

Joint Urgent Appeal to the UN Special Procedures and Working Group on Arbitrary Detention to Protect Palestinian Detainees from Collective Punishment and Physical Destruction Through the Arbitrary Deprivation of Life by Israel

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Submitted by:

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For the attention of UN:

- Special Rapporteur on the Situation of Human Rights in the Palestinian territory occupied since 1967, Ms. Francesca Albanese;
- Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr Morris Tidball-Binz;
- Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Ms. Ashwini K.P.;
- Special Rapporteur on violence against women and girls, its causes and consequences, Ms. Reem Alsalem;
- Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, Mr. Ben Saul;
- Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health, Ms. Tlaleng Mofokeng;
- Special Rapporteur on the rights of Indigenous Peoples, Mr. Albert Kwokwo;
- Special Rapporteur on the human rights of internally displaced persons, Ms. Paula Gaviria;
- Special Rapporteur on extreme poverty and human rights, Mr. Olivier De Schutter;
- Special Rapporteur on the right to development, Mr. Surya Deva;
- Independent Expert on human rights and international solidarity, Ms. Cecilia Bailliet;

- Independent Expert on the enjoyment of all human rights by older persons, Ms. Claudia Mahler;
- Working Group on Arbitrary Detention

I. Introduction

In its sitting on 10 November 2025, the Knesset Plenum voted to approve in first reading the Penal Bill (Amendment No. 159) (Death Penalty for Terrorists) 2025, sponsored by MK Limor Sonn Har Melech (also a member of Otzma Yehudit). In the vote, 39 Knesset members supported the bill, versus 16 opposing votes. It will now be returned to the National Security Committee for deliberation. It must clear a further two parliamentary votes to become law.¹

This bill marks a dangerous shift in Israeli policy by seeking to legally enshrine the systematic state-sanctioned killing of Palestinian detainees. While previous similar bills on imposing the death penalty have not passed the first reading, the geopolitical landscape – both in Israel and abroad – has shifted. Recent years have seen a stark rise in Zionist ultranationalism and far-right sentiment, with this faction effectively in control of the Israeli government. The radical, populist right holds the death penalty as a key demand, and the substantial majority by which the vote on the bill passed indicates it will likely become law.

Urgent intervention is required to mobilise the international community to prevent Israel from further violating the most fundamental rights of the Palestinian people as it entrenches its discriminatory apartheid policies and practices on both sides of the Green Line, and pursues their destruction through the ongoing genocide. Our organisations warn that the draft bill puts the lives of thousands of Palestinian detainees in Israeli detention under serious risk.

II. The Status of the Death Penalty in Israel

The recent Position Paper published by Palestinian Human Rights Organisations on the draft bill served to clarify the facts surrounding the death penalty in Israel and to demonstrate that, in practice, Israel has continued to implement it against Palestinians in the occupied Palestinian territory (OPT).² As outlined therein, the State of Israel is not among the states that have abolished the death penalty. It has not also acceded to the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) of 1966, adopted in December 1989, which obliges signatory States to abolish the death penalty. Accordingly, Israel remains among the States whose national legislation continues to provide for the death penalty.

¹ The Knesset, 'Approved in first reading: Death penalty for terrorists' (*Knesset News*, 11 November 2025) <<https://main.knesset.gov.il/EN/News/PressReleases/Pages/press111125q.aspx>>

² Palestinian Centre for Human Rights, 'Position Paper Issued by Palestinian Human Rights Organizations: An Israeli Draft Bill Imposing Death Penalty Against Palestinians' (7 November 2025) <<https://pchrgaza.org/position-paper-issued-by-palestinian-human-rights-organizations-an-israeli-draft-bill-imposing-death-penalty-against-palestinians/>>

In 1954, Israel abolished the death penalty for ordinary civilian murders but continued to apply it for crimes related to the pursuit of Nazis, genocide, and treason offenses. In 1962, Adolf Eichmann was executed by hanging after being convicted of genocide and crimes against humanity. The execution of Eichmann is presented as the sole instance of Israel implementing the death penalty, providing the basis for the argument that it has become a *de facto* abolitionist State.

However, since its establishment in 1948, Israel inherited the laws of the British Mandate over Palestine, which included the death penalty, particularly the 1945 Emergency Regulations that embody the colonial experience in oppressing and suppressing peoples under colonial rule. Throughout the past 77 years, in a bid to maintain its settler-colonial apartheid regime and unlawful occupation of Palestine, Israel has perpetrated – and continues to commit – thousands of extrajudicial executions. These take the form of assassinations, an official Israeli policy referred to as “targeted killings”; sniping operations; killings at military checkpoints and Palestinian demonstrations; and the killing of Palestinian detainees through their slow death because of the torture and ill-treatment, including neglect and inhumane conditions, that they are subjected to in Israeli detention centres.

III. Contextual Background to the Draft Bill

The Penal Bill (Amendment No. 159) (Death Penalty for Terrorists) 2025 passed on first reading on 10 November is not Israel’s first attempt at introducing the death penalty against Palestinians. For instance, on 3 January 2018, the Israeli Parliament voted in favour of a preliminary reading on a bill to amend Penal Law 5737-1977 expanding the competences of domestic courts in Israel to impose a death sentence for convictions of murder “in an act of terror”.³ It would have provided military courts the competence to impose the death penalty by a simple majority decision by the panel of judges. On 26 February 2023, the Ministerial Committee for Legislation voted in support of a proposed bill Penal Code (Amendment – Death Penalty for Terrorists) 2023. It was then confirmed in a preliminary vote in the Knesset on 1 March 2023, and on 13 March 2023, was sent to the National Security Committee.⁴

Since being appointed Minister of National Security, Itamar Ben-Gvir has been unwavering in his pursuit of legally enshrining the death penalty against Palestinians. This was brought to the attention of UN Special Procedures in an Urgent Appeal submitted by the Commission of Detainees and Ex-Detainees Affairs, Palestinian Human Rights Organizations Council and Palestinian Prisoners’ Society in February 2023.⁵

³ Al-Haq, ‘Recent Bills: Israel Seeks to Expand the Scope of the Death Penalty for Palestinians and to Illegally Annex West Bank Settlements’ (16 January 2018) <<https://www.alhaq.org/advocacy/6288.html>>

⁴ See Center for the Defence of the Individual, The Committee Against Torture, Adalah, Addameer, and Physicians for Human Rights, ‘Death Penalty Bill in Israel: An imminent threat to the human rights of Palestinians’ (April 2023) <https://stoptorture.org.il/wp-content/uploads/2024/02/Death-penalty-info-sheet-PCATI-Adalah-Addameer-PHRI_HaMoked_April-2023.pdf>

⁵ See ‘Joint Urgent Appeal to the UN Special Procedures to Safeguard Palestinian Political Prisoners’ Rights against Collective Punishment and Arbitrary Measures Implemented by the Israeli Prison Services at the behest

While Prime Minister Benjamin Netanyahu had previously opposed such bills, recently citing concerns over potential retaliation against Israeli captives held in Gaza, he has since reversed his stance following the implementation of the so-called “ceasefire” which it routinely violates, showing his overt intent to destroy Palestinian life.

On 28 September 2025, the National Security Committee, chaired by MK Tzvika Foghel (a member of Otzma Yehudit, the ultranationalist political party of Ben-Gvir), voted to approve the latest iteration of the Penal Bill (Amendment – Death Penalty for Terrorists) for first reading, despite the objection of the Knesset's legal advisors. The committee's legal advisor, Adv. Ido Ben-Itzhak, had warned that any vote on the bill would be invalid on the basis “that it is mandatory to hear the relevant security elements who have not yet been heard, and to hold a substantive discussion on the bill’s provisions”.⁶ Despite no substantive discussion having taken place, in the debate held prior to the vote, Ben Gvir said: “Precisely at this time, they need to know that if even a single hair of a hostage falls, there will be a death sentence.”⁷

After being approved in first reading on 10 November, the 2025 draft bill must pass a second and third reading before becoming law.

IV. Penal Bill (Amendment No. 159) (Death Penalty for Terrorists) 2025

Echoing the 2018 draft bill highlighted above, the current bill proposes that a person who caused the death of an Israeli citizen deliberately or even through indifference, “from a motive of racism or hostility against a population, and with the aim of harming the State of Israel and the national revival of the Jewish people in its land” shall be sentenced to death. This death penalty would be applied mandatorily. Moreover, any death penalty imposed cannot be commuted.

The bill, if transposed into a military order making it directly effective in the unlawfully occupied West Bank, also amends the military courts law, allowing courts there to impose the death penalty by a simple majority vote on the judge’s panel instead of a unanimous vote. It also rules out any option of allowing extenuating circumstances in the sentencing.

The wording of the bill, specifically regarding the victim, i.e., an Israeli citizen, directly implies that Jewish Israelis that commit the same offence would not be subject to the same mandatory death sentence. Under Israel’s settler-colonial apartheid system, Palestinians are subject to military law, while illegally transferred in Israeli colonial settlers are subject to Israeli civilian law. If it becomes law, this bill will add to the vast pre-existing body of discriminatory laws and policies that further entrench Israel’s apartheid system and oppression of Palestinians

of the Israeli Occupying Authorities’ (14 February 2023)

<https://www.alhaq.org/cached_uploads/download/2023/02/23/urgent-appeal-on-prisoners-2023-1677159197.pdf> 3-4

⁶ The Knesset, ‘National Security Committee approves death penalty for terrorists bill for first reading’ (*Knesset News*, 28 September 2025) <<https://main.knesset.gov.il/en/news/pressreleases/pages/press28925q.aspx>>

⁷ The Knesset, ‘National Security Committee approves death penalty for terrorists bill for first reading’ (*Knesset News*, 28 September 2025) <<https://main.knesset.gov.il/en/news/pressreleases/pages/press28925q.aspx>>

throughout the OPT and on both sides of the Green Line through its application to Palestinians alone.

V. Violations of International Law

While attempts to introduce similar legislation have failed in the past, the continued impunity for Israel's conduct towards Palestinians since 7 October 2023 – in addition to the ongoing lack of accountability for the crimes it has committed over the past eight decades – has emboldened the current Israeli government (the most far-right in Israel's history) to take unprecedented measures in their pursuit of Palestinian erasure.

The enactment of a law imposing the death penalty exclusively against Palestinians would mark yet tool another of oppression and racial domination over the Palestinian people. UN experts (some of whom are addressed in the present Urgent Appeal) have already expressed their grave concern regarding such a bill. In response to the Israeli Ministerial Committee on Legislation's vote on the 2023 draft bill, numerous Special Rapporteurs stated:

The reinstatement of the death penalty is a deeply retrogressive step. More so when, on the face of it, the punishment will apply against minorities living within the State or those who live under the 55-year military occupation and rule (...) counter-terrorism laws are already applied arbitrarily and undermine the fundamental guarantees of international humanitarian and human rights law with respect to counter-terrorism efforts (...) The proposed law merely exacerbates these challenges.⁸

The same assessment squarely applies to the 2025 draft bill. The fact that the bill, if it becomes law, will apply solely to Palestinians, only further cements the two classes of criminal law in Israel:

One class which privileges and protects Israeli Jewish citizens of the State and one which further targets, marginalises and undervalues the lives of Palestinian citizens of Israel and Palestinians living in the occupied Palestinian territory—and their fundamental rights to non-discrimination and self-determination.⁹

Beyond constituting another apartheid practice, the bill confirms to citizens of Israel and illegal settlers, already violently attacking Palestinian men, women and children on a daily basis, that Palestinian lives have no meaning or value.

⁸ UN OHCHR, 'Israel: UN experts alarmed by potential reinstatement of death penalty for "terrorism offences"' (24 February 2023) <<https://www.ohchr.org/en/press-releases/2023/02/israel-un-experts-alarmed-potential-reinstatement-death-penalty-terrorism>>

⁹ UN OHCHR, 'Israel: UN experts alarmed by potential reinstatement of death penalty for "terrorism offences"' (24 February 2023) <<https://www.ohchr.org/en/press-releases/2023/02/israel-un-experts-alarmed-potential-reinstatement-death-penalty-terrorism>>

1. International Human Rights Law

The rights of the Palestinian people to due process guarantees and a fair trial have been violated for nearly eight decades. Palestinians in the OPT live under and are subject to Israel's military courts system. According to international law, the trial of civilians in military courts should only be permitted under exceptional circumstances due to the serious concerns in guaranteeing the right to equality and a fair trial. Military criminal procedure sets harsher maximum punishments, provides fewer procedural guarantees than Israeli civilian procedure, including longer detention periods and denial of access to counsel. General Comment No. 36 of the International Covenant on Civil and Political Rights (ICCPR) emphasises that a violation of fair trial guarantees would make a subsequently imposed death sentence arbitrary and illegal. Furthermore, Israeli military courts often fail to provide essential rights such as the translation of evidentiary and investigatory materials and legal proceedings into the accused's mother tongue.

In addition, Israeli laws applicable to Palestinians are defined in vague, broad terms that run contrary to the principle of legality. Two United Nations Working Groups and seven Independent Experts have identified clear human rights and humanitarian law deficiencies in the Israeli Counter-Terrorism Law 5776-2016 and related regulations and orders.¹⁰ These overarching terrorism laws and regulations, which list the offences to which the death penalty bill applies, were found to suffer from a lack of legal precision; infringe on critically important rights; and fail to meet the required thresholds of legality, necessity, proportionality, and non-discrimination under international law.¹¹

In addition to violating the fundamental right to a fair trial enshrined in Article 14 of the ICCPR and related principles of legality, necessity, proportionality, and non-discrimination, the bill represents a real and blatant risk to the right to life protected under Article 6 of the ICCPR and Article 3 of the Universal Declaration of Human Rights.

While the death penalty itself is not illegal under international law, it can only be lawfully applied in the most exceptional cases under strict conditions. It may only be imposed for the most serious crimes. The bill recently passed on first reading would apply the death penalty in cases where a person caused the death of an Israeli citizen deliberately or *through indifference*. This blatantly falls short of the standard of intent to kill required by criminal law and the severity threshold outlined in Article 6. What's more, under international law, the right to seek amnesty, pardon or commutation of the sentence of death may be granted in all cases yet this is expressly excluded in the bill.

On these two grounds alone, any sentences handed down on the basis of the bill – if it becomes law – will automatically constitute an arbitrary deprivation of the right to life. However, the

¹⁰ See OL ISR 6/2022 (5 May 2022)

<<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27237>>

¹¹ UN OHCHR, 'Israel: UN experts alarmed by potential reinstatement of death penalty for "terrorism offences"' (24 February 2023) <<https://www.ohchr.org/en/press-releases/2023/02/israel-un-experts-alarmed-potential-reinstatement-death-penalty-terrorism>>; OL ISR 6/2022 (5 May 2022)

<<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27237>>

bill further violates the right to life through its breach of other provisions of international law. In imposing the death penalty as a mandatory sentence on the basis of a simple majority in military courts, rather than requiring judicial unanimity on the appropriate punishment in a fair and public hearing by a competent, independent and impartial tribunal, the penalty would be rendered invalid. Due to the wording of the bill is inherently discriminatory as it only applies to Palestinians and not Jewish Israelis who commit a similar offence for racially motivated or nationalist reasons. As a result of breaching the principle of non-discrimination, death penalties handed down would constitute an arbitrary deprivation of life.

Finally, it is crucial to highlight the prevalence of torture in Israeli detention centres and Israel's documented systematic practice of extracting false confessions and information based on sexual and gender-based violence, starvation, sleep deprivation, physical and psychological torture, including threats, and humiliation. It is therefore highly probable that any death penalty imposed will be carried out on the basis of false confessions or information obtained through torture. Not only does this constitute an egregious breach of the peremptory norm prohibiting torture, it legally invalidates the basis of the conviction and subsequent sentence.

Even in the limited circumstances where due process and fair trial rights were guaranteed, and the conviction was not grounded upon evidence obtained through torture or inhumane, degrading, or ill-treatment – which every Palestinian detainee is subject to simply by the conditions in Israeli detention centres – it is now well-established that the death penalty itself violates the prohibition of torture. In 2010, the European Court of Human Rights held that the death penalty should be prohibited in all circumstances, including on the basis of the prohibition of torture.¹² In 2012, the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Mr. Juan E. Méndez, upheld the position that state execution (including lethal injection, gas asphyxiation, death by hanging, etc.) violates the *jus cogens* prohibition on torture due to the prevalent conditions under which capital punishment is actually applied. Under many other, less severe conditions, it still amounts to cruel, inhuman or degrading treatment.¹³ In 2017, UN Special Rapporteurs on extrajudicial, summary or arbitrary executions and on torture and other cruel, inhuman or degrading treatment or punishment, Ms. Agnes Callamard and Mr. Nils Melzer, respectively, “deplored the Bahraini authorities’ decision to resume executions” and urged Bahrain to “consider an official moratorium on death penalty and to consider its complete abolition”.¹⁴ The same message, along with demands for tangible action capable of deterring Israel from its path of destruction of the Palestinian people, must be conveyed to Israel and the international community.

2. International Humanitarian Law

¹² *Al-Saadoon and Mufdhi v. United Kingdom; A.L. (X.W.) v. Russia*

¹³ UN General Assembly, Interim report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (9 August 2012) UN Doc. A/67/279

¹⁴ UN OHCHR, 'Urgent appeal to the Government of Bahrain to stop new executions – UN rights experts' (25 January 2017) <<https://www.ohchr.org/en/press-releases/2017/01/urgent-appeal-government-bahrain-stop-new-executions-un-rights-experts#:~:text=Related,and%20on%20torture%2C%20Nils%20Melzer.>>

Incorporating the death penalty into legislation applicable solely to Palestinians must be examined in the broader context of Israel's genocidal, settler-colonial apartheid regime. The bill is being advanced at a time of unprecedented violence and destruction of the Palestinian people. Framing the bill as a measure to counter "terrorism" evinces a clear intent of executing collective death sentences that could target hundreds of Palestinian detainees subject to arbitrary arrests, and detentions. Israel's politicisation, and use and abuse of the "terrorist" label is well-documented. Two of the four Palestinian organisations submitting this urgent appeal were targeted with this smear on 19 October 2021, when the Israeli Minister of Defense announced the designation of six leading Palestinian civil society organizations (CSOs) as "terror organizations" under Israel's domestic Anti-Terrorism Law (2016).¹⁵

In the aftermath of 7 October 2023 — a military operation labelled by Israel as a "terrorist attack" — Israeli officials made clear that they view the entire population of the Gaza Strip as collectively responsible. For example, on 12 October 2023, President Isaac Herzog expressly stated that Israel was not distinguishing between militants and civilians in Gaza, stating in a press conference to foreign media — in relation Palestinians in Gaza, over one million of whom are children: "It's an entire nation out there that is responsible. It's not true this rhetoric about civilians not aware not involved".¹⁶ On 10 November 2023, Ben-Gvir clarified the government's position in a televised address, stating: "[t]o be clear, when we say that Hamas should be destroyed, it also means those who celebrate, those who support, and those who hand out candy — they're all terrorists, and they should also be destroyed."¹⁷ The same logic squarely applies to the West Bank, where children throwing stones, journalists and human rights defenders are routinely targeted, detained, and punished based on the amorphous charge of "terrorist activity". This renders the bill a retaliatory and revengeful measure intended to collectively punish the Palestinian people resisting Israel's violent settler-colonisation of their territory, rather than serving as a measure of deterrence or prevention.

Article 33(1) of the Fourth Geneva Convention includes an unambiguous prohibition of collective punishment and "penalties of any kind", stating that "no protected person may be punished for an offense he or she has not personally committed." The absolute prohibition of collective punishment enshrined in the Fourth Geneva Convention became further entrenched by the 1977 Additional Protocol I to the Geneva Conventions, wherein collective punishment is "prohibited at any time and in any place whatsoever, whether committed by civilian or

¹⁵ See Al-Haq, Addameer, the Bisan Center for Research & Development, Defence for Children International-Palestine, the Union of Agricultural Workers Committees (UAWC), and the Union of Palestinian Women's Committees (UPWC), 'Position Paper: Dangerous Designations, Israel's Authoritarian Dismantling of Palestinian Civil Society, an Attack on Human Rights and the Rule of Law' (30 October 2021) <<https://www.alhaq.org/advocacy/20453.html>>

¹⁶ Rageh Omaar, 'Israeli president Isaac Herzog says Gazans could have risen up to fight 'evil' Hamas', (ITV News, 13 October 2023) <<https://www.itv.com/news/2023-10-13/israeli-president-says-gazans-could-have-risen-up-to-fight-hamas>>

¹⁷ Interview with Itamar Ben-Gvir on Channel 12 (11 November 2023), 10:30 onwards <<https://www.youtube.com/watch?v=2yRl-cc-D3w>>; Quds News Network, @QudsNen, Tweet (7:28 pm, November 12, 2023) <<https://twitter.com/QudsNen/status/1723784790682358189>>

military agents”.¹⁸ In his report to the 44th session of the UN Human Rights Council, the then Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Michael Lynk, noted that despite Israel’s failure to ratify the Additional Protocols, the entrenchment of the prohibition in customary international law, according to the ICRC, leads breaches of the prohibition to be a “serious violation” of international humanitarian law.¹⁹

Since 7 October 2023, Israel has stringently pursued a policy of mass detention and enforced disappearance of Palestinians throughout the OPT. Currently, an estimated 10,800 Palestinians are being held across 23 prisons, detention facilities and interrogation centres, more than double the number held before 7 October 2023.²⁰ As of 30 September 2025, at least 350 Palestinian children are detained in Israeli prisons (according to the latest data available from the Israel Prison Service). Half of these, 168 children, are held in administrative detention without charge or trial. This is both the highest number and the highest proportion on record since Defense for Children International - Palestine began monitoring these numbers in 2008.²¹ By 31 August 2025, 75 Palestinians died in Israeli detention since 7 October 2023.²²

As explained above, arbitrarily detained Palestinian men, women, and children have no due process rights or fair trial guarantees. Rather, if charged, they are subject to a biased and partial military court system that weaponises vague, discriminatory laws - and in this case a mandatory death sentence with no option of commutation - and the politicised “terrorist” label as a means to punish and erase the Palestinian people and their hopes for self-determination. Within this apartheid system and immense power imbalance, that lacks all procedural and legal safeguards, sentences handed down against Palestinians are stripped of all legal validity and merely constitute another attack against the Palestinian people as a whole.

Finally, it is important to stay cognisant of the fact that the collective punishment of Palestinian detainees extends beyond those arbitrarily deprived of their liberty. Implementing the death penalty will also collectively punish Palestinian families and communities, which are already forced to endure a reality in which they are rendered powerless in the face of a Western-backed, genocidal regime committed to their destruction.

¹⁸ International Committee of the Red Cross (ICRC), Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, 1125 UNTS 3

¹⁹ UN Human Rights Council, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, 15 July 2020, UN Doc A/HRC/44/60

²⁰ Middle East Eye, ‘Video: UN questions Israel over torture of Palestinian detainees’ (13 November 2025) <<https://www.middleeasteye.net/live-blog/live-blog-update/video-un-questions-israel-over-torture-palestinian-detainees>>

²¹ Defense for Children International – Palestine, ‘Nearly half of Palestinian child detainees have no charge’ (7 November 2025) <https://www.dci-palestine.org/nearly_half_of_palestinian_child_detainees_have_no_charge>

²² UN, ‘At least 75 Palestinians have died in Israeli detention since 7 October 2023 – UN Human Rights in Occupied Palestinian Territory’ (17 September 2025) <<https://www.un.org/unispal/document/ohchr-press-release-17sep25/>>

3. Prohibition of Genocide

As the present analysis has stressed, the death penalty bill – in its current and previous iterations – represents another component of its genocidal campaign against the Palestinian people and its long-held goal of Palestinian erasure. On the basis of Israel’s clear intent to destroy the Palestinian people, conduct that kills and inflicts serious mental harm – on both the Palestinian person mandatorily sentenced to death and their family and wider community – including a pervasive, lasting sense of hopelessness and distress must also be categorised as genocidal acts.

VI. Urgent Demands

Previous demands by UN Special Procedures, referred to above, to abandon a prior draft of the death penalty bill and “pull back from undermining the rule of law” have clearly fallen on deaf ears.²³ Given the political landscape in Israel, which not only disregards the rule of law but actively seeks to destroy it, without meaningful, tangible action we are likely to witness Israeli authorities have additional grounds upon which to eliminate the Palestinian people.

Israel’s legislative steps to introduce the death penalty must be considered as a grave escalation in Israel’s widespread and systematic human rights violations against Palestinians on both sides of the Green Line and throughout the OPT, which already includes thousands of extrajudicial killings and executions.

The listed Palestinian organisations submit this Urgent Appeal for your immediate intervention to prevent Israel’s unprecedented attacks and escalating efforts to destroy the Palestinian people and their struggle for self-determination, by:

1. Labelling the bill as an unacceptable attack on the Palestinian people that, if implemented into law, constitutes acts of genocide, apartheid, collective punishment, torture and some of the most serious human rights violations;
2. Calling upon Third States to demand the Israeli government refrain from passing the bill on the basis of its infringement of international law and the rights of Palestinians throughout the OPT and on both sides of the Green Line;
3. Situating Israel’s latest legislative efforts within the root causes underpinning the ongoing Israeli military aggression and genocide against the Palestinian people, in particular Israel’s settler-colonial apartheid system and ongoing Nakba;
4. Demanding that Israel immediately cease its unlawful military activity and genocide in the Occupied Palestinian Territory;
5. Reminding States of their binding obligations to prevent and punish the crime of genocide and to respect and ensure respect for the Geneva Conventions of 1949 – pursuant to these obligations, States must take all reasonable measures to prevent further breaches of these provisions by Israel including: imposing a full arms

²³ UN OHCHR, ‘Israel: UN experts alarmed by potential reinstatement of death penalty for “terrorism offences”’ (24 February 2023) <<https://www.ohchr.org/en/press-releases/2023/02/israel-un-experts-alarmed-potential-reinstatement-death-penalty-terrorism>>

embargo; cutting diplomatic and trade relations; imposing comprehensive sanctions; and pursuing accountability;

6. Reminding States of their binding obligation to refrain from assisting in maintaining the illegal situation arising from Israel's violations of peremptory norms and promote the right to self-determination of the Palestinian people, in line with the International Court of Justice's Advisory Opinion on *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*;
7. Calling on the UN Security Council to implement economic sanctions and other countermeasures capable of forcing Israel to adhere to its binding obligations under international law and ending its mass atrocities against the Palestinian people;
8. Demanding the reconstitution of the UN Centre and Special Committee against Apartheid;
9. Asking the Prosecutor of the International Criminal Court to expedite the investigation into the Situation in Palestine with full resources and onsite visits as promised in December 2022.