

PALESTINE / ISRAEL

- **ISR-22:** Ofer Cassif
- **PSE-02:** Marwan Barghouti
- **PSE-05:** Ahmad Sa'adat
- **PSE-COLL-01:** Twenty-three parliamentarians



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Israel

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 176th session (Geneva, 3 to 19 February 2025)



© Member of Knesset Ofer Cassif

ISR-22 – Ofer Cassif

Alleged human rights violations

- ✓ Threats, acts of intimidation
- ✓ Lack of due process at the investigation stage
- ✓ Violation of freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate

A. Summary of the case

On 10 January 2024, Mr. Ofer Cassif was subjected to an expulsion procedure initiated by a fellow member of the Knesset, who accused him of supporting armed struggle and terrorism against the State of Israel for publicly supporting South Africa's case at the International Court of Justice (ICJ). South Africa had filed a case at the ICJ alleging that Israel was engaging in "genocidal acts" in Gaza following its response to the 7 October 2023 attack by Hamas.

After collecting the signatures of 85 members of the Knesset supporting Mr. Cassif's expulsion, the issue was referred to the Knesset House Committee for approval. According to the Israeli Basic Law, the Knesset can expel a member if (s)he expresses support for armed struggle against the State of Israel, provided that 90 Knesset members, or 75 per cent, have voted in favour of the motion. On 30 January 2024, after a sitting that lasted two days, the Knesset House Committee

Case ISR-22

Israel: Parliament affiliated to the IPU

Victim: An opposition member of parliament

Qualified complainant(s): Section I.(1) (a) and (d) of the Committee Procedure (Annex I)

Submission of complaint: January 2024

Recent IPU decision: March 2024

IPU mission(s): - - -

Recent Committee hearing: Hearing with the complainant at the Committee's 176th session (February 2025)

Recent follow-up:

- Communication(s) from the authorities: - - -
- Communication from the complainants: January 2025
- Communication to the authorities: Letter to Knesset Speaker: January 2025
- Communication to the complainants: December 2024

endorsed the motion to expel Mr. Cassif. Fourteen Committee members had voted in favour of and two against the motion, which moved the motion for expulsion to the Knesset plenary. Mr. Cassif has reiterated that his support for South Africa's case against Israel is a plea to end the war in Gaza. He also said in several interviews that he had condemned the 7 October attack against Israel and that he had never shown any support to the terrorist group Hamas.

On 19 February 2024, the motion to expel Mr. Cassif failed to gain the needed majority in plenary, as only 85 of the 120 members of the Knesset backed the motion to oust Mr. Cassif. The complainant points out that those who voted in favour of Mr. Cassif's expulsion included the Knesset Speaker, Prime Minister Netanyahu and the Chair of the Ethics Committee. Given that the expulsion did not garner the necessary votes to materialize at the time, the IPU Governing Council, based on the recommendation of the IPU Committee on the Human Rights of Parliamentarians, found Mr. Cassif's complaint inadmissible in March 2024.

However, in November 2024, the Committee was informed about the Knesset Ethics Committee's decision to suspend Mr. Cassif from participating in Knesset plenary debates and committee discussions for six months and to stop the payment of his parliamentary salary for two weeks. According to the complainants, ever since the original attempt to expel Mr. Cassif failed, he has been the victim of an intimidation campaign led by the Knesset Ethics Committee, which relentlessly targets him for his outspoken criticism of the State of Israel and the Israeli Defence Forces (IDF) actions against Palestinians in Gaza since 7 October 2023. The complainants also add that, even though the four members of the Knesset Ethics Committee are members of both the ruling coalition and opposition, they all share the same right-wing political views and have reportedly failed to hold accountable Knesset members of right-wing and far-right political parties in Israel who had incited violence against Palestinians.

