in their perception of torture. Open-ended questions invited participants to share both positive and negative experiences, as well as any additional comments. The final item asked about their interest in receiving updates on training related to the Istanbul Protocol.

Procedure

Participants received an email invitation to complete an online questionnaire (Google form) about the conference. The invitation included a link to the questionnaire, which was sent out within a couple of days after the conference and could be completed anonymously. To increase the response rate, we sent a reminder a week later. Quantitative data were analysed using descriptive statistics and inferential tests, as appropriate, to examine group differences and associations between variables employing SPSS software (version 29.01.1). We analysed the responses to the open questions by identifying recurrent themes.

Transparency and openness

This study adhered to ethical research standards advocated by the American Psychological Association. It received prior approval from the Review Board (IRB) of the Department of Psychology and the School of Social Work at the Jerusalem Multidisciplinary College (formerly Hadassah Academic College), ensuring compliance with ethical guidelines for research involving human participants. Responses were stored securely in the institute's cloud, accessible only to the research team. The questionnaire design, data collection process, and statistical analysis methods have been detailed to maintain transparency. Data, materials, and analysis code can be made available to interested researchers upon reasonable request.

Results

The "Aspects of Trauma & Torture Conference" survey results offer valuable insights into participant experiences and the event's impact. Ratings were collected on Likert scales ranging from 1 (not at all) to 7 (very much) across several conference outputs. When asked about the personal meaningfulness of the conference for the participants, the mean score was 6.21. An independent samples t-test revealed that the mean score was notably higher for psychosocial professionals ($M = 6.63$, $SD = 0.68$) compared to others ($M = 5.92$, $SD = 1.19$), $t(30) = 2.142$, $p < 0.05$, with a medium effect size (Cohen's $d = 0.77$). The perceived personal significance of the conference was also signifi-

cantly higher among staff and presenters ($t(34) = 2.204$, $p < 0.05$) than among others, with a mean difference of 0.88.

On the question of the extent to which the conference strengthened a feeling of togetherness, the mean score was 5.69. An independent samples t-test revealed a significant difference in perceived togetherness between groups ($t(34) = 3.072$, $p < 0.005$), with staff and presenters scoring higher ($M = 6.75$, $SD = 0.45$) than other participants ($M = 5.08$, $SD = 1.84$). Participants rated the professional insights gained at a mean score of 4.86. When asked if the conference strengthened the desire to take action against torture, the mean was 5.90. No significant group differences were found for these variables. No statistical difference was found between the genders on any of the variables pertaining to the conference's output.

Attendees reported a statistically significant increase in their familiarity with torture following the conference ($p < 0.001$). Pre-conference familiarity averaged 5.18 ($SD = 1.69$), which increased to 5.88 ($SD = 1.28$) post-conference. Analysis revealed significant correlations between participants' prior interest in the topic and various outcomes. Specifically, pre-conference interest was positively correlated with pre-conference familiarity ($r = 0.811$, $p < 0.001$) and post-conference familiarity ($r = 0.519$, $p < 0.001$). Post-conference familiarity with torture (but not pre-conference interest or familiarity) linked to perceived professional gain ($r = 0.470$, $p < 0.005$), a strengthened willingness to act against torture ($r = 0.567$, $p < 0.001$), and the experienced significance of the conference ($r = 0.649$, $p < 0.001$).

A comparison between participants who attended physically and via Zoom revealed divergence regarding the feeling of togetherness. An independent samples t-test revealed a significant difference in perceived togetherness between groups ($t(34) = 3.580$, $p = 0.001$), with participants attending in person reporting significantly higher scores ($M = 6.15$, $SD = 1.20$) compared to virtual participants ($M = 4.11$, $SD = 2.15$). The effect size was large ($d = 1.38$, 95% CI [0.54, 2.19]), indicating a meaningful practical difference. The difference between the two modes of attendance in perception of the personal meaning of the conference was not statistically significant ($t(34) = 1.850$, $p = 0.073$); mean scores, though, suggested a trend, with physical attendees scoring higher ($M = 6.37$, $SD = 0.88$) than virtual participants ($M = 5.56$, $SD = 1.74$). The effect size was moderate, suggesting that while the difference is not statistically significant, it may hold practical relevance. For other variables, including familiarity with torture after the conference, perceived professional input from the conference, and strengthening the wish to act against torture, no statistically significant differences were observed between physical and virtual participants.

Qualitative data from open-ended questions revealed that participants identified the professional organisational structure, the diverse range of intellectually stimulating topics, and the collaborative milieu as key strengths of the conference. Conversely, a few respondents raised concerns about the underrepresentation of Palestinian speakers. Furthermore, technical impediments, including audio disruptions and restricted access to Zoom sessions, were noted as potential areas for enhancement. Participants expressed a preference for extended and more comprehensive sessions, as well as the provision of recorded materials to broaden accessibility. Ten respondents expressed an interest in undertaking further training on the documentation of torture.

Discussion

This study elucidates the substantial impact of the “Aspects of Trauma and Torture” conference on enhancing participants’ comprehension and cognisance of the intricate issues relevant to torture and trauma. The empirical findings demonstrate significant advancements across multiple dimensions, observed in both physical and virtual attendees, affirming the instrumental value of such events in fostering professional development and human rights advocacy. Furthermore, the conference catalysed participation in a subsequent training initiative focused on the Istanbul Protocol. These findings are consistent with existing scholarly research on the role of conferences in shaping attitudes and behaviours related to human rights (Kearns & Young, 2018; McEntire et al., 2015).

Participants reported an increase in their familiarity with the topic of torture post-conference. This perceived enhancement in familiarity suggests that the content effectively addressed knowledge deficits, equipping attendees with practical tools and a deeper understanding of the subject’s theoretical and applied dimensions. The positive correlation observed between pre-conference interest in torture and post-conference familiarity with this subject suggests that prior engagement with the topic may predispose individuals to assimilate and utilise novel information more effectively. While this underscores the significance of targeted outreach to highly motivated individuals, it presents a contrast to the broader objective of disseminating awareness of torture and the Istanbul Protocol to a wider audience.

The conference exhibited particular efficacy for psychosocial professionals, who rated its meaningfulness as markedly higher than that of attendees from other professional backgrounds. The elevated importance experienced by psychosocial professionals may reflect the immediate applicability of the content to their professional practice, particularly in contexts characterised by

trauma care and ethical dilemmas. Analogously, presenters and staff assigned more favourable ratings to the conference than other attendees, likely attributable to their greater involvement in the event and engrossment in the subject matter.

The sense of togetherness reported by attendees highlights the conference’s success in fostering community and collaboration. A discernible divergence was observed in the modalities of attendance; physical participants received ample opportunities for interpersonal interaction with like-minded professionals, whereas virtual participants were primarily confined to passive auditory engagement with the speakers. Consequently, it was unsurprising that physical participants reported significantly higher levels of perceived connectedness than their virtual counterparts, thus underscoring the critical importance of in-person interaction in cultivating professional networks and a shared sense of purpose. In retrospect, insufficient measures were taken to engage virtual participants and facilitate adequate networking opportunities. This limitation in facilitating virtual interaction is a recognised challenge inherent in hybrid conference formats (Paul Vincent & Donald, 2024), and enhanced engagement strategies for virtual attendees must be implemented in future iterations.

Participants offered positive evaluations of the conference’s significance and the professional insights gained, thereby reflecting its efficacy in addressing multidisciplinary needs spanning medical, psychosocial, and legal domains. The reported strengthening of attendees’ motivation to act against torture further elucidates the event’s role in translating knowledge into action, an indispensable component of human rights advocacy.

Analysis of open-ended responses identified key areas for improvement. Technical difficulties, specifically audio disruptions and constrained access to online sessions, emerged as a recurrent theme in participant feedback. These challenges likely contributed to the observed disparities in perceived impact between physical and virtual attendees. Mitigation of these barriers is imperative to ensuring equitable access and engagement across all participation formats. The articulated desire for extended sessions and recorded materials indicated a high valuation of the content’s depth and scope. Integration of these elements into future conferences has the potential to amplify their educational impact and broaden their reach beyond the immediate event.

Despite an open call for abstract submissions and targeted outreach to relevant professionals, the response from Palestinian professionals in the field was notably limited. Conference organisers identified several potential factors contributing to this underrepresentation. The impact of political pressure and fear of repercussions for voicing concerns on such sensitive matters is acknowledged, particularly considering the polari-

sation and often volatile discourse in Israel following October 7th (Adalah, 2023). Moreover, the distribution of the call for abstracts in Hebrew and the Tel Aviv-based venue location may have served as deterrents, resulting in an imbalance in participation. This apparent imbalance, favouring Jewish Israeli participants and presenters, may also be attributed to the conference's primary purpose of launching the Hebrew translation of the Istanbul Protocol. This underrepresentation was perceived as a missed opportunity to comprehensively address the issue, given the disproportionate impact of torture on Palestinians, especially within the context of Israeli practices. Prior experiences corroborate the observation that the participation of Palestinians in professional conferences organised by Israeli entities, even on less sensitive topics, remains a persistent concern.

This investigation underscores the pivotal role of conferences on trauma and torture in enhancing awareness and fostering collaboration across diverse professional and geographical boundaries. The congruence of these findings with global reports on the continued prevalence of torture, as disseminated by the United Nations and other international human rights organisations, emphasises the broader relevance of these issues. International frameworks like the Istanbul Protocol, designed for global implementation, facilitate a standardised approach to documenting and addressing torture. The multidisciplinary paradigm is essential in ensuring that the pursuit of torture eradication transcends regional or conflict-specific boundaries and becomes an integral part of a shared, global human rights agenda.

As evidenced by the contrasting experiences of virtual and physical attendees, hybrid conference models offer a potential bridge for international knowledge exchange and societal transformation. While in-person engagement fosters a stronger sense of community and professional rapport, virtual participation enables the inclusion of perspectives from regions where geopolitical, financial, or logistical constraints may preclude physical attendance. Future initiatives should incorporate longitudinal assessments to gauge the enduring effects on knowledge retention and professional practices. Moreover, expanding outreach to underrepresented populations and enhancing virtual participant engagement will further augment the inclusivity and efficacy of such events.

Furthermore, the limited representation of Palestinian voices raises a critical consideration for future gatherings addressing torture and other sensitive topics in varied geographical settings. Given that political pressures and security concerns may impede participation, conferences must prioritise the inclusion of marginalised and conflict-affected populations to ensure a comprehensive and holistic approach to mitigating the global impact of torture.

Limitations

While this study supplies valuable insights into the impact of the "Aspects of Trauma & Torture Conference," several limitations should be acknowledged to contextualise the findings. The survey response rate was 34%, with 40 participants out of 117 attendees completing the questionnaire. This relatively small sample size may limit the generalizability of the findings. Additionally, certain subgroups, such as virtual participants, had lower representation in the survey, which may have skewed the comparative analysis. While the study explored differences between physical and virtual attendees, it did not account for potential confounding factors, such as technological challenges faced by virtual participants or pre-existing preferences for in-person versus online learning. These factors may have influenced the observed disparities in engagement and perceived impact.

The survey was voluntary, which may have introduced self-selection bias. Respondents may have been more engaged or satisfied with the conference than non-respondents, potentially leading to an overestimation of the conference's positive impact. The study measured immediate post-conference changes in knowledge and awareness but did not assess long-term retention or behavioural outcomes. It remains unclear whether the reported gains in familiarity and willingness to act will translate into sustained engagement or actionable change over time. Furthermore, for various reasons, we opted for questions referring to changes perceived by the participants, not actual changes in knowledge or behaviour.

While the questionnaire was comprehensive, it relied on self-reported data, which is subject to social desirability and recall biases. Although open-ended responses provided qualitative insights, the study could benefit from triangulation with additional data sources, such as questions about acquired knowledge or follow-up interviews, to deepen the understanding of participants' experiences and their motivations for learning about torture and the Istanbul Protocol.

Moreover, the conference was held in Israel and primarily addressed issues relevant to local and regional populations. While some findings may have broader applicability, cultural and contextual factors should be considered when extrapolating results to other settings.

Conclusion

The present study substantiates that scholarly and professional convenings addressing trauma and torture manifest discernible short-term positive effects on participants' acquisition of knowledge, heightened awareness, and enhanced motivation for action, while concurrently cultivating a sense of community among on-site attendees. This conference functioned as a declar-

atory statement within the academic sphere, both in Israel and internationally, concerning the pervasiveness of torture and the imperative to address it across academic, pragmatic, and systemic dimensions. Notwithstanding logistical impediments and variations inherent in participation formats, the positive feedback received corroborates the event's efficacy in advancing human rights education and advocacy. The implementation of strategies to optimise virtual engagement and accessibility will enhance the conference's impact and inclusivity, thereby ensuring the efficacy of future events across diverse attendance modalities. Furthermore, the longitudinal influence of such conferences on the broader policy framework warrants assessment, particularly within the Israeli-Palestinian context, to rigorously examine the hypothesis that sustained professional education can contribute to translating international human rights standards into actionable national policies and ultimately foster enhanced accountability for acts of torture and ill-treatment perpetrated during periods of conflict. Given the enduring prominence of torture as a critical issue on the global human rights agenda, the potential role of academic conferences as agents of systemic transformation should not be underestimated. Through continuous professional education, the enhancement of cross-border collaborative initiatives, and the expansion of inclusivity, conferences can play a pivotal role in shaping the international discourse on torture, elevating its status from a regional concern to a pressing global imperative. Future research endeavours should meticulously examine the long-term impact of these educational interventions on policy and practice, particularly within conflict zones where the relevance of the Istanbul Protocol and other human rights frameworks is most exigent.

Based on participant feedback and the experiential insights gleaned from organising the "Aspects of Trauma and Torture" conference, we propose a series of recommendations to ensure that such events are meaningful, inclusive, and safe. Firstly, concerted efforts should be directed towards enhancing the inclusion of marginalised voices, with specific emphasis on those emanating from communities disproportionately affected by torture. One can achieve this by deploying multilingual calls for participation, judiciously selecting the venue, and offering flexible presentation formats. Secondly, to optimise engagement for virtual attendees, future conferences should incorporate structured opportunities for interaction, such as moderated discussion forums or virtual networking platforms. Recorded materials, transcripts, and registration fee waivers for under-resourced participants may enhance accessibility. Thirdly, recognising the emotionally charged nature of conferences focusing on torture, trauma-informed practices, including content warnings and optional emotion-

al support services, should be integrated into the program to safeguard participant well-being. Lastly, to foster sustained impact, conferences should offer pathways for ongoing professional development.

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Submitted 27th of Feb. 2025

Accepted 24th of May 2025

Between trauma and conflict: Torture survivors in Israel during the war

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Abstract

Introduction: October 7, 2023, has intensified the vulnerability of torture survivors among asylum seekers in Israel, mainly from Eritrea, Sudan, Ethiopia, and Ukraine, who remain without legal recognition or access to essential services. *Materials and Methods:* This study integrates quantitative surveys on poverty and food insecurity, qualitative interviews, and policy analysis, based on data from ASSAF and partner organisations. *Results:* At least 4,000 documented asylum seekers who are torture survivors live in Israel experiencing food insecurity at severe levels. The war triggered PTSD, depression, and anxiety, while survivors were excluded from governmental emergency aid and mental health programs. Proposed legislation threatens to further erode rights. *Discussion:* War-related trauma, combined with structural exclusion, has deepened humanitarian crises. Urgent policy reforms are necessary to secure recognition, access to services, and trauma-informed rehabilitation in accordance with international obligations.

Keywords. Refugees, torture, Israel, war, human rights, asylum seekers

Introduction

The terrorist attacks of October 7th, 2023, followed by large-scale military operations, have resulted in significant civilian casualties and displacement in both Israel and Gaza. Among the most vulnerable are asylum seekers, many of whom are survivors of torture¹. These individuals, primarily from Eritrea, Sudan, Ethiopia, and Ukraine, have lived in Israel for nearly two decades, often without official legal status. Although protected under the principle of non-refoulement, their lack of formal recognition excludes them from national insurance, healthcare, and welfare systems, exacerbating the impacts of past traumas. This article examines their current circumstances, systemic challenges, and recent political threats to their already precarious existence.

1 From roughly 2010–2014 (with cases before/after), Eritrean and Sudanese refugees were kidnapped or handed over to traffickers while moving through eastern Sudan and the Sinai. They were held—often by Bedouin trafficking networks—in makeshift sites where they were tortured (beatings, burning, electric shocks, sexual violence) to extort ransoms from relatives abroad. Multiple investigators documented this pattern with survivor interviews and corroborating evidence (HRW, 2014)

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

Asylum seekers in Israel: A legal and humanitarian overview

According to the last official data available, approximately 73,000 asylum seekers² reside in Israel as of 2024 (Government of Israel, 2024), many of whom are survivors of torture and human trafficking, both in their countries of origin, en route, and in the Sinai Peninsula torture camps.

However, Israel has reviewed the asylum requests and granted refugee status to only 0.5% individuals, despite the likelihood that most would qualify under international refugee definitions (Amnesty International, 2018).

The Israeli asylum system imposes significant bureaucratic barriers and has a longstanding policy of neglecting the review of asylum applications. While we use the term ‘asylum seeker’ or ‘refugee’ in this article for convenience, we wish to underscore that the majority of asylum seekers from Sudan, Eritrea

2 24,000 Eritreans (including approximately 8,000 children, most of whom were born in Israel), 23,000 Ukrainians, 7,000 Sudanese, 8,000 Ethiopians, and 400 Congolese. Those are the groups in Israel under group protection.

and Ethiopia in Israel are refugees, despite not being recognised as such.

First, the interpretation of the Convention Relating to the Status of Refugees (UNHCR, 2019) holds that a person becomes a refugee when they are forced to flee their country under circumstances that fall under the definitions of the Convention, regardless of whether they are recognised as such by the host country. More so, while all asylum seekers from Eritrea, Sudan and Ukraine are protected by non-refoulement, Israel has recognised only 21 as refugees, with the remaining asylum applications still not reviewed.

Moreover, Israeli refugee policies create bureaucratic and substantive barriers for asylum seekers, ranging from difficulties in submitting asylum applications to an almost absolute refusal to recognise Eritrean Army deserters as political refugees. In comparison to other Western countries' refugee mechanisms, it is probable that the majority of asylum seekers in Israel would have been recognised as refugees, had Israel reviewed their asylum applications.

Methodology

This article is based on a literature review, data and field experience gathered by ASSAF – Aid Organization for Refugees and Asylum Seekers in Israel, the Refugee Organizational Forum, and other human rights organisations working with refugees and asylum seekers. The analysis draws from institutional data, civil society reports, and continuous case management record. Due to government restrictions on refugee recognition and documentation, a comprehensive registry of torture survivors does not exist; consequently, the findings reflect only the cases documented by ASSAF and its partner organisations. The study is constrained by the absence of systematic data collection resulting from government restrictions on refugee recognition and documentation. The lack of longitudinal data restricts the ability to evaluate long-term trauma recovery. Future research employing formal sampling methods, broader geographic coverage, and repeated follow-ups would yield a more comprehensive understanding.

The war's impact on torture survivors

Refugee and human rights organisations in Israel estimate that at least 4,000 survivors of torture and trafficking camps in the Sinai Peninsula live in Israel today, representing about 10% of a far larger population of torture victims who lack recognition (PHR-I, 2017). Thousands more Eritrean, Sudanese, Ethiopian, and Ukrainian victims of trafficking, rape, and severe physical and psychological abuse continue to endure the aftermath of

extreme trauma without documentation, support, or recognition (Hotline & ASSAF, 2023; Amnesty International, 2020).

Clinical data from Israel show high PTSD rates among asylum seekers, particularly those from Eritrea and Sudan. In one retrospective clinical study, 76.7% of patients reported experiencing at least one traumatic event—most commonly during their journey through the Sinai Peninsula—and 56.5% were diagnosed with PTSD (Youngmann et al., 2021). Another study found significant variation by time since arrival: PTSD prevalence was 3.4% among those seeking help within the first six months after arrival but rose to 40.5% among those who sought care after 18 months or more (Siman-Tov et al., 2019). These rates far exceed those in the general population and highlight the urgent need for trauma-informed care and protection policies for refugees and asylum seekers in Israel.

The exact number of survivors is unknown, due to the Israeli government's longstanding policy of not examining asylum claims or maintaining systematic records of those who entered the country seeking refuge. This intentional lack of documentation has erased countless stories from official awareness and denied survivors access to even the most basic protections (ASSAF, 2024, Amnesty International, 2017).

The war has deepened the already dire humanitarian crisis for torture survivors in Israel. Long before the war, torture survivors in Israel were living in extreme poverty and food insecurity, battling PTSD, depression, and anxiety. These conditions make daily life nearly unbearable, and without systemic support, it is almost impossible to live beyond the basic means to meet one's ends (ASSAF, 2024). The eruption of war only added to these struggles. Sirens, explosions, and scenes of abduction have retraumatized many, triggering painful memories of the horrors they fled. In bomb shelters across the country, asylum seekers and Israelis huddled together, sharing fear, dread, tears, danger, and most of all, uncertainty of whether they would live to see the sun set that evening (Shvartsur & Savitsky, 2024).

Mabrtum Gidhai, an Eritrean refugee who had managed to build a life in Ashkelon with his wife and four young daughters, on October 7th, lost his home and possessions to a rocket while he was hiding in the shelter with his family. For the second time in his life, Mabrtum was forced to flee and once again, become a refugee. In an interview, he said about his daughters, "The girls have been in a very difficult state since the war began. They wet the bed at night and wake up screaming from nightmares—dreaming that terrorists are killing them and that rockets are being fired at the house. They refuse to leave the house, and the older one was afraid to go into the shelter during

sirens because she remembers the stories about terrorists who murdered people in shelters.” (Ron, 2024).

In the early days of the war, Israeli society mobilised in a powerful wave of solidarity, supporting evacuees, launching mental health initiatives, and collecting donations (HIAS, 2023). Asylum seekers, many survivors of torture, joined these efforts wholeheartedly: cooking meals, aiding evacuees and soldiers, and volunteering in fields emptied by war (Ehrenthal, 2025). Their actions came from a deep sense of shared fate with the society they’ve long called home (ASSAF, *ASSAF with the Refugee Communities – Iron Swords War*, 2024)

State neglect and civil society response

While civil society responded with empathy, the Israeli state failed to include asylum seekers in its emergency responses. They were excluded from mental health programs, evacuation support, and financial aid schemes.

A 2024 study (Endeweld Sabag et al., 2025) revealed that 85% of refugees and asylum seekers in Israel suffer from food insecurity, with 55% experiencing it at severe levels. Among Eritrean refugees, poverty is rampant: 63.4% of men and 78.9% of women live below the poverty line. Ukrainian refugees—most of them women—also face grave financial instability, spending at least 70% of their income on rent alone, job scarcity, and severely limited access to medical and welfare services (Moss, 2019). Importantly, the 2024 U.S. Trafficking in Persons (TIP) Report (U.S. Department of State, 2024) again ranks Israel as Tier 2, “Countries whose governments do not fully meet the TVPA’s minimum standards but are making significant efforts to bring themselves into compliance with those standards”, highlighting the heightened risk of exploitation and survival prostitution among asylum seekers with uncertain legal status—particularly Eritrean and Ukrainian women, populations that have been heavily affected by trafficking, exploitation, and torture.

The Israeli government disregarded asylum seekers who had lost homes, lived in conflict zones, or suffered severe trauma (ASSAF, 2024). They were excluded from evacuation efforts, mental health services, and financial aid. Many had to evacuate without support, relying on temporary shelter from kind individuals, while their needs were overlooked entirely by the state. In February 2024, after repeated appeals went unanswered, civil society groups, including ASSAF, petitioned the Supreme Court to extend war-related assistance to asylum seekers (Refugee Organisational Forum, 2024). In response, the government proposed a limited compensation framework, which was deemed insufficient. As of April 2025, although over 100 families applied, no compensation has been provid-

ed. The disparity in treatment between asylum seekers and Israeli residents remains unjustifiable, especially for those who have lived in these communities for years.

Rising legislative threats

Israel’s current political climate poses an escalating threat to refugees and asylum seekers—most of whom are survivors of trafficking and torture. A wave of proposed legislation seeks to erode their protections and weaken civil society’s ability to defend human rights. Key proposed laws include:

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These measures undermine Israel’s rule of law framework and violate international legal obligations, effectively criminalizing asylum seekers and disabling civil society advocacy (Refugee Organizational Forum, 2025).

Torture, trauma, and recognition

On October 7, 2023, Hamas abducted 251 individuals in Israel, including children, women, elderly people, and soldiers (Israel Government, 2025). Since then, 148 have been released, 56 have been killed or confirmed dead, and approximately 50 remain in captivity (Israel Government, 2025). Reports indicate that some captives experienced torture, sexual violence, and inhumane conditions during their detention³ (Agence France-

3 Agence France-Presse. (2025, June). Of all the hostages presumed alive in October 2024, 53 were civilians and 11 were military personnel.

Presse, 2025). The psychological impact on both the hostages and their families has been substantial, drawing widespread attention to themes of survivorship and recovery.

Concurrently, hundreds of asylum seekers residing in Israel—many survivors of torture, trafficking, or sexual violence—have lived for years without formal recognition or access to adequate rehabilitation services (Physicians for Human Rights–Israel, 2017). Although their circumstances differ, both groups carry deep psychological and physical scars. As public discourse increasingly addresses the needs of torture survivors, it is essential to include asylum seekers who continue to await protection, care, and opportunities for healing.

Conclusion

The plight of torture survivors living in Israel as asylum seekers demands urgent attention. Recognising their trauma, granting legal status, and providing access to basic services are not acts of charity—they are obligations rooted in law, morality, and human dignity.

In times of national crisis, societies are measured by how they treat their most vulnerable. Israel now faces the challenge of extending the same solidarity shown to war victims to those who have survived horrors elsewhere and continue to live among us—unseen, unrecognised, but deeply human.

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Submitted 15th of Apr. 2025

Accepted 27th of Sep. 2025

The West's crackdown on the pro-Palestinian movement: A case of punitive torture?

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Abstract

Introduction: In response to the growing pro-Palestine solidarity movement following October 7, Western State authorities have adopted a strategy of political warfare to suppress dissent. *Method:* Utilising a multidisciplinary approach, the paper analyses legal documents, media reports, and first-hand accounts to identify patterns of repression. *Results:* State authorities have used smear campaigns, political policing, and lawfare to punish those who express solidarity with Palestinian rights, stifling and chilling the rights to free speech and assembly – a stepping stone toward the erosion of civil liberties and democratic values. *Discussion:* Our analysis suggests that using intimidation, administrative harassment, and State coercion to stigmatise, censor, and criminalise dissenters, Western States may have institutionalised punitive torture. The suppression of pro-Palestinian voices in liberal democracies can be hypothesised as a reflection of the colonial hierarchy embedded in the creation and maintenance of the structural oppression against Palestinians across historic Palestine and beyond, merely replicated to suppress solidarity.

Keywords: Palestine, Political warfare, Punitive torture

Introduction

Since Israel's genocidal campaign on Gaza began (Albanese, 2024; Segal, 2023; *South Africa v. Israel*, 2023), unprecedented grassroots mobilisation for Palestinian liberation has emerged globally, most vocally through activism, journalism, and academia. Solidarity with Palestine has come under fire, however, by Western governments who sought to criminalise criticism of Israel and support for Palestinian rights.¹ Aiming to discipline and punish actors of the pro-Palestine movement, deter them

from dissenting through intimidation and coerce them into acting in conformity, governments have deployed various means of repression to cultivate a climate of intimidation and coercion.

The paper argues that state crackdowns on pro-Palestinian activism may amount to punitive torture, deliberately inflicting physical or mental harm to intimidate and coerce. It maps the mechanisms of repression —political policing, lawfare, institutional discipline and ideological control— that criminalise dissent and chill free speech and assembly. Finally, it situates these practices within racial/colonial power structures in Western liberal orders, signalling the fragility of dissent and a drift toward authoritarian rule.

Punitive torture: Definition and methodology

Torture is commonly defined as the intentional infliction of pain and suffering by a public official, whether physical or mental, for the purpose of intimidating, punishing or coercing a person. This right is universally accepted as absolute, allowing no limitations or restrictions whatsoever. Article 1 of the UN Convention against Torture (UNCAT), Article 3 of the European

1 Reference is made throughout this paper to 'the West', 'Western Nations' and 'Western governments' in a generalized fashion by reference to the group of countries in Europe and North America that define themselves as an alliance of liberal democracies. While it is without doubt that State policies of individual Western nations are not uniform and are constantly evolving, the analysis is centred critically around the common foreign policies acting in support of Israel's illegal practices and presence in the OPTs as well as the shared suppression tactics used against pro-Palestinian actors, examined by reference to the commitment to protect the rights of individuals to live free from torture.

* The views expressed are those of the authors and do not necessarily reflect those of the Journal, the Publisher or the Editors

Figure 1. *Limbs to the universal legal definition of torture*

Convention on Human Rights (ECHR), Article 7 of the International Covenant on Civil and Political Rights (ICCPR), and Article 2 of the Inter-American Convention to Prevent and Punish Torture define and prohibit torture in near-uniform terms. The standard legal definition of torture is illustrated in the figure below.

The conceptual expansion of the definition of torture in the legal and academic realms with respect to these limbs must be noted. Following the oft-quoted severity threshold in the Greek Case (1969, para 186) whereby the European Commission of Human Rights noted that torture is an aggravated form of inhuman treatment, the categorisation of torture in European case law according to the gravity of the pain inflicted has been inconsistent. As Rodley (2002, p. 477) highlights, the European Court of Human Rights (ECtHR) has failed to apply clear or consistent criteria for assessing severity, often shifting the threshold arbitrarily based on the political context, the vulnerability of the victim, or the nature of the act. This inconsistency has created conceptual instability in the jurisprudence, with the Court sometimes downplaying systematic abuse by focusing narrowly on the outcome rather than the intent or institutional nature of the practice. Some instruments, such as the Inter-American Convention, do not even mention severity, nor is it a notable factor in their application (Rodley, 2002, p. 481). By contrast, the purpose element has emerged as the most coherent and decisive limb in distinguishing torture from other cruel, inhumane or degrading treatment (Cakal, 2021). Punishment is one such purpose (often read together with deterrence and conformity) which remains central in assessing whether acts rise to the level of torture (Cakal, 2021, p.160). As to the other limbs of torture, where a public official must have intentionally committed or encouraged the act, relevant for the

establishment of State responsibility in international criminal law, little to no controversy is noteworthy. The following discussion will therefore assess whether Western governments are responsible for torturing actors of the Palestinian movement through intentional infliction of mental or physical pain or suffering for the purpose of punishment.

Method

This study employs a multidisciplinary approach grounded in legal analysis. It examines a broad evidentiary base, including international treaties, jurisprudence from regional and international courts, domestic legislation, official State communications, civil society reports, media documentation and first-hand testimonies. Through doctrinal analysis and contextual interpretation, the paper identifies legal patterns and practices deployed by Western States to suppress pro-Palestinian expression. The approach is both empirical and normative: it interrogates the compatibility of these measures with international human rights law, particularly the absolute prohibition of torture, while also critically engaging with the structural role of law in legitimising and enabling coercive governance.

Researcher Positionality and Reflexivity

I write as a Palestinian legal scholar specializing in human rights and international law who has experienced first-hand some of the repression measures examined in this article through my Palestine-related advocacy. I was subjected to personal attacks in the mainstream media by government officials, faced disciplinary threats and exclusion by my university administration, and had my visa cancelled by the UK Home Secretary simply for supporting Palestinians' right to resist as enshrined in international law. I brought legal proceedings against this abuse of

immigration and counterterrorism laws and suppression of free speech before the immigration tribunals who found in my favor and reinstated my position. This experience informs my choice of topic and heightens my sensitivity to how security rationales are used to restrict lawful dissent.

While my standpoint is shaped by these events, my analysis follows legal-method standards: transparent sourcing, attention to counter-arguments, and triangulation across case law, policy, and empirical data.

The crackdown on the Palestinian movement

The global axis of solidarity

A “Global Axis of Solidarity” linking pro-Palestinian voices has emerged, exhibited by mobilising, organising, and campaigning efforts in workplaces, campuses, and public spaces alike (Turner, 2024). NGOs, civil society groups, trade unions, human rights defenders, and people from all walks of life have been demanding that their governments end the political, economic, and military support to Israel and impose measures to prevent further violations. Millions of people have taken to the streets in mass demonstrations and peaceful assemblies, with various forms of protests and civil disobedience being deployed (Ulfelder, 2023). Students around the globe have organised sit-ins, teach-ins, walkouts, and famously created “liberated zones” on their university campuses, or encampments, protesting the scholasticide in Gaza—i.e., the systematic destruction of educational institutions (OHCHR, 2024; Hajir & Qato 2025)—and demanding an end to partnerships with institutions complicit in Israeli violations (*The Guardian*, 2024). Many student unions and groups have passed pro-Palestine motions and issued statements in solidarity with the Palestinian people. Inspired by the anti-apartheid movement in South Africa, campaigns calling for Boycott, Divestment and Sanctions (BDS) against companies complicit in Israeli crimes have resulted in significant loss of profit, termination of jobs, and closure of stores (Dutton, 2024). Direct action activists have also disrupted arms factories supplying drone fleets to Israel and blocked military ships carrying weapons to Israel (Ammori, 2024). This unprecedented mobilisation and growing public dissent, however, have been met with various forms of repression by regimes seeking to control (OHCHR, 2024; Al Mezan, 2024), intimidate, and censor their critics who express solidarity with Palestinians.

How labels criminalise activism: A rhetorical war

The criminalisation of political activism involves attaching a criminal label to the activities or ideas of a group which State authorities deem necessary to control (Hall et al., 1978), based

on the threat it poses to the status quo. Actors of the pro-Palestine movement have been smeared as “terrorists”, “radicals”, “jihadists”, “extremists”, and “antisemites” in the media, government statements, and public discourse, to discredit their cause, peripheralize them and facilitate their targeting. This language is rooted in colonialist, imperialist and orientalist tropes which construct Palestinians as inherently violent, barbaric, and uncivilised, dehumanising them, delegitimising their struggle, and justifying their suffering. Their solidarity is thus framed as a threat to the Western liberal order and to the colonial project it created and maintained. To illustrate, American President Donald Trump has been accused of using Palestinian as a slur when he claimed Senator Party Leader Chuck Schumer is “not a Jewish anymore. He’s become a Palestinian” for criticising Netanyahu (Pengelly, 2025). UN experts have called on officials to desist from engaging in hate speech and inflammatory statements aimed at those who express solidarity with Palestinians. “Advocacy of national, racial or religious hatred that constitutes incitement to violence, hostility or discrimination is prohibited under international law,” they warned (OHCHR, 2023). The use of derogatory terms and speech by politicians, echoed by the media, is aimed at stigmatising and ostracising Palestinian solidarity, paving the way for its criminalisation. Importantly, this ‘narrative delegitimation’ can be used to illustrate the intent of State officials to punish dissenters (Browne et al., 2025, p. 3), as it creates a climate that enables authorities to use restrictive policies aimed at limiting free speech. Just as Israel suppresses and dominates Palestinians to “contain” their barbarism and prevent terror using force, those standing in solidarity with the Palestinians and challenging the system, hence threatening the status quo, must also be contained. This is done under the guise of maintaining public order, protecting national security, counterterrorism and most commonly, combating antisemitism. The weaponisation of antisemitism has been made possible through the International Holocaust Remembrance Alliance (IHRA) definition, which conflates anti-Zionism with anti-Judaism, i.e., criticism of Israel as anti-Jewish sentiment. Its adoption by governmental bodies and various institutions has led to the suppression of legitimate political speech – free from hatred, violence, or discrimination against Jews. Calls for a ceasefire in Gaza, an end to Israel’s violations in the OPTs or support for Palestinian liberation have been classified as hate speech. In response, Jewish organisations have expressed their concern over the exploitation of antisemitism to undermine civil liberties and democratic rights (Jewish Council for Public Affairs, 2025). Having successfully stigmatised and delegitimised the ideas and actions of pro-Palestinian actors (and, for our purposes, satisfied the intent of public officials’ limbs of torture), the State now moves to criminalise

their activities and propagation of their ideas, which can be illustrated through the crackdown on pro-Palestine protests, framed as inherently dangerous or destabilising.

Protest turned crime: Abuse of police powers

As guaranteed by Article 21 of the ICCPR, Article 11 of the European Convention of Human Rights (ECHR) and the UK Human Rights Act 1998, as well as various other international and domestic legal instruments, all persons are entitled to the right to freedom of peaceful assembly and to freedom of association, seen as a core element of democratic societies. In violation of this fundamental right, pro-Palestine protests across the West have been pre-emptively banned, heavily surveilled, met with police brutality, arrests, and charges under vague, draconian laws notorious for disproportionately impacting marginalised communities.

To criminalise protesting for Palestine, former UK Home Secretary Suella Braverman named the peaceful protests calling for the end of the genocide in Gaza “hate marches” led by “Pro-Palestinian mobs”, framing protests as inherently threatening and criminal (Syal et al., 2023). In a letter to the Chief Constables, Braverman instructed the police to heavily monitor pro-Palestine protests and “use full force of the law” against “potential offences” (UK Home Office, 2023). Citing the Terrorism Act and the Public Order Act, she warned against using symbols or slogans seen as anti-Israeli, hence restricting human rights to criticism of Israel. Braverman suggested that waving the Palestinian flag could be considered a criminal offence, and chanting “From the river to the sea, Palestine will be free”, a call for Palestinians’ rights to live in freedom and dignity, could be considered a racially aggravated offence. Government officials across the West have been framing pro-Palestine protests as disturbing and dangerous to facilitate the use of extreme coercive measures. In justifying the ban on pro-Palestinian marches (many organised by Jewish groups), German authorities stated there would be “zero tolerance” for “antisemitic or anti-Israel” assemblies (Nia, 2023). Delivering speeches in Arabic, holding up placards written in Arabic and wearing a Kuffiyeh (Middle Eastern headdress) have been banned, seen as suggestive of extremism (Hamed, 2025). France’s Interior Minister ordered local authorities to ban all pro-Palestine demonstrations (Charlton & Schaeffer, 2023), presenting them as threatening public safety by claiming or implying that they invite support for terrorism or incite hatred and violence (Shehadi & Talaat, 2024). The imposition of barriers to exercising the principal democratic right to peaceful assembly through such blanket restrictions aims to restrict the space for political engagement and stifle

dissent. Furthermore, it serves as a slippery slope to the erosion of other fundamental human rights essential to democracies.

Following the disproportionate response to pro-Palestine solidarity from State authorities, police forces have acted accordingly in exercising the over-expanded police powers (Waddington, 2005). Officers have been resorting to excessive use of force, e.g., use of plastic and rubber bullets, tear gas, police dogs, and physical force, in dispersing crowds and arresting peaceful protestors (CIVICUS, 2024). On International Women’s Day in Berlin, German police forces were reportedly targeting women in pro-Palestinian marches, punching, choking, and kicking them (*TRT World*, 2025). In Amsterdam, undercover police brutally attacked pro-Palestine university students protesting on campus using batons (*Al Jazeera*, 2025). Paris police used tear gas and water cannon to disperse peaceful pro-Palestinian protestors (*Wall Street Journal*, 2023). In the US, militarised police were sent to tear down encampments, arrest peaceful protestors and force dispersals using stun grenades (*Al Jazeera*, 2024); over 3100 such arrests have been documented over only a few months (*The New York Times*, 2024).

The smear campaign led by State officials against pro-Palestinian protestors, alongside the explicit instructions to target them, can be argued to demonstrate the purpose and intent elements of the legal definition of torture. When protestors are subjected to excessive force such as beatings, tear gas, and arbitrary detention by law enforcement forces acting on political directives, the resulting pain and suffering inflicted is neither accidental nor incidental. Rather, it is deliberate, targeted, and punitive. These actions are carried out by public officials, with clear political motivation, against individuals exercising protected rights, and often in the absence of any imminent threat. Where the physical and psychological harm inflicted reaches the necessary threshold of severity, such conduct may meet the definition of torture under international human rights law. In a striking comparison to *Cestaro v. Italy* (2015), which concerned the police raid of a school where anti-globalization protestors were housing when they subject to repeated beatings by police forces, the ECtHR held that such acts amounted to torture and that the state’s substantive obligation to refrain that inflicting pain with the purpose of punishing had been breached in addition to its procedural violation of failing to prosecute the officers responsible. Alternatively, where it is seen that the severity threshold has not been met, particularly owing to the inconsistent and uncertain approach of the ECtHR on the matter, it must be reiterated that the gravity limb is secondary to the purpose element of torture in distinguishing it from other cruel, inhuman and degrading treatment, and has become central in making such a distinction. Torture may have

thus become a means of social control and behavioural influence by State authorities across the West. This phenomenon will now be further explored through the instrumentalisation of legal mechanisms.

Lawfare

Articles 19 and 20 of the ICCPR codify the right to freedom of expression as the right to hold and express opinions and beliefs, such as political or religious ones, without interference. Importantly, the prohibitions must be (a) provided for in law and narrowly defined, and (b) necessary and proportionate to achieve the set aim. The UN Human Rights Committee, in its explanatory comments, has emphasised that such a qualification cannot be used to suppress political dissent or opposition. “The harassment, intimidation or stigmatization of a person, including arrest, detention, trial or imprisonment for reasons of the opinions they may hold, constitutes a violation of article 19” (Human Rights Committee, 2011), as is any effort to coerce the holding or not holding an opinion.

This has not been respected, however, by state officials vis-à-vis expressions of solidarity with Palestine. Following the framing of pro-Palestine solidarity as a threat to the status quo, State authorities sought to criminalise legitimate political speech by interpreting it within the exceptions of this right. Western governments have resorted to lawfare, i.e., the weaponisation and instrumentalisation of legal measures to criminalise dissent. Seeking to intimidate the public and coerce them into suppressing anti-Israel opinions, authorities have extended State powers by applying draconian laws which are vaguely worded and overly broad. This facilitates their arbitrary use to silence dissent, hence politicising the legal system. Stifling free speech and civil liberties through lawfare is one stepping stone to the erosion of democracies; it indicates a rise in authoritarianism. This section will examine the various legal mechanisms employed to create a chilling effect in the pro-Palestine movement, and by extension, wider social justice movements, thereby shrinking civic space. It will explore how immigration measures, counter-terrorism laws, and other legal mechanisms are used to criminalise freedom of expression and political thought by closely examining cases where legal measures and political power were arbitrarily and disproportionately used to target pro-Palestine solidarity, under the guise of maintaining public order, protecting national security, and combating hate speech. It will be shown how these measures in intentionally inflicting pain and suffering to intimidate, punish and coerce pro-Palestinian activists, journalists, and academics, amount to torture.

Counter-terrorism laws

In his *Anti-Palestinian at the Core: The Origins and Growing Dangers of U.S. Antiterrorism Law*, Li (2024) examined the foundations of U.S. antiterrorism policy and the agendas that shaped these laws, many of which emerged during pivotal moments in the Palestinian liberation struggle. He concluded that the development and expansion of counterterrorism laws in the US were principally motivated by efforts to suppress pro-Palestine political expression. “The inherently politicised nature of the terrorism label and the close involvement of Israel-aligned groups in crafting antiterrorism laws have made those laws structurally anti-Palestinian from their inception,” he revealed, highlighting the role of Zionist organisations in shaping these instruments to crush Palestinian resistance. The counterterrorism architecture, he found, was built on a foundation of hostility to the Palestinian liberation movement. The paper found that the first mention of terrorism in a federal statute appeared in 1969, vis-à-vis restrictions on humanitarian assistance to UNRWA, which inscribed the Palestinian refugee as a default terrorist. Today, UNRWA has been subjected to a targeted campaign to shut down its operations because of Israel’s baseless terrorism allegations against the UN agency, which sustains refugees as a recognisable group, aiming to sever Palestinian refugees’ right of return and seek reparations from Israel (Hassan & Hellyer, 2024, p.12). Acting upon these unsubstantiated claims, the US, European Union, Germany, the UK, Switzerland, France, and other Western countries cut their funding to UNRWA, resulting in a 75% loss of its budget. In December 2024, the General Assembly submitted a request to the ICJ for its Advisory Opinion on the *Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory*, expressing concern over Israel impeding with the presence, activities and immunities of the agencies and bodies of United Nations.

In the 1970s, Zionist organisations worked on casting the veil of terrorism almost uniquely on Palestinians, and the Palestinians emerged as the designated terrorists in the international imagination (Said, 1987; Seaton, 2023). Israel-aligned groups have worked to interlink its security concerns with broader Western values, reinforcing the link between the interests and aspirations of Israel and the West (Soubani & Shamas, 2024, p.97). A threat to the stability of Israel was therefore shaped as a threat to the West; this was used to pressure governments to crackdown on Palestinian resistance. Correspondingly, the first time the US congress labelled a non-state group a terrorist organization was of the Palestinian Liberation Organization (PLO); the first time it included terrorism in its immigration

laws defined terrorist activity by reference to the PLO; the first financial sanctions blacklist on organizations it created was against Palestinian political factions, marking a clear anti-Palestinian basis of anti-terrorism laws (Li, 2024, pp.3-4). In parallel, domestic counterterrorism laws were expanded to interpret any material support for Palestine as support for terrorism, whether through humanitarian assistance or political activism. Today, as Soubani and Shamas illustrate, this phenomenon is manifested in the chilling effect and shrinking civic space caused by the criminalisation of pro-Palestine activism through “designations, criminal bars on ‘material support for terrorism,’ immigration bars, and extensive financial and regulatory enforcement.” Counterterrorism legislation has thus become a politicised weapon of war, such that any expression of solidarity with Palestine can be skewed into charges of the highest order. The expansion and disproportionate application of counterterrorism laws breach the conditions of legality, necessity, and proportionality in restricting free speech, thereby suppressing civic engagement and legitimate political expression under international human rights law. These broad and vague draconian laws have facilitated unwarranted surveillance, searches and seizure of property coupled with abductions, investigations, deportations, and prosecutions to suppress political dissidents, most notably journalists, activists, and academics.

Richard Medhurst is a British independent journalist who has been reporting on the Israeli genocide in Gaza as part of his general coverage on International Relations, US politics and the Middle East. In August 2024, he was arrested upon landing at London Heathrow Airport under the Terrorism Act 2000 for allegedly “expressing an opinion or belief that is supportive of a proscribed organisation” (s.12). He was escorted off the plane, handcuffed, placed into a caged police van, and taken to a station where he was searched and placed in solitary confinement under surveillance. Reflecting on the incident, Medhurst expressed, “I felt like the process was designed to humiliate, intimidate and dehumanise me and treat me like a criminal, even though they knew of my background as a journalist.” (Medhurst, 2024). He was held for 15 hours without knowledge of his charge, access to a cell phone or proper representation. He was then questioned and subsequently released without charge. Condemning the abuse of counterterrorism laws against journalists in a so-called democracy, Medhurst proclaimed, “I am being politically persecuted in my own country. I feel that a muzzle has been placed on me”. In February 2025, a week after Medhurst received a letter from the British police extending the investigation, he was arrested again in Vienna, Austria. He was summoned by the immigration department where he was threatened with the revocation of his residency due to his re-

porting on Palestine and Lebanon, followed by an “ambush by plain-clothed agents” who detained him and served him with a warrant to search his home and studio under the accusation that he was a member of Hamas, which he, a Christian Englishman, categorically denies (Medhurst, 2025). Medhurst is now under investigation in both countries because of his journalism. This has led to his self-censorship, setting a dangerous precedent that undermines press freedom and the public’s right to be informed. Similar was the case of Asa Winstanley, a prominent British pro-Palestinian journalist with Electronic Intifada who has been documenting British complicity in Israel’s crimes; Winstanley was subjected to a home raid by the counterterrorism unit of the Metropolitan police under ‘Operation Incessantness’ in October 2024. His devices were unlawfully seized, endangering the confidentiality of his journalistic sources. The authorities claimed that they are investigating possible offences under sections 1 and 2 of the 2006 Terrorism Act for “encouragement of terrorism” and “dissemination of terrorist publications” respectively, without outlining the basis of these accusations. In both cases, the journalists had taken a stance in solidarity with Palestinians, and as a result, bore accusations of terrorism. The use of such overly broad and repressive provisions was condemned by Human Rights Watch, raising serious concerns about the State’s undue infringement on free speech (Human Rights Watch, 2007). The misuse and abuse of counterterrorism legislation to target journalists and justify the raids, detention and seizure of journalistic devices stifles press freedom and free speech, a pillar of democracy. Both Medhurst and Winstanley reported that they have suffered intimidation and censorship because of these unwarranted charges. In blatant contradiction to the British Prime Minister Kier Starmer’s commitment to protect media freedom, who asserted that “Journalism is the lifeblood of democracy” (The Guardian, 2024), the government has weaponised counterterrorism laws to coerce into silence journalists who it perceives to pose a direct threat to its foreign policy that facilitates Israel’s crimes.

A similar strategy has also been adopted against activists and political dissidents. Sarah Wilkinson, a veteran Palestine campaigner and solidarity activist whose house was raided by the UK counterterrorism police without a charge for pro-Palestine content she posted online, says, “I can’t see what they can charge me with. They can raid me just for the pure terror of it” (TRT World, 2024). She adds, “I have been bugged. I have been followed four times since my arrest. I am being monitored”. Wilkinson was asked during the raid to provide the phone numbers of some Palestinian journalists, which, she later discovered, were on the Israeli assassination list. Separately, documents have revealed that the Israeli embassy in London has attempted to

exert diplomatic influence on the Attorney General's Office to prosecute Palestine Action activists, undermining the credibility of the charges brought against them (Palestine Action, 2023). Palestine Action is a grassroots, direct-action and civil disobedience network "committed to end global participation in Israel's genocidal and apartheid regime", which uses disruptive tactics in targeting Israel's military-industrial complex and arms factories, e.g., Elbit Systems (Palestine Action, n.d.). They were effective in shutting down three arms factories in less than 4 years through protests, occupying their premises and destroying property linked to arms manufacturers. Richard Barnard, co-founder of Palestine Action, has been charged under s.12(1)(a) of the Terrorism Act for allegedly inviting support for Hamas and encouraging criminal damage against Israeli weapons factories under s.44 of the Serious Crime Act (Kennard, 2024). The previous arrest of Barnard, his co-founder Huda Ammori, and eight other activists was also of "encouraging criminal damage", among other related charges, for blocking Elbit System's factory entrances, spray-painting Elbit's headquarters, and occupying the rooftop of Shenstone's factory. All activists, including Barnard, were acquitted of all charges by the jury; yet he was arrested under the very same offence for the same alleged *actus reus*, in addition to the terrorism charge. This follows the expanded use by the police of counterterrorism legislation to target pro-Palestine activists, which can mainly be observed in the case of the Filton 18 – Palestine Action political prisoners who are held for causing over £1 million in damage to Elbit Systems by dismantling weapons. Direct action activists have been arrested under unrelated counterterrorism charges; they have been placed in solitary confinement, repeatedly woken in the middle of the night and interrogated by counterterrorism police, denied visitations or communications, subjected to intrusive medical testing and prohibited from practising their religion (Hearst, 2025). UN experts have intervened in the case, stating that the conduct appears to be ordinary criminal offences, not terrorism (Saul et al., 2024). Applying international standards, the activists' conduct fails to meet the terrorism threshold properly defined, pointing out that the authorities have acted disproportionately under the name of national security. Mere property damage, without endangering life, causing serious injury or hostage taking, does not qualify as terrorism, they asserted. Nonetheless, Palestine Action has been proscribed by the Home Secretary as a terrorist organisation. It ought to be recalled that any measure seeking to restrict political activism must meet the legality, proportionality, and necessity conditions to avoid chilling legitimate political dissent. This requirement has been systematically breached to punish and silence expressions of solidarity with Palestine. In another manifestation of authorities' directed abuse of counter-

terrorism laws, 890 individuals protesting against the proscription of Palestine Action were violently arrested by the London Metropolitan Police largely under the Terrorism Act (Amnesty, 2025).

Upon normative analysis, the normalisation of the exceptional theory posits that where a measure is introduced to tackle an uncommon crime (often as a result of the legislator's unrealistic portrayal of a constant high level of danger), it is vulnerable to employment in common or minor offences; the exceptional measure essentially sets a trend and catalyses the evolution process towards its acceptance as the norm, institutionalizing it as accepted powers of the state (Flyghead, 2002). The 9/11 era had normalised and institutionalised the targeting and surveillance of Muslims as a suspect community (Pantazis & Pemberton, 2020). Similarly, the current crisis is being exploited to expand and criminalise all forms of advocacy for Palestinian rights, creating a chilling effect. The use of counterterrorism measures against pro-Palestinian activists and journalists creates a "slippery slope" for the erosion of civil liberties (Dyzenhaus, 2001), for it normalises the criminalisation of free speech and the use of lawfare to punish dissenters through intimidation and coercion.

Immigration: Revocation, Detention and Deportation

State authorities have been deploying immigration measures as a form of punishment for expressing political opinion supportive of Palestinian liberation or critical of Israel, which, by way of automatic association, criticises Western governments' foreign policies. Under the auspices of protecting public interest and national security, authorities have been weaponising immigration measures and abusing powers to harass, intimidate, and silence pro-Palestine activists. In the appeal heard before the UK Immigration Tribunals challenging a student visa revocation and deportation decision taken against statements made in support of Palestinian's right to resist occupation as enshrined in International Humanitarian Law (Dana AbuQamar v Secretary of State for the Home Department, 2023), it was revealed that since October 2023, almost all interventions by the Home Office were against Palestinian supporters, despite the equal rise in antisemitism and Islamophobia post-October 7.

Interpreting the unwavering support for Israel as a core element of "German values", Germany's immigration authorities have now made it a requirement for naturalisation to affirm Israel's right to exist (Tanno, 2024). Authorities recently ordered the deportation of four student activists for spreading "anti-Israel hatred" by participating in a sit-in at the Free University of Berlin. The arbitrariness and abuse of political power were checked by an administrative court, which held that the mi-

gration authority failed to “fulfil sufficiently its official duty of investigation” in taking these measures (Salfiti, 2025). In 2024, Germany enforced a Schengen-wide ban on pro-Palestinian speakers, most notably the British-Palestinian surgeon Ghassan Abu-Sitta (Serhan, 2024). Dr. Abu-Sitta was denied entry to Germany to attend a conference to which he was invited to give his testimony as a doctor who worked in Gaza during the genocide (Middle East Eye, 2024). He was questioned for 3.5 hours, asked to leave the country, and thereafter temporarily banned and threatened with imprisonment if he were to provide his witness statement virtually. Dr. Abu-Sitta describes this as an effort to “bury the evidence, silence, harass and intimidate” witnesses to a crime which Germany is complicit in, a claim which has been brought by Nicaragua before the ICJ on the *Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory* (Nicaragua v. Germany, 2024). A similar case was that of Palestinian American journalist and executive director of Electronic Intifada, Ali Abunimah, who was detained by undercover Swiss police without charge

on his way to an event where he was set to address Palestine solidarity campaigners. He spent three days in an immigration jail under administrative detention and thereafter deported from Switzerland. Abunimah was later informed that on the day of his arrival, an entry ban had been issued “to safeguard the internal and external security of Switzerland”, despite having been extensively questioned upon arrival at the airport and permitted entry (Winstanley, 2024). The use of immigration powers to target journalists and activists is a disproportionate and discriminatory response to expressions of solidarity with a humanitarian cause. Resorting to the detention and deportation of such persons to intimidate and silence them is a blatant violation of international human rights law standards.

Marco Rubio, former Senator of Florida and current Secretary of State to the Trump office, had proposed to the Biden administration the deportation of pro-Palestinian student protestors, referring to them as “terrorist sympathisers” and “pro-Hamas radicals” (Erudera, 2024). Only ten days after his inauguration, Trump signed an executive order targeting

Figure 2. Security footage from the abduction of Rümeyşa Öztürk by Homeland Security agents on March 25, 2025, in Somerville, Massachusetts



pro-Palestine student protesters. In a significant blow to free speech, university students who participate in protests or speech activity critical of Israel, branded as anti-Jewish speech and pro-Hamas, are threatened with deportation. "To all the resident aliens who joined in the pro-jihadist protests, we put you on notice: come 2025, we will find you, and we will deport you," said Trump (The White House, 2025). This follows his "expanded travel ban" executive order, which requires extensive vetting of international students who support Palestine or criticise US policy upon entry to justify their ban. These orders seek to strong-arm government agencies and universities into policing, surveilling, isolating, purging, and punishing Palestine scholarship and activism, sending a chilling effect on speech critical of Israel or supportive of Palestinian rights (Palestine Legal, 2025). Since then, the legal statuses of around 1500 students have been impacted across 240 universities in the US for expressing support for Palestine (Al Jazeera, 2025).

In a severe blow to the First Amendment right of the US Constitution and a chilling echo of the McCarthyism era, Mahmoud Khalil, a lawful permanent resident of the US, has been placed through deportation proceedings for his Palestinian advocacy. His family were expelled by the Israeli forces from Tiberias, Palestine, during the Nakba, taking refuge in Syria. Khalil was born and raised in a Palestinian refugee camp in Syria and thereafter fled the Assad regime to Lebanon. He has since moved to the US and obtained his green card, where he undertook his graduate studies in international affairs at Columbia University. Khalil is an activist who helped lead and organise student protests and encampments, which aimed to pressure Columbia University to divest from institutions tied to Israel's unlawful activities and call for an end to the genocide in Gaza. In the late hours of the night on March 8, 2025, Khalil was ambushed and abducted by Department of Homeland Security (DHS) agents in plain clothes from his graduate housing. His 8-month pregnant wife, Noor Abdalla, a US citizen, who was also threatened with arrest for refusing to leave her husband's side, was told his student visa was cancelled; when she informed them that he was a legal permanent resident, they replied that, too, had been revoked. Khalil was taken to an Immigration and Customs Enforcement (ICE) detention unit in Louisiana, which has come under scrutiny for its systemic abuses and disappearances of immigrants (Misick, 2023; Finn, 2024). This follows the "forum shopping" strategy employed by the government to ensure that immigration detainees appear before conservative courts, which are notorious for rubber-stamping government decisions. Khalil has been threatened with deportation as accusations flood from the White House for "siding with terrorists", without any support for their claims.

The U.S. government relied on the obscure Immigration and Nationality Act of 1952, which gives the Secretary of State the power to deport migrants if they have "reasonable ground to believe that the alien's presence or activities in the United States would have potentially serious adverse foreign policy consequences for the United States." The very same act was used to block the immigration of Jews fleeing the Holocaust in Europe. It ought to be recalled that the national interests and foreign policy of Western governments have been strongly interlinked with that of Israel, hence any support for Palestinian liberation will inevitably be equated with compromising their "foreign policy". Although a New Jersey court temporarily blocked Khalil's deportation, a Louisiana judge approved it, asserting that his continued presence in the US posed "potentially serious foreign policy consequences" (Cline & Brumback, 2025). The unlawful and arbitrary detention and deportation order of Khalil, who was targeted for exercising his constitutional right of free speech and peaceful assembly in support of Palestinian rights, is part of a wider crackdown on pro-Palestine protestors, designed to intimidate the growing student movement opposing the genocide in Gaza.

Rümeysa Öztürk, a doctoral student of child development at Tufts University in Massachusetts, was arrested by 6 masked agents on her way to break her fast with her friends during the holy month of Ramadan. Öztürk was informed that her student visa had been revoked, and when she asked if she could call the cops, they replied "we are the cops". She had disappeared for hours before information surfaced that she had been shipped to Louisiana. Öztürk reportedly suffered five asthma attacks in detention and was denied access to her lawyer for 24 hours after her detention. It has been revealed that the DHS targeted her due to her co-authorship of an op-ed criticising her university's response, or lack thereof, to the divestment calls by students and failure to acknowledge the genocide in Gaza. Such speech, the government argued before the immigration court, undermines U.S. foreign policy, creates a hostile environment for Jewish students, and indicates support for terrorism (McCormack, 2025). The Trump administration has been targeting students through such abduction, detention, and deportation orders for attending pro-Palestine demonstrations or publicly expressing support for Palestinians. This pattern is evident with Dr. Badar Khan Suri, Yunseo Chung, Momodou Taal, Leqaa Kordia and others who have participated in pro-Palestinian student protests and expressed views on Israel's crimes in Gaza. Following the series of arrests conducted, Mohsen Mahdawi, a Palestinian student activist at Columbia and a green card holder who was ambushed in his citizenship interview in a Vermont immigration office, had been "in hiding" from ICE. The targeting of

international student activists for their Palestinian activism has created a climate of fear and intimidation amongst the student population, creating a chilling effect on the First Amendment right to free speech.

Beyond the crackdown on students, immigration powers have also been weaponized against other State officials. In September 2025, following the 80th session of the UNGA, the US State Department announced it will revoke the visa of Colombian President Gustavo Petro. President Petro had joined a pro-Palestine protest during his time in New York where he warned US Soldiers against being complicit in genocide. This also comes after his proposal at the UNGA to mandate a UN protection force for Palestine and enforce international justice by holding Israel to account for its crimes (*The Guardian*, 2025).

Institutional repression

In his book *Discipline and Punish: The Birth of the Prison*, Foucault (1995) illustrates the shift of punishment from a public spectacle to private detention. Public executions involved physical ceremonial displays; Foucault describes, “Set up scaffolds, stakes, drag out the guilty man to the public squares, summon the people with great cries” (p. 110). The reform, he argues, is manifested in the exercise of disciplinary powers which seek to manipulate individuals’ movements through space and time. This practice surpasses prisons and has been cultivated in societal structures marked by hierarchical observations and the exercise of disciplinary powers, thereby creating “docile bodies.” In studies examining the effectiveness of punitive discipline and corporal punishment in schools, punitive discipline has been defined as the deployment of various exclusionary tactics to deter or account for perceived misbehaviour (Duarte, 2023).

In academic institutions, those who misbehaved by engaging in peaceful protests at their university campuses have been met with police violence, legal and academic consequences. Universities have been taking disciplinary and punitive measures such as suspensions and expulsions of students, dismissal of academics, dissolving student groups, restrictions on campus meetings, blacklisting students, accompanied by threats to their prospects for future employment (Shaheed, 2024). Academics have faced severe consequences for their pro-Palestine stances. Maura Finklestein, a Jewish professor, was reportedly dismissed following social media posts critical of Israel, which were labelled antisemitic. Others have been suspended, dismissed, and censored for their pro-Palestine stances, fomenting a culture of fear and intimidation to suppress pro-Palestinian thought (Sainato, 2024). This repression has resulted in the suppression of academic speech such that more than 80% of American academics report they self-censor when involved in discussions

critiquing Israel (Lynch & Telhami, 2023), fearing loss of employment or disciplinary measures. The attack on universities, where open and free inquiry, diversity of thought, and dissent are celebrated and valued, is aimed at exerting ideological control and creating ‘docile bodies’ which conform to the system.

Despite the administrative crackdown on pro-Palestinian voices, the judiciary has been fulfilling its safeguarding duty of civil liberties. For instance, David Miller, an anti-Zionist academic at the University of Bristol who was wrongfully dismissed for his political beliefs, succeeded in proving discrimination against his employer. In *Miller v. Bristol* (2022), the employment tribunal ruled that anti-Zionism is a philosophical belief and, as such, a protected characteristic under Section 10 of the Equality Act 2010. The university had therefore acted unlawfully by taking disciplinary action against him for his pro-Palestine stance.

The repressive university responses and associated internal disciplinary proceedings appear to be dictated by the pressure exerted on administrators by external funders. Donors and government officials have threatened to withdraw funding from universities if administrators fail to suppress displays of Palestine solidarity on their campuses. In response to these threats, US university administrators have sent militarised police to tear down pro-Palestine encampments and violently arrest students – a response seldom seen in violent counter-protests. When counter-protestors armed with chemical irritants and sticks appeared at night in the University of California, Los Angeles (UCLA) encampment and began assaulting students, including shooting fireworks at the crowd, the university remained silent; police took 3 hours to appear at the university and thereafter stood by watching before eventually intervening (Bedi et al., 2024). Universities have taken their students to court, seeking evictions and injunctions over peaceful protests (Connolly & Pilgrim, 2024; ELSC, 2025).

The intersection of academic disciplinary procedures with immigration enforcement has introduced further legal and human rights concerns. Using threats and sanctions to place barriers on academic freedom, the Trump administration threatened universities with pulling federal funding to pressure them into facilitating ICE and DHS abductions in its crackdown on student activists. Only 3 days after the White House cancelled \$400 million in Grants to Columbia University, Mahmoud Khalil was arrested from university housing. In his letter to Columbia, Khalil accused the university of laying “the groundwork for [his] abduction”, writing that his targeting was “a direct extension of Columbia’s repression playbook concerning Palestine.” (Khalil, 2025; Helmore, 2025). Khalil had been subjected to disciplinary measures by Columbia under the aus-

pices of combating IHRA-antisemitism on campus. Columbia's administration had turned over student disciplinary records to Congress, which had then created a task force to target anti-Israel speech (Splaver, 2024), despite UN experts warning universities against surveilling their students who participate in peaceful assemblies or sharing students' personal data with State agencies (OHCHR, 2025).

The crackdown on academic freedom can also be observed in the enactment of Anti-Boycott laws which act in direct violation of the international legal obligation by Third States "not to recognize as legal the situation arising from the unlawful presence of Israel in the [Occupied Palestinian Territories], not to render aid or assistance in maintaining the situation," and take measures to prevent further violations including through economic and trade measures, e.g., sanctions (ICJ, 2024). In the UK, Sunak's government had introduced the *Economic Activity of Public Bodies (Overseas Matters) Bill*, which sought to restrict public bodies, including universities, from boycotting companies doing business with Israel, mirroring Margaret Thatcher's restrictions on 'political action' by local councils against Apartheid South Africa in 1988 (Anti-Apartheid Movement Archives, n.d.). In the United States, 38 States have enacted laws which prohibit State contracts and investments in individuals or entities that boycott Israel to support Palestinian rights. This is aimed at suppressing Boycott, Divestment, Sanctions (BDS) campaigns², primarily led by students, which urges universities to divest from companies complicit in Israel's crimes.

Taken together, these developments have created a coercive environment in which students and academics face material risks, including disciplinary action, reputational harm, immigration penalties, and professional consequences for expressing support for Palestinian rights. Gina Romero, Special Rapporteur on the rights to freedom of assembly and association, warned that such brutal repression can result in "alienating an entire generation, damaging their participation and perception of their role in democratic processes", urging governments and institutions to revise policies targeting the pro-Palestinian solidarity movement (United Nations, 2024).

Conclusion

The repression of pro-Palestinian solidarity by Western States is neither incidental nor reactionary, but a deliberate and structural strategy of coercion that may meet the threshold of punitive

torture. As this paper has argued, smear campaigns, political policing, lawfare, immigration enforcement, and institutional repression have inflicted serious psychological - and at times physical - harm on activists, journalists, and academics. These acts are not isolated incidents but part of a broader effort to stigmatise dissent, enforce ideological conformity, and shield colonial violence from public scrutiny.

By analysing these practices through the definitional lens of torture – particularly the elements of purpose, intent, and state involvement – this study has shown how such measures may satisfy the threshold of punitive torture, even when not accompanied by overt physical brutality. The systematic framing of Palestinian solidarity as a threat has enabled States to instrumentalise legal and administrative mechanisms to punish and deter dissent, thereby cultivating a pervasive climate of fear and intimidation.

This phenomenon must be understood within the wider architecture of settler-colonialism and racial hierarchy that underpins the West's unwavering support for Israeli state violence. Within this ideological and geopolitical context, the erosion of civil liberties and democratic space is not a deviation but a structural feature. To meet their obligations under international human rights law, particularly the absolute prohibition of torture and the protection of the rights to freedom of expression and peaceful assembly, States must confront not only discrete violations, but also the institutional and systemic conditions that enable and sustain such repression.

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2 Palestinian-led movement (launched in 2005) that urges individuals, institutions, and governments to boycott certain products and events, divest from companies, and push for sanctions—to pressure Israel to comply with international law as a way of non-violent pressure.

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Acknowledgments

Sara Lopez-Martin for her comments on early drafts of this paper.

Submitted 4th of May 2025

Accepted 18th of Sep. 2025

Hostage-taking as torture: Alice Edwards' report to the UN Human Rights Council

Berta Soley and Pau Pérez-Sales

The report A/HRC/58/55 entitled *Torture and other cruel, inhuman or degrading treatment or punishment: hostage-taking as torture*, prepared by the United Nations Special Rapporteur on Torture, Alice Jill Edwards, was submitted to the Human Rights Council in its fifty-eighth session¹ (24 February–4 April 2025).

The report addresses the phenomenon of hostage-taking through the lens of the absolute prohibition of torture. It aims to reinforce international legal frameworks, raise awareness of the psychological and physical harms associated with hostage-taking, and provide recommendations for States, non-State actors, and international bodies (Edwards, 2025).

Conceptual framework and legal foundations

The Special Rapporteur's report situates hostage-taking within the broader context of international human rights and humanitarian law, asserting that hostage-taking, regardless of whether committed by State or non-State actors, constitutes a violation of the prohibition of torture and other ill-treatment. The report affirms that this practice, which may be employed for political, military, or economic leverage, almost invariably includes elements of psychological and physical torture (Edwards, 2025, paras. 10–15).

The legal basis for considering hostage-taking as a form of torture is founded in several international instruments. The report draws upon the International Convention against the Taking of Hostages, the Geneva Conventions and their Additional Protocols, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. It notes the *jus cogens* nature of the prohibition against torture and emphasises that even lawful detention may become hostage-taking if the intent to leverage concessions develops (Edwards, 2025, paras. 32–45).

Furthermore, the SRT asserts that hostage-taking may constitute a crime against humanity when conducted as part of a widespread or systematic attack on civilian populations, referencing jurisprudence from the International Criminal Tribunal

for the former Yugoslavia (ICTY) (Edwards, 2025, para. 45). The Special Rapporteur calls for the explicit inclusion of hostage-taking in the draft articles on the prevention and punishment of crimes against humanity.

Global trends and illustrative case studies

The report tracks the evolution and increasing prevalence of hostage-taking over the past five decades, emphasising both high-profile incidents and numerous underreported cases (Edwards, 2025, paras. 20–30). Non-state actors have historically used hostage-taking as a tactic of political violence and terror, with examples such as the 1979 Iran hostage crisis and kidnappings by FARC in Colombia demonstrating prolonged strategic detentions. In more recent decades, jihadist organisations like Da'esh and Boko Haram have abducted hundreds of civilians, including women and children, to negotiate for prisoner releases or exert ideological pressure.

One of the most significant hostage-taking incidents in recent years occurred on 7 October 2023, when Hamas abducted 251 individuals inside Israel, including more than 20 foreign nationals, and transferred them to Gaza. At the time of reporting, over 100 hostages remained unaccounted for, including women, older persons, two infants, and soldiers. The Special Rapporteur unequivocally condemned these acts and called for their immediate and unconditional release. The report documents credible evidence that many hostages were held underground for extended periods under inhumane conditions that may amount to torture, while there were also credible allegations of sexual aggression against female hostages (Edwards, 2025, para. 27).

At the same time, the phenomenon of State hostage-taking has expanded. The report documents practices in States such as Iran, China, and the Russian Federation, where foreign nationals are allegedly detained under spurious charges to gain diplomatic leverage. In Ukraine, Russia has reportedly detained over 15,000 civilians and abducted children, with implications that could meet the threshold for war crimes and crimes against humanity (Edwards, 2025, para. 30).

These examples reveal a disturbing pattern of politicised arrests and detentions and the strategic use of civilians as bargaining chips. The report highlights the psychological terror experienced not only by hostages but also by their families and communities.

Legal classification of hostage-taking as torture

The Special Rapporteur underscores the absolute prohibition of torture under international law and asserts that hostage-taking almost invariably satisfies the definitional criteria of torture

¹ Edwards, A. J. (2025). Torture and other cruel, inhuman or degrading treatment or punishment: hostage-taking as torture (A/HRC/58/55). United Nations Human Rights Council. <https://www.ohchr.org>

or cruel, inhuman or degrading treatment. Victims face physical assault, mock executions, deprivation of liberty and contact, and mental trauma, including anxiety, despair, and a profound loss of agency (Edwards, 2025, paras. 51–57).

Hostage-taking involves specific psychological harms that parallel or exceed other forms of torture. The experience of disorientation, isolation, and terror—often without clear timelines or means of redress—produces what Edwards describes as ‘concentric circles of psychological torture’, extending to families and entire communities (Edwards, 2025, paras. 61–64).

Moreover, in situations of armed conflict, the report highlights that hostage-taking may qualify as a war crime or crime against humanity under international law, even when applied to soldiers or prisoners of war. The deprivation of medical care, use of forced confessions, and public humiliation further constitute violations of the Geneva Conventions.

Impacts on victims and families

The Special Rapporteur devotes substantial attention to the extensive psychological, physical, and socioeconomic impacts of hostage-taking on both victims and their families. Hostages often endure severe trauma, including post-traumatic stress disorder, chronic anxiety, sleep disorders, depression, and somatic conditions caused by confinement and abuse (Edwards, 2025, para. 60–62).

Notably, the report highlights the ‘cascading trauma effect’ that extends beyond the immediate victim. Families often suffer emotional distress, economic hardship, and social isolation during the hostage ordeal. The uncertainty of their loved ones’ fate, the lack of communication, and the moral weight of the negotiations deepen their psychological burdens. In cases involving enforced disappearances or lack of proof of life, relatives may experience what Edwards terms ‘ambiguous loss’, a condition that generates lasting grief and psychological disorientation (Edwards, 2025, para. 74).

Children are identified as particularly vulnerable, whether taken hostage themselves or affected as dependents. The report emphasises the need for child-specific protection measures aligned with the Convention on the Rights of the Child.

Institutional responses and state obligations

States have a legal obligation to prevent hostage-taking, prosecute perpetrators, and ensure redress and rehabilitation for victims and survivors. Under Article 14 of the Convention against Torture, rehabilitation must be holistic and accessible, including medical, psychological, legal, and economic support (Edwards, 2025, para. 66–68).

The report advocates for national mechanisms such as dedicated hostage affairs offices or special envoys—highlighting models in the United States and Canada—as good practices (Edwards, 2025, para. 75). These offices should coordinate victim support, communicate clearly with families, and ensure consular protection. Legal frameworks must also formally recognise relatives as secondary victims entitled to assistance.

The Special Rapporteur emphasises that recovery must be long-term and include financial compensation, career support, and reintegration programs. She also calls for measures to combat victim-blaming and stigma through public education campaigns.

Recommendations and international actions

The final section of the report presents a comprehensive set of recommendations for States, United Nations bodies, and non-state actors. States are urged to criminalise all forms of hostage-taking, recognise it as torture, and coordinate efforts to detect, prevent, and respond to hostage-taking in both State-to-State and non-State contexts (Edwards, 2025, para. 87–88).

The Special Rapporteur advocates for increased collaboration through mechanisms like the Declaration against Arbitrary Detention in State-to-State Relations and proposes the appointment of a United Nations Special Representative on Hostage-Taking. She also recommends the creation of a global fund for hostage support. She encourages international courts, such as the ICC, to prosecute hostage-taking as a standalone crime and as torture when applicable (Edwards, 2025, para. 88–90).

Non-state actors are explicitly called upon to release hostages unconditionally and are reminded that hostage-taking is a grave international crime that can constitute torture and trigger universal jurisdiction.

Conclusion

This report by the Special Rapporteur powerfully reframes hostage-taking as a profound violation of human dignity that often amounts to torture or cruel, inhuman, or degrading treatment. It challenges the international community to respond with legal clarity, institutional preparedness, and humanitarian solidarity. The suffering of hostages and their families, often invisible or politicised, demands renewed commitment to uphold the principles of justice and human rights without exception.

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Digital mental health in Southwest Asia and North Africa

Lindiwe Dhlakama¹

For the tenth consecutive year, the Southwest Asia and North Africa (SWANA) region remains the least peaceful region in the world² due to extreme geopolitical instability, war, and natural disasters. This ongoing turmoil has caused an exacerbation of mental health challenges (Okasha et al., 2024), which, if left unaddressed, will present the biggest barrier to the reintroduction of stability and the rebuilding of societies.

In July, Zentrum UEBERLEBEN’s Ilajnafsy Program³ hosted a conference titled ‘Digital Mental Health in SWANA: What Works, What’s Next?’⁴ in Egypt. The event brought together experts to explore how digital interventions can provide a much-needed lifeline in the context of a chronic crisis. Held

over two days, the first offered insights from research and practice on digital mental health services, and the second explored how to care for staff in an online setting.

Current digital solutions

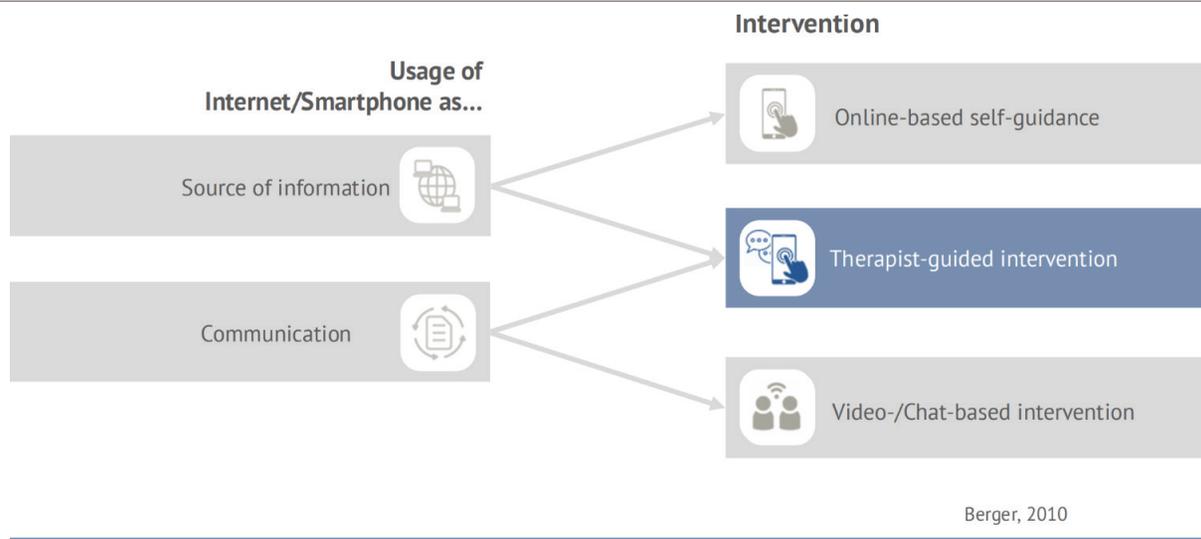
The conference highlighted some innovative digital mental health interventions that are already making a difference:

The Ilajnafsy Program

The Ilajnafsy Program, running for nearly two decades, was designed by Zentrum UEBERLEBEN,⁵ an organisation based in Germany which supports rehabilitation and integration of refugees and migrants. It is an online psychotherapy program which runs an Arabic writing therapy program.

Treatment begins with online registration and a telephonic diagnostic interview, then counselling for conditions such as post-traumatic stress disorder and depression through a written, asynchronous approach. Clients submit written tasks, then receive an individual therapeutic response within 48 hours. It was reported that Ilajnafsy receives about 1,300 new registrations per month.

Figure 1. Categorisation of web-based interventions



1 Program Manager at IRCT

2 Global Peace Index 2025

3 <https://www.ueberleben.org/en/our-work/departments/research-department/ilajnafsy-en/>

4 Digital Mental Health in SWANA: What Works, What’s Next?

5 <https://www.ueberleben.org/en/home-en/>

Table 1. *Advantages and disadvantages of therapist-guided online interventions*

Advantages	Disadvantages
Accessibility: Due to clients being able to upload their written tasks anytime, this can overcome the time zone barriers	Limited diagnostic possibilities: Therapists cannot be certain without in-person sessions
Activation of patients/clients: The client is the one who writes to the therapist first.	Limited crisis intervention
Visual anonymity/privacy: This helps close age gaps and other potential barriers between the patient and the therapist, thereby reducing stigma as no one sees the other.	Limited non-verbal signals
Easier disclosure: Due to visual anonymity and accessibility.	Negative effects of therapy would be difficult to recognise: During in-person sessions, one would be able to see them through the client's expressions and body language.
Archiving: One can easily go back to past written tasks and assess their progress	
Scaling up: Therapists can take on more clients than if they were solely doing face to face counselling.	

Prof. Dr. Maria Böttche, professor of E-Mental Health and Transcultural Psychology at the Freie Universität Berlin, highlighted what research and practice showed when it came to such types of therapist-guided interventions in Table 1.

PTSD Coach Online – Arabic

Another digital intervention that was presented was the PTSD Coach Online-Arabic, which is a web-based and mobile app program designed to provide self-management tools and psychoeducation for individuals who may have symptoms of post-traumatic stress disorder (PTSD).

Users of PTSD Coach Online – Arabic can learn about PTSD, take a self-assessment, and track their progress over time. They are also introduced to tools and coping strategies to help manage specific symptoms in real time. The application also assists users in connecting with professional help.

A study was done to evaluate the effectiveness of this intervention in trauma-exposed adults in Egypt. The study showed good feasibility and acceptability and a high perceived benefit. It also showed a small positive effect on symptoms after three months (Miller-Graff et al., 2021).

However, whilst the study showed an increased awareness of PTSD, only 22% of the participants reported frequent usage, suggesting that the addition of human support would lead to more retention.

Step-by-Step

A guided digital intervention developed by the World Health Organization (WHO) together with the National Mental Health Programme (NMHP) at the Ministry of Public Health in Lebanon, the Step-by-Step program differentiates itself by including trained “e-helpers” who provide technical, emotional and contact-on-demand support. This can take the form of weekly 15-minute phone calls or a message to offer support, motivation, or to assess suicide risk.

The program is structured to allow users to complete one session per week, with the next session accessible only after the previous one is finished. This encourages users to practice the new skills and apply them in their daily lives between sessions.

The study found that despite its limitations- a small, non-controlled sample and a high dropout rate- the intervention appeared to be effective in reducing symptoms of depression and anxiety, and increasing well-being (Harper Shehadeh et al., 2020).

Shezlong

Most debated at the conference was Shezlong,⁶ a digital mental health app that uses AI to assist therapy.

It works by using AI to match the potential client with the best-fit therapist for them based on the client's specific needs.

⁶ <https://www.shezlong.com/en>

AI then structures the client's thoughts before the initial session with the chosen therapist, creating a client-approved brief for the therapist to read ahead to save time and increase efficiency.

During sessions, AI can also assist in drafting progress notes, enabling the therapist to focus on clinical work rather than paperwork. Also, if needed, AI can help with the therapist's supervision by offering insights on how they performed during the session, and whether their performance aligned with the chosen treatment plan, thus improving therapeutic skills.

In between sessions, AI can also provide supplementary support, such as mood tracking and guided exercises, at the client's request, thus increasing engagement in between sessions.

With Shezlong, AI is viewed as a tool that can augment a therapist's work, providing more data points than a human can process at any given time. However, ethical concerns were presented. These included data privacy and security concerns, as well as the potential for bias in algorithms, which are often based on data from white male populations. There were also questions of transparency, as AI can act as a 'black box' where even its creators cannot predict its output.

Caring for staff in an online setting

A critical, often overlooked, aspect of mental health care is the well-being of the service providers themselves. Research shows how staff who consistently work with trauma victims are susceptible to suffering from burnout, the symptoms of which are apathy, cynicism towards clients, feelings of hopelessness, rapid exhaustion, irritability and forgetfulness (Pross, 2006). Staff also commonly suffer from PTSD, causing sleep disorders, and can develop compassion fatigue which manifests in feelings of faintness, confusion and isolation from family and friends (Pross, 2006). Apart from personal injury, this can lead to organisational concerns, such as high staff turnover, which can threaten the organisation's sustainability (Rendahl & Santoso, 2019). Caregivers who provide mental health services in a digital capacity face similar emotional and relational challenges and, additionally, technological challenges such as digital 'Zoom' fatigue, which leads to reduced empathy, exhaustion and withdrawal, and the blurring of work-life boundaries, making it difficult to disconnect. Remote work can also lead to feelings of isolation with no informal peer support. Also, working with clients who may be high risk with few to no referral options can lead to an increase in stress and feelings of helplessness.

Dr. Mechthild Wenk-Ansohn, a medical doctor and psychotherapist who has specialised in psychotrauma-therapy (DeGPT) and supervision (DGSv/EASC), reiterated these challenges faced by MHPSS providers. She described how the provider often experiences secondary traumatisation and com-

passion fatigue (Figley, 1995) as well as vicarious traumatisation (Mc Cann & Pearlman, 1990) due to the continuously high pressure, complex problems, and shared feelings of helplessness.

A culture of staff care and external supervision was expressed as essential and one that needs to be addressed at both the organisational and individual levels. Organisations need to implement policies of staff care, risk management, and debriefing protocols. Clear roles, supportive management, and sufficient resources are vital as well. On an individual level, providers were told that they need to reflect on their limitations, set boundaries, and engage in self-care activities.

Supervision in Crisis Conditions

Insights from the Gaza Community Mental Health Program (GCMHP)⁷ provided sobering conclusions to the conference. Since 2023, GCMHP has lost four staff members and has had its premises bombed thrice. Despite this, the staff continue to provide services to over 60,000 beneficiaries.

GCMHP staff often lack food, transportation, and data, and frequently work from caravans and camps. Internet disruptions are frequent and mentally disturbing, making remote supervision extremely difficult.

GCMHP's Dr. Yasser Abu Jamei and Rawai Hamam emphasised that supervision from within Gaza is far more effective than from outside, as local supervisors truly understand the depth of the trauma and the context. The unique nature of war trauma means that the supervisors need to have specialised tools to support this region's counsellors.

Conclusion

The ultimate message at the conference was clear: digital mental health holds immense potential, but its success hinges on a multifaceted approach.

Therapist-guided web-based interventions have so far been effective, particularly iCBT interventions for moderate to severe depression (Karyotaki et al., 2021), and they also lowered anxiety symptom severity, increased quality of life (QoL) and improved perceived social support (El-Haj-Mohamad et al., 2025).

In addition to these web-based interventions, discussions emphasised the need for strong partnerships, cultural relevance, and local ownership to achieve sustainable change.

However, as one speaker noted, the ultimate solution is peace, because true healing can only begin when people are no longer in a constant state of traumatisation.

⁷ <https://www.facebook.com/gcmhptested/>

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New practice note prioritises survivors in the fight for justice

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In May 2025, the International Accountability Platform for Belarus (IAPB) published a practice note called '*A Survivor-Centred Approach to Documentation for Criminal Accountability*'. Building on years of documentation of human rights violations, the publication offers a detailed and valuable guide for civil society actors seeking to document human rights violations while also prioritising survivors' needs, agency, and safety at the centre.

The note is issued within the context of an increasing emphasis on survivor-centred approaches to justice, especially in contexts where state institutions are either unwilling or unable to investigate and prosecute torture (IAPB, 2025: 33). This focus emerges against the background of a long history of survivor-led organisations that have documented torture. Developed through consultations with survivors, NGOs, and international bodies, the guide outlines a documentation process informed by principles such as the 'do no harm' principle and incorporates initiatives like informed consent protocols (IAPB, 2025: 5-6).

At its core, this approach recognises survivors not just as passive victims or witnesses, but as active rights-holders whose dignity and self-determination must guide every step of the documentation process (IAPB, 2025: 6). This is especially crucial in settings where survivors may risk reprisal and retraumatisation.

Beyond Belarus

The IAPB was established in March 2021 in response to the violations of fundamental rights committed following Belarus's disputed presidential election in August 2020 (IAPB, 2025: 4). It is a coalition of NGO's working to document evidence of human rights violations, including torture, committed in the context of those events.

It draws on consultations with leading global accountability actors from various countries, including the Independent Investigative Mechanism for Myanmar (IIMM), Freedom from Torture, the International Rehabilitation Council for Torture

Victims (IRCT), and numerous other organisations (IAPB, 2025: 5-6).

The result is a flexible guide applicable to a broad audience engaged in the documentation process of torture and ill-treatment. In particular, the note addresses documentation in spaces where state accountability mechanisms are compromised or where survivor participation in justice processes is rare.

From passive subjects to active rights-holders

At the heart of the practice note is an emphasis on recognising survivors not merely as sources of evidence or passive victims, but as rights-holders with agency and interests that inform the documentation process (IAPB, 2025: 6).

Given this diversity of experiences and perspectives, this practice note cautions against one-size-fits-all approaches and instead offers a set of key principles that can be adapted across contexts (IAPB, 2025: 33). These principles fall under three main headings: relationships with survivors, representation, and accompaniment (IAPB, 2025: 6-7).

Under *relationships with survivors*, the guide emphasises the need to respond to survivors' own priorities and preferences in the documentation process. It reinforces the principle of 'do no harm', requiring organisations to conduct risk assessments and take steps to prevent re-traumatisation and other harm. A survivor-led process is only feasible if it does not expose communities and human rights defenders to further security risks. Non-discrimination is also central, as survivors must be treated fairly, regardless of identity, and their self-expression must be respected. All engagement should be marked by dignity and compassion, with staff showing patience and empathy, especially during difficult interviews.

The *representation* principles focus on managing expectations, ensuring informed consent, and establishing mechanisms for accountability and transparency. Documenters must be clear about what they can and cannot deliver and provide accurate information about potential outcomes. Survivors must give informed consent regarding the use of their data and be informed about what happens when their information is shared with other entities. Feedback mechanisms should be in place to allow survivors to raise concerns and help organisations improve their practices.

Finally, under *accompaniment*, the guide calls for holistic support, including referrals to trusted services where needed. Participation must always be voluntary and informed, with attention to power dynamics. Organisations are also urged to plan ahead, ensuring data is handled responsibly and that survivors have a point of contact even after a project ends.

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Together, these principles reflect a commitment to centring survivors not only in documentation practices but in the broader pursuit of justice, ensuring that their rights, security, and voices remain at the heart of accountability efforts (IAPB, 2025: 6-7).

Phases of survivor-centred documentation

The guide covers four phases of survivor-centred documentation, which are shown in table 1 (IAPB, 2025: 5).

Table 1. Four phases of survivor-centred documentation

Phase	Key activities	Survivor-centred practices
Reaching victims and survivors	Initial contact	Survivor-informed approach
Identifying and responding to survivors' needs	Accompaniment, needs assessment	Holistic assessment of needs, referral to medical/legal/psychosocial services
Shaping the methodology of documentation around survivors	Consent, security, safe data collection	Safe interview spaces, informed consent, intersectional approaches
Protection against secondary trauma	Prevention initiatives, regular monitoring	Ongoing updates, recognising early signs of vicarious trauma

By centring survivors not only as providers of testimony but as active participants in the pursuit of justice, the practice note reframes documentation as a space for dignity, trust, and long-term engagement.

Adapting survivor-centred documentation to varied contexts

The practice note recognises that documentation work is undertaken by a diverse range of civil society actors, ranging from small initiatives to larger, well-established NGOs and international coalitions (IAPB, 2025: 33). As such, the recommendations offered throughout the guide are not intended as rigid or prescriptive standards, but rather as flexible and adaptable guidance that must be tailored to fit the varied capacities, resources, and contexts in which documenting organisations operate (IAPB, 2025: 27-29). Documentation initiatives may vary not only in terms of staffing, funding, and infrastructure, but also

in their exposure to risk, the legal and political environment in which they work, and the communities they serve. For this reason, the guide does not impose a universal set of procedural requirements. Instead, it encourages organisations to adopt what is feasible and meaningful within their specific context and their operational constraints. Therefore, the practice note encourages all initiatives, regardless of size or scope, to think critically about the balance between what they can offer and the expectations that may be created when engaging with survivors.

Furthermore, the structure of the note demonstrates a clear commitment to accessibility and adaptability. The guide is written in simple, non-technical language, with bulleted recommendations, diagrams, and summaries that make it usable in various organisational contexts.

The civil society's expanding role in accountability for torture

The publication of this practice note also reflects a broader trend where we see an increasing centrality of civil society in pursuing accountability for torture, especially where international or domestic mechanisms are ineffective, stalled, or absent.

In this setting, the ethical and strategic challenges are substantial. How can organisations maintain security and trust with survivors over time, particularly when the justice process may take a considerable amount of time in a context where reprisal is a risk? How can traumatised individuals be engaged meaningfully, in ways that respect their agency, not just their testimony? The practice note offers a response to help when encountering these dilemmas.

As the guide notes, civil society documenters may in some cases be the only point of contact survivors ever have with the international justice system (IAPB, 2025: 8). This underscores their dual responsibility: to act ethically and to build trust not just as a procedural matter, but as an act of justice.

Final reflections: From principles to practice

For audiences working on the prevention of torture, redress, or legal accountability, this practice note is a valuable resource, both theoretically and operationally. Its strength lies not only in the clarity of its principles but in the practicality of its recommendations on what good practices could be. But perhaps most importantly, it encourages documentation teams to work with humility, patience, and care, rather than treating survivors solely as case files and evidence sets.

The note also reminds us that documentation is not a neutral act. How we collect, store, and share testimony, including what questions we ask, how we listen and how we follow up, can either reproduce harm or help repair it. The act of docu-

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menting must not deepen the violence it seeks to expose - instead, it must create a space for survivors to be heard on their own terms and with the support they need. Resources like this practice note can therefore help ensure that survivors remain at the centre, not the margins, of future collective efforts.

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“With licence to prevent”: Reflections on *Tackling Torture*, Malcolm Evans’ book on torture prevention

Nora Sveaass¹

During the years that have passed since the adoption of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2002, a treaty aiming at strengthening and systematising the prevention of torture and ill-treatment through preventive visits, important publications have seen the light of day, providing legal as well as practical frameworks to these endeavours. Central here is the practical guide on the role of national preventive mechanisms (NPMs) (OHCHR, Professional Training Series no 21²), Carver and Handley’s book (2016) “Does Torture Prevention Work?”, and the many statements and reports issued both by the SPT (Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment) and the CPT (European Committee for the Prevention of Torture). With the publication of Malcolm D. Evans’ book, “Tackling Torture. Prevention in Practice” in 2023, we have a resource for this particular area of work, which is a *must*. It is a must whether one is participating in monitoring work – on a national or international level, engages in a legal, health or community context with persons deprived of liberty, as a student or professional, or as one defending human rights in our societies, as activists and civil society organisations, or just plainly interested in the topic.

To describe a book about torture as a page-turner, as exciting and even humorous at times, may be quite unusual, but nevertheless, in the case of “Tackling Torture. Prevention in Practice” by Professor Malcolm D. Evans, we have such a book. Therefore, when I now present this work, which I find so “spot on” regarding prevention, I will do so through my own reflections and reactions, actively using the author’s text and ideas to present it as richly and accurately as possible. Having had the great privilege of being a member of the SPT myself, serving under Evans’ leadership, and experiencing not only numerous

meetings but also several visits together with him, it has been a truly enriching experience to read this book. I will also include a couple of experiences I have had myself from active prevention work.

The book is written with dedication and even passion – and sometimes one can practically feel the physical reactions of the author to what he describes in terms of evil, pain, neglect, indifference, stupidity, as well as possibilities and hope. It is so full of insights, experiences, observations, reflections, critical approaches and deep-rooted knowledge, that I want to say, read it, use it, disseminate it.

Sir Malcom is Professor of Public International Law and was at the University of Bristol till 2023 and is now Principal of Permanent Private Hall, Regent’s Park College, Oxford. He served as a member of the UN Subcommittee on Prevention of Torture (SPT) from 2009. In 2011, he was elected chair of the subcommittee, a position he held until he left the SPT in 2020. For Evans, preventing torture was a strong dedication and his mark will be on this work for the foreseeable future.

The author approaches this wide and complicated subject on many different levels, and he is thorough and crystal clear on all the stops on this scale – from the legal and theoretical – including philosophical reflections on torture, torture prevention and dealing with obligations on one end of this scale – to the very practical on the ground descriptions – which includes so much lived experience and practice on the ground that it turns into very engaging reading. And believe it or not – it must be the only book on torture and torture prevention that manages to elicit laughter, smiles and amazement – this because his examples are so vividly described, and despite the tragic phenomena at the core of this work, the examples – and some of the stupidities in the systems – how this is met and confronted – has huge humorous potentials. And for those who have made such visits themselves, the many recognisable and well-known scenes and observations may evoke both tears and smiles.

The book effectively conveys the motivating force behind the project, the seriousness with which it addresses the topic and the insight it provides into this field. And, as he says himself, he is passionately committed to the cause of prevention (p. 10). He has the critical and at a distance perspective, as well as the talent for seeing the ironic, the paradoxes, and, as mentioned, even the possible humorous aspects.

Among the many points he discusses in this book, he examines the role and power of the protocol in relation to the states and their authority in connection with visits and methods of collaboration with the visiting body. The fact that the protocol allows the committee to visit any of the ratifying states, when the committee itself finds this meaningful and necessary, car-

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² Preventing Torture. The Role of National Preventive Mechanism. United Nations. Human Rights.

ries some interesting aspects. The states will always be informed about the planned visit and will be asked to perform preparatory work in relation to practical issues, such as notifying the facilities in general about the visit and ensuring the credentials for members, etc. But they are not informed about the visit programme itself, and they are not in a position to say no or decide on alternative dates. I will mention one example from my own experience in the preparations for a visit to a European country. The state requested a postponement due to a large cultural event scheduled to take place during the period in question. At this, the chair, Malcolm Evans, addressed the committee and with the deepest of sighs, said: Well – as to visits, we *do* have some tolerance and even understanding for situations that may make a visit problematic for the state, such as elections, government break-down, armed conflicts, and natural catastrophes etc – but we have no tradition for evaluating what role the *Eurovision Song Contest* may have in our planning! Well, the result was that the state was not met in their wish for full postponement, but we made some minor adjustments since the song contest might be a competition to us regarding interpreters, cars to hire, etc. But the way this observation was reflected in the committee is difficult to forget. He does not mention this little incident himself in the book. Instead, he points to the existing limitations the state has regarding blocking, postponing, or in any way influencing the planning of the preventive visits.

So, about the book. It is a book about the prohibition and the prevention of torture. It highlights once again the total ban on torture and the fact that “virtually every country has acknowledged that torture is to be forbidden” (p.1). And what the book does is to give life, meat, and substance to efforts to prevent, strengthen and uphold this prohibition.

The book is divided into two parts. Interestingly enough, it starts with “The Solution”, which is the name of the first part of the book, whereas the second part is dedicated to “The Problem”.

The six chapters comprising the first part of the book present a thorough and reflective overview of the issues at hand – the concept of torture, the rationale for prevention, an introduction to the OPCAT, and the implications of its adoption in 2002 and entry into force in 2006. It describes the visiting mandate of the UN SPT, as well as the National Preventive Mechanisms (NPMs), which are fundamental elements of the protocol and the first and important step that ratifying states must take to comply with the obligations under the OPCAT.

These, in many ways, both expected and rather obvious topics in a book about how human rights law, and in particular, a special treaty aiming at preventing torture and ill-treatment, are

dealt with, *not* as straightforward descriptions or reproductions of what exists in the legal texts and academic discussions about torture, prohibition and prevention. Rather, the reader is invited into an ongoing dialogue and an active reflective position. This is an extremely stimulating and fruitful approach. It is the author thinking aloud as he goes along. And while reading this myself, it struck me that the old term “soliloquies” comes into life through this way of presenting the material. Indeed, we do have the author’s thoughts and reflections, as they are brought up, presented, and explained. However, he is sharing, and the reader is practically brought into the discussion, as if we are part of an ongoing conversation with the author, engaging in a sort of dialogue on and with the legal framework and international human rights experts in this field.

The discussion the reader is asked to join is not one “about” this topic – it instead gives you a sensation of being inside it, as it unfolds over the pages. The reflections move elegantly through various positions and disputes. So, one is not reading about something that has taken place or debates that are closed. One is not being presented with lists of provisions, legal statements, or the many conventions, but the reader becomes part of something that is being thought about and reflected upon as one reads. A very special and exciting way of presenting this material. It does not necessarily make it easier to read – sometimes, especially for a reader without a legal background, it must be read over again to grasp the full sense and direction. At the same time – those who have heard Sir Malcolm speak about these issues, whether it is as lectures, as comments and contributions in the context of treaty body work or in more informal settings, one may so easily recognise his ways of dealing with this material – this approach that combines so many different angles, including irony and humour.

From this historical and legal overview, the book proceeds to part II – “The Problem”. And it is this second part of the book that truly brings life to the work on torture prevention. It takes the reader to the absolute basics and the realities of what preventing torture is about – and as the author describes it himself, *it is the insider’s story of preventive visits in practice*.

The second part also consists of six chapters, each of which deals with specific aspects of torture prevention in practice. This is not a text that prescribes or outlines how visits should be done ideally or in the best of worlds, rather it is about what happens when a UN delegation of 4 – 8 persons, counting experts and OHCHR secretariate, travels to countries where most of the participants have never been before, often with long travels and with one main objective in mind, namely visit all sorts of places of detention, speak privately to those who reside in such areas and meet with those responsible for the institutions. Al-

ready, the first paragraphs of this second part set the tone, and the reader is indeed asked to “peek” behind the curtains at what it is like when it happens. And this is where the practicality of the visits is described in vivid terms, bringing out dimensions of the work which are often neither talked about nor discussed – at least not in public – and in particular not among those for whom such visits still are theoretical options given ratification of the OPCAT. The former chair writes (p. 123):

“Hoteliers must have hated us. We were among the worst sort of guests, and at our worst, during breakfast. Just about every member of the delegation would be feeding themselves up for the day on enormous quantities of just about whatever there was to feed on: and then, worst of all - would leave with as much secreted in their bags and pockets as possible. Some limited themselves to fruit, especially bananas (there is a reason for this). Others would be busy making up sandwiches out of rolls, meats and cheeses for themselves and others” (p. 123). The explanation for all this is given further on – visits are often long, to remote parts of the country, there are no eating options in the area, returns to the hotel are often after all kitchens and restaurants are closed, and most delegation members have been hesitant to accept invitations for meals in the places visited. Especially after visiting some of the kitchens and hearing the stories from inmates. After hearing, as I have myself a couple of times, about cockroaches found in the food served to inmates, one is not very tempted to say yes, even to kind invitations to eat. What is then often preferred is to enjoy the food that has been smuggled out from the hotel buffet, in an air-conditioned van, hired for the whole visit, in a quiet place outside the facility visited. So, moving back to the banana - an important ingredient in most SPT visits and as Evans writes, “the fruit of choice for the SPT breakfast buffet thieves”. The story is that a banana fits well in the pockets of the UN vest, it is among the few things one is allowed to enter with (of course, cell phones and cameras are among the prohibited gadgets), and finally, “you can peel a banana without touching what you eat” (p. 128). This is valuable when one has wandered for hours in places of detention, where washing options are very limited and the need for some nutrition often emerges, sometimes strongly. The list of all the musts to be covered at visits is a long one, and on paper these tasks seem doable and practical. But what is often the case on the ground? The registers in the institutions, which all handbooks on visits will refer to as something important to review, are often non-existent or unavailable. First, they may be made from paper and kept in conditions that give little protection to the documents. Then, stories about civil war, conflict, and humidity are among the problems encountered. These include issues such as keys that nobody quite knows where they

are, or the person with the key is not to be found, and registries kept geographically far from the place visited. These and other challenges reveal the often-dramatic lack of what one takes for granted – or at least expects to be in place. Some of these challenges are elegantly and truthfully summarized as follows: “you cannot expect people to fill in written registers if they cannot read or write; or to take people in vehicles they do not have, along roads that do not exist to attend courts that are not open; or to lock gates that are not there” (p.169).

Before every visit, the delegation and the members individually have plans, ideas and expectations. However, the number of unexpected experiences during visits is without limit, and these can range from practical stumbling blocks in the visits themselves to being confronted with pain and evil beyond what one can imagine. A book that deals with the prevention of torture cannot be without the gruesome stories, the author rightly points out, but at the same time, he does not want the book to be a “litany of horrors”. Nevertheless, the horror is the reality, and it represents the lived experience of far too many locked up in facilities of subhuman character. And what must never be forgotten is that there are some people out there who, in fact, bear the responsibility for the factual situations observed, and even more important, “have the authority and the power to make things different” (p. 139).

And yes, the chapter called “accepting the unacceptable” (chapter 8) is about the extreme human rights violations encountered in far too many places – ranging from consciously inflicted pain to living conditions and treatment that are far beyond what may be accepted – downright unacceptable. Here are the descriptions of overcrowded holding cells at police stations, measuring 4 –5 square meters, and filled with 20–25 men. As there is not enough room for all to lie down at the same time, lying down is done on a rotational basis. No mattresses or blankets on the hard concrete floor, and no toilet or anything like a toilet (p. 140). And not always clear how long the stay in the cell will last, but it could be from 3 to 5 days or longer, according to the local registry, in one of the many places visited and described.

Despite having full rights to enter all areas within detention centres, including hospitals, immigration centres, prisons, and police stations, as well as access to cells, corners, and other sections of the institution, this may still present challenges. For example, attempts at stopping members from entering overcrowded cells without the company of a prison guard, only accompanied by the delegation’s own security staff, as is referred to, for reasons of security, are frequent experiences where the delegation ends up entering, with sighs and irritation from those who oversee the keys. Then, the denials of entry into

special areas, such as underground bunkers whose existence is either denied or whose use is clearly redefined, are often met with lengthy discussions. In one case, the author mentions, the delegation’s insistence on cutting padlocks manages to gain access. And when this happens, and referring to a specific episode, the members could see with their own eyes that these were not any storage rooms but “a room with a hard metal chair, with a head-restraint and strappings.... an electric chair” (p. 142). When asked about how this was used and for what purpose, the reply was that it was “used for taking photographs for ID cards” (p. 142). But as for the hook attached to the ceiling, and the metal rings bolted to this, no description was ever given.

And one aspect is the conditions persons deprived of liberty are living under – and the often earnestly illegal ways in which they are treated while in these situations – and as the author suggests – “was it ever necessary to handcuff such seriously ill prisoners to their beds, and when out of bed, to their chairs?” And he continues, “but is it really necessary to have ankle and calf restraints which are anchored to the floor and which grip and immobilise the leg applied to all detainees when receiving extended visits from their partners and children in what is designated as a family room and is only available as a ‘privilege’? And is it really necessary to conduct full strip and cavity searches of all detainees every time they move through an internal checkpoint within a prison, which simply separates off a reception area from a holding area?” (p. 147).

But visits not only reveal conditions and treatment but also the lack of fundamental legal rights, such as keeping people in remand or pre-trial detention for an indefinite amount of time. The author wants to avoid the “pre-trial” term, as this presupposes that those who are waiting in remand will, in fact, be tried. And this is frequently not the case, and the prisoners may inform the visitors about years without access to lawyers or being taken to court. In addition, the conditions for those not sentenced may be much harsher than those under which the sentenced ones are living. And we understand that it is not necessarily without serious problems in many places. Nevertheless, he refers to differences between these two situations (remand and sentenced) as “staggering” (p. 144).

This chapter also addresses the fact that observations by the UN delegation are to be shared, after each institutional visit, with the directors of the institutions, and towards the end of the stay, with the authorities themselves. The range of reactions from those who receive the observations (preliminary findings) is described – from full denial, attempts to explain or excuse, or even just accepting that this is how it is and that this is how it should be, or at least *must* be. Because, as the author so clearly reminds us of – somebody has the responsibility – somebody

has the knowledge and the capacity for change. To this, he further says, there is no “bright line between accepting the unacceptable and excusing the inexcusable” – but the chief evil lies in the “unquestioning acceptance” (p. 148), - the “just the way things are” (p. 149). And it is here that the preventive bodies – be it the National Preventive Mechanisms or the SPT itself – have such an important role to play. Raising the questions over and over, never accepting that torture and ill-treatment continue to happen, as part of a daily routine, without any attempt to protest or take the practices up for revision

And the following chapter dives deeply into exactly this – namely, excusing the inexcusable....and lying about what goes on. For as we can read, why lie about practices that you consider acceptable? Chapter 9 is about not only the deception and lies encountered during visits to places of detention, but also the attempts to excuse and make “acceptable” the violations encountered. And the chapter is full of examples of this, how completely sub-human conditions, such as not providing water, not ensuring bucket or toilets, resulting in cells full of urine and excrement, leaving some cells empty while others were overcrowded and filthy, and then referring to a lack of padlocks as reasons for this state of affairs. Examples also from closed centres for migrants and asylum seekers are described, where cells were overcrowded and few possibilities to leave the cell, and this for people whose crime was but passing borders and wishing for a better life in a new country.

Visits to places of detention, where members take the time and energy to try to understand the “design” of the place and gain a picture of what is happening, may generate insights into ways of treating people that one may think are not possible. Sometimes the cruelty may be obvious and brutal, other times the cruelty is more “refined” and less obvious, but equally evil, and seemingly without a cause. An example of this is a women’s section in a prison, and on the surface, this was a lot better equipped than the men’s section. The ladies were let out for some hours every day and were allowed to sit on benches on a balcony overlooking the garden and the rest of the institution. But they were prohibited from talking or stepping down from the balcony. So, there they sat, side by side, for hours, in the fresh air, but not allowed to communicate with each other. As Evans writes, “the sum total of what they were permitted to do during the day was to sit in silence watching other people, yards away from them who were free to move to meet and to talk – and to do so day in, day out, year in, year out, it was a very deliberate form of cruelty.” (p. 157). The information given to the delegation was that the women were serving life sentences. But – what did that explain? So, the chapter concludes as follows: “There is a difference between a reason and an excuse. And in

the face of torture and ill-treatment, excuses are just not good enough. And there are no acceptable reasons” (p. 163).

The challenge for a monitoring body, with the mandate to visit, see, ask, read documents and speak both to staff and those deprived of liberty, is that, if this is done actively, systematically and in depth, the range of information and impressions one receives may be overwhelming and often include minimal, but important details. The question then arises: how to deal with all this information – how to ensure that it is transmitted in a way that can be followed by action and reform? But the problem is so often – to whom shall this be addressed, who does in fact have the power to do things, who has the will and who is in fact responsible? This may be a complicated picture. As the author rightly says, prevention requires steps and measures on multiple levels. And when telling the “relevant authorities” to take “appropriate action” and providing them with concrete recommendations, it often feels inadequate and impossible. Even if one is convinced that it will not happen anyway, the situation remains difficult. Because – what is actually prevention, and how can it be done? These and other very important reflections on how and what to recommend are very interesting and necessary. And sometimes it will take a lot of creativity to come up with something that in fact may make a difference. So, as it is formulated in the chapter “The only thing that really matters is whether a recommendation makes a meaningful contribution to the prevention of torture or ill-treatment in the context in which it is being made” (s. 163). Worth thinking about – and it does not come by itself. The reference to the context is crucial here. Because the recommendations must be tailored, they must seem relevant and meaningful, and they must entail changes in relation to torture and ill-treatment. They must be feasible and there must be people there who are able – and hopefully willing- to deal with what has been observed, as a basis for recommendations.

The mental exercises that have to be made by visiting bodies aiming at torture prevention are very elegantly described in the chapter rightly called “Working with Fictions”. This is about meeting realities on the ground that are very different from what one usually thinks and what one normally expects of one’s surrounding – one may, says the author – “it is quite possible to spend a great deal of time and energy visiting a place of detention while not really seeing or understanding what is in front of you at all” (p. 171). There are numerous examples of this. For instance, descriptions of police stations “sobering” up men too drunk to be at home, thus relieving the families of any problem that a night after heavy drinking could lead to. It was the men’s family, not the police, who took them to the station. And when they were sober enough, the men were released, and

no charges were made against them. They were provided with a place to stay overnight, and the families were grateful. Perhaps not entirely in line with the book, but on the other hand, quite useful, at least for the families.

Another matter – an extremely serious one – and one that when encountering it for the first time, one may have some problems believing what one hears, namely, the fact that many prisons around the world are to a large extent, perhaps not driven by, but under control of the prisoners themselves. In many places, the situation is that prison gangs dominate the lives in the prison, and the question of who is in charge of the prisons is more complicated than one normally expects. And it raises the question – to whom shall we address the recommendations? Yes, it is true that this situation is usually referred to as a matter of concern in official settings. However, it is not evident how this problem is addressed, or what plans are in place to do so. As the authors confess: “Doubtless naïvely, I was surprised to discover the extent to which in so many prison settings in so many different countries, powerful prisoners were in effect co-opted into the day- to- day running of facilities by the prison authorities themselves. To all intents and purposes, those prisoners became the gaolers, with the single and sole exception that at the end of each day, when all else had been dealt with, they would turn their keys (and they had the keys) on themselves”. (p. 175).

I can recall an experience from a prison where we were informed by the prison director that various criminal gangs controlled different sections of the prison, so one had to always take this into account when new prisoners were placed in custody. If he was sent to the wrong place, controlled by competing gangs, his life was not worth much. And when the visiting team wanted to enter one of the buildings or sections of the prison, we were accompanied by police officers, as there were very few regular prison officers in this place. The daily tasks were, after all, carried out and mostly controlled by the different groups of prisoners. But the police opened the outer metal door with their keys, then tapped the door so that the “boss” on the inside would be alerted that they were receiving visitors. The “boss” then opened the inner door with his keys. The police waited on the outside, and we were welcomed in and informed that the moment our visit was over, we would let the boss know, and he would then open the inner door. He would tap the door so that the police could come back and open the outer door. When questioned about the possible situation that the prisoners refused to open, we were told that this would be solved by blowing up the door. The “storm troops” of the police would be in charge of this, so no worries. But nothing of the sort was needed. On the contrary, in an overcrowded prison section, with inmates who had been there for years, often without any

trial, and under living conditions that were difficult to imagine, we met young men who wanted to talk, explain, and ask for help. They received us politely and calmly. This was the part that was the most difficult to understand, as just being there and seeing what I saw brought a lot of anger out in me – at least after I had left the place.

Another aspect of this, as described by Malcolm Evans, is the sad fact that a lot of the inhumane treatment that prisoners are exposed to is often in the hands of their fellow inmates. The inter-prisoner violence may be beyond what those in charge are able to deal with. And they seem to be in no position to do so, even though they ought to, as responsible. Yes, they ought to be in a position to do so. “But that is the fiction. They are simply not” (p. 176). And this holds, unfortunately, true for many examples of conditions that should be addressed with urgency.

One of the crucial areas that should always be visited, examined, and discussed is the health section, including the possibility of health services for prisoners and others deprived of liberty. And this is not only a question about how these services are organised and to what degree they are available to those who need them, but it is also about the professionalism or lack thereof by the medical or health staff themselves. Such as examples from medical records, describing a person as healthy and with no issue of concern, and on a visit, the delegation observes and hears quite different stories – about serious health problems not detected or registered or recent ill-treatment resulting in visible signs of cuts and bruises, not being registered just hours before. Did the doctor overlook them deliberately? Or were they inflicted immediately after?

Visits are valuable in another sense, as they can provide updated information and references to professionals within the system. Unfortunately, these professionals are often less independent from the system than one would like them to be. The lack of information about important tools such as the “Istanbul Protocol”³ – is also important to note, and visiting teams may raise this issue. This is referred to in this chapter as one of the many challenges surrounding expectations about how things should be. One would expect health professionals to care about those they are meant to serve actively, but this is often not the case. The lack of a framework may be one reason behind this. As the author says, “Nevertheless, the toxic combination of weak legal frameworks, minimal resourcing, hopelessly inadequate numbers of professionals available and an appalling lack

of professionalism by some of those who were, simply has to call into question the practical effectiveness of even these most fundamental of preventive safeguards”. And by this, he points to the disturbing fact that even if the legal safeguard of consulting a doctor is respected, one cannot always ensure that the professionals and the way they tackle the problems represent any form of safeguard.

The way the justice system functions in many places is also among the surprises one may encounter on preventive visits. The discussion here is a fundamental one. In contexts where it seems that all they (authorities) do is to “trace the contours of the rule of law” (p. 179), is it at all useful to visit and recommend to the governmental authorities, when it seems that they are “palpably unable to act as such”? (p. 179). And despite the SPT mandate being very clear on visits as a means for prevention of torture, it may be important to discuss the other tools in the UN toolbox, and perhaps there are others better equipped at this, to be found.

And the rather painful insight, communicated towards the end of this chapter, is precisely directed at ensuring compliance and implementing the protection required under the OPCAT. Because, despite how hard it is to accept this, the author says, one can have the sense that some states ratify, but obviously with no intention of following up on the obligations under the protocol. These are strong words, without doubt. But at the same time, the way the visiting mandate is described in the book, with the many possibilities it in fact has, not least in collaboration with the national bodies (NPMs) – it seems that the only way is to go on – monitoring, questioning, recommending and following up. I think the author would agree on this point.

Because the last chapter is called “Thinking Positively about Prevention”. It is moving from descriptions of the realities encountered to perspectives that take us further into the question of what preventive work is and what we are preventing. And here the relationship between torture and ill-treatment is highlighted, and in a way that I find gives more meaning and sense than a lot of other attempts at describing these concepts. In particular, he challenges the notion of ill-treatment, the way it is often understood and also the tendency to give less attention to forms of ill-treatment not immediately being classified as torture-intended and with a purpose. He provides numerous good examples, inviting the reader to consider the range of cruel acts and contexts that people may encounter. And he argues, “Perhaps there is a good reason why the absolute prohibition is of ‘torture and inhuman or degrading treatment or punishment’. The problem is that we too often forget that this is so or think that things ‘falling short of torture’, as we understand it, are somehow not so bad. They are not ‘not so bad’: they are just

3 For some reason there is not direct reference to the updated version of the Istanbul protocol (IP-22), which has a specific chapter about the role of the professionals, but the important chapter by Vince Iaccopino (correct spelling – typo in Evan’s text) from 2020 is nevertheless referred to.

different – bad in a different way – and are just as prohibited” (p. 187).

The stories one hears about in this work are grim, and the prospects are often depressive. In relation to this, I have myself usually said that if one engages in work with torture and other serious and violent situations, one must be optimistic to be able to keep up the spirit. And I think Malcolm would agree to this.

Because the book ends on a positive note, despite all, it refers to the work towards prevention with the UN *as the art of the possible*. But at the same time, he regrets that he has no “headline-grabbing major and transformative proposals” to present, some “that would change the face of torture prevention” (p. 195). And the reason – there are none!! However, in this closing chapter, he refers to the book by Carver and Handley (2016), reminding us about the tools described therein, and that there are indeed tools that may prove effective in our work for prevention – and in ensuring respect for the prohibition. This is important. Because of the work that Evans has described in his book, the stumbling blocks often encountered and sometimes even problems with understanding whether what we see and hear is true, may give rise to the temptation of giving it all up, declaring the whole project as impossible. But here again, we have a strong closing message from the author, namely that our greatest mission is to do whatever we can to prevent those who can abuse their power over others from being hindered in doing so. “Then, torture prevention simply comes down to

keeping on trying to do whatever you can to make sure that they can’t. And if this is all that all of this achieves, then even if what is done is not enough, it is enough that it is done at all to make all this worthwhile” (p. 197).

This book ploughs up the land or terrain on which we move when we engage in torture prevention. It gives us the sense that no turf is left alone, or no square inch overlooked. Because questions are raised throughout the whole spectrum, and no easy answer is possible. And it takes us through the range of the visiting mandate and its objectives – from the small and lesser hindrances in practical monitoring to the major questions related to power and oppression.

It is, despite what I have also said about this book, a deadly serious document. Because it deals with torture, and the essential international attempts to deal with this, prevent it, protect survivors and hold the responsible to account. It is about the necessity of maintaining this work, strengthening it, and making it more effective. It is also a strong appeal to the member states to fulfil their obligations under the treaty. So, the stories told are grim, but the message is also one of optimism and hope. One cannot do this work if it is without hope or some form of optimism.

The author takes us through numerous different experiences and observations, and the reader is actively engaged by what they read – again on many levels. Yes, it is quite a journey that Sir Malcolm wants us to take part in. And we should.

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ISSN 1018-8185