Mr. Cassif is currently prevented from participating in the Knesset plenary debates and committee meetings and cannot address the plenary to raise his constituents' concerns and exercise his parliamentary mandate effectively inside the Knesset to hold the Israeli Government accountable for its actions. According to the complainants, despite the daily threats and acts of intimidation he faces from the public due to his political views, the Israeli authorities have not granted Mr. Cassif personal security, considering that his situation does not warrant state protection. The complainants also state that opposition Knesset members and critical voices of the Israeli Government are being increasingly repressed and punished.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Recalls* that, in March 2024, the complaint concerning the situation of Mr. Cassif was not declared admissible by the Committee on the Human Rights of Parliamentarians under its Procedure for the examination and treatment of complaints, as the basis for the original complaint had become moot since the motion to expel him from the Knesset had failed;
2. *Notes*, however, that a new complaint relating to Mr. Cassif was submitted in due form by qualified complainants under section I.1.(a) and (d) of the Procedure for the examination and treatment of complaints (Annex I of the Revised Rules and Practices of the Committee on the Human Rights of Parliamentarians); *notes also* that the complaint concerns a member of the Knesset at the time of the alleged events; and *notes further*, that the complaint concerns allegations of threats, acts of intimidation, lack of due process at the investigation stage, violation of freedom of opinion and expression, violation of freedom of assembly and association, and undue invalidation, suspension, revocation or other acts obstructing the exercise of the parliamentary mandate;
3. *Considers*, therefore, that the complaint is admissible under the provisions of section IV of the Procedure for the examination and treatment of complaints; *decides* to reopen the case under the provisions of section IX, paragraph 26, of the Procedure; and *declares itself* competent to examine the case;
4. *Is deeply concerned* about the Knesset Ethics Committee's decision to suspend Mr. Cassif for six months after an earlier attempt to strip him of his parliamentary mandate for expressing opinions and views deemed to be against the State of Israel had failed; *is also concerned* that

Mr. Cassif continues to be the target of hateful comments and intimidation due to his political affiliation; and *regrets* the continued lack of response of the Israeli authorities regarding Mr. Cassif's complaint, despite its repeated requests for information;

5. *Considers* that, in suspending Mr. Cassif, the Knesset Ethics Committee punished him on account of his rightful exercise of freedom of speech by expressing a political position against the State of Israel's policies and actions in Gaza; and *considers*, therefore, that Mr. Cassif's suspension was arbitrary and that it hinders his ability to exercise the mandate entrusted to him by his constituents and to represent them effectively in the Knesset;
6. *Expresses grave concern* that Knesset opposition members cannot express their views without risking reprisals; and *reiterates* that freedom of expression goes to the heart of democracy, is essential to members of parliament and includes not only speech, opinions and expressions that are favourably received or regarded as inoffensive, but also those that may offend, shock or disturb others;
7. *Urges* the Israeli authorities to afford Mr. Cassif the necessary security measures his situation requires and to remedy his situation by restoring his parliamentary rights while ensuring that the rights of all Knesset members, including their right to freedom of opinion and expression, are upheld and their parliamentary immunity is protected at all times;
8. *Requests* the Secretary General to convey this decision to the Speaker of the Knesset and the complainants;
9. *Decides* to continue examining this case.



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Palestine/Israel

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 176th session (Geneva, 3 to 19 February 2025)



Men walk past a section of Israel's separation barrier painted with a portrait of Palestinian Marwan Barghouti held in an Israeli jail ©HAZEM BADER / AFP

PSE-02 – Marwan Barghouti

Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence
- ✓ Arbitrary arrest and detention
- ✓ Lack of fair trial proceedings

A. Summary of the case

Mr. Marwan Barghouti, an elected member of the Palestinian Legislative Council (PLC) in the constituency of Ramallah on the West Bank since January 1996 and widely known, according to several sources, for advocating a just and lasting peace in the Middle East, was arrested on 15 April 2002 in Ramallah by the Israeli Defence Forces and transferred to a detention facility in Israel. He was charged with murder, attempted murder and involvement in terrorist organizations. His trial before the Tel Aviv District Court started on 14 August 2002 and ended on 6 June 2004, when the court sentenced him to five life sentences and two 20-year prison terms. Despite being in prison, Mr. Barghouti was re-elected as a member of parliament for his constituency in the 2006 Palestinian legislative elections.

The complainants have raised a series of legal objections to Mr. Barghouti's arrest and prosecution, alleging that he was ill-treated, especially at the start of his detention, and was denied access to legal counsel. The Committee appointed a legal expert and lawyer, Mr. Simon Foreman, to report on the trial. His 2003 report, on which the Israeli authorities have not provided their observations, stated that, "the numerous breaches of international law ... make it

Case PSE-02

Palestine/Israel: The Palestinian Legislative Council and the Parliament of Israel are affiliated to the IPU

Victim: Member of the Palestinian Legislative Council, member of the majority

Qualified complainant: Section I.(1)(b) of the Committee Procedure (Annex I)

Submission of complaint: April 2002

Recent IPU decision: March 2024

IPU mission(s): - - -

Recent Committee hearings: - - -

Recent follow-up:

- Communication from the authorities: Letter from the head of the Knesset delegation to the IPU (March 2024)
- Communication from the complainants: March 2024
- Communication to the authorities: Letter to the Knesset Speaker (January 2024)
- Communication to the complainants: March 2024

impossible to conclude that Mr. Barghouti was given a fair trial” and that guilt had therefore not been established.

Mr. Foreman stated in his report that those breaches started with the illegal arrest and transfer of Mr. Barghouti to Israel in violation of the Oslo Agreements and the Fourth Geneva Convention. According to the report, Mr. Barghouti’s claims that he was subjected to cruel, inhuman and degrading treatment during the interrogations have never been investigated. The trial observer indicated that none of the prosecution witnesses, all Palestinians, had testified against Mr. Barghouti and provided any evidence of his involvement in the acts of which he is accused. On the contrary, some of them contested their “confessions” as having been obtained under duress, while others stated that they were forced to sign documents in Hebrew that they did not understand, and others took the opportunity to denounce Israeli politics in the occupied territories. Moreover, according to one of the sources, on 6 April 2003 the court reportedly accepted as Mr. Barghouti’s testimony a report written by the Israeli intelligence services that Mr. Barghouti had refused to sign.

According to Mr. Barghouti’s defence counsel, the charges brought against Mr. Barghouti were entirely based on secret reports that he had not seen, and the questions put to him by his interrogators were only about documents taken from Palestinian National Authority (PNA) offices, namely requests for financial or social support addressed to Mr. Barghouti. As a parliamentarian and former Secretary General of Fatah-West Bank, Mr. Barghouti used to receive such requests, which he forwarded to Mr. Arafat’s office.

In 2006, Mr. Barghouti initiated the drafting of the Prisoners’ Document, which was signed by the leaders of the most prominent Palestinian factions imprisoned in Israel. The document was an attempt to create a platform for the different Palestinian factions to unite behind, following Hamas’ electoral victory. Mr. Barghouti’s popularity, his initiatives to unite the different Palestinian factions and his negotiation skills, led several members of the Knesset to call for his release, such as Knesset member Mr. Amir Peretz in March 2008, when he stated that Mr. Barghouti could be a key element in attaining stability and assuming responsibility of the PNA, and Mr. Gideon Ezra, a member of Kadima. Following Mr. Barghouti’s election in August 2009 to Fatah’s Central Committee, the Israeli Minister for Minority Affairs, Mr. Avishai Braverman, also expressed his support for his release.

On 17 April 2017, Mr. Barghouti initiated a mass hunger strike, joined by more than 1,000 Palestinian inmates, to protest against the abusive and inhumane conditions in which Palestinian inmates were allegedly being held by the Israeli authorities. While the Israeli prison service (IPS) had agreed to grant some of the detainees’ requests, including increasing the number of monthly visits, the complainants stated that such requests had not been met. At a hearing which the Committee on the Human Rights of Parliamentarians held in October 2020 with the Palestinian complainants, the latter confirmed the dire detention conditions and limited visitation rights of Mr. Barghouti.

In their letter of 10 March 2022, the Israeli authorities declined the Committee’s invitation for a hearing, considering that Mr. Barghouti had been duly convicted in a fair trial conducted in an Israeli court for murder, attempted murder and membership of a terrorist organization. The Israeli authorities added that, in light of these elements, they saw “no reason to alter their position *vis-à-vis* the Committee on this case or any others pertaining to terrorists convicted in Israeli courts”.

On 7 October 2023, Hamas-led gunmen from the Gaza Strip launched an attack in southern Israel, deliberately killing civilians and taking hostages back to Gaza. In response to the attack, Israel launched an offensive against Gaza, which has caused large-scale loss of human lives and widespread destruction.

Mr. Barghouti’s detention conditions, as well as those of all the Palestinian inmates detained in Israeli prisons, have allegedly deteriorated since the Hamas attack of 7 October. He has reportedly been transferred three to five times to unknown detention facilities in Israel. His lawyer reported that he was placed in solitary confinement for being suspected of planning the subsequent uprising (*Intifada*) in the West Bank and Gaza. According to the lawyer of another inmate, who saw Mr. Barghouti in his cell while visiting his client, his face was covered in blood and displayed clear signs of beating. Mr. Barghouti’s family stated that the Israeli Prison Service (IPS) officers were torturing him with regular beatings and sleep deprivation. Mr. Barghouti has no access to medical care and has lost significant weight due to the severe limitations imposed by the IPS on the food supply in all prison cells. According to his family, Mr. Barghouti and other Palestinians detained in Israel are fed two spoons of rice and a tomato per day.

Mr. Barghouti is also denied access to showers, hygiene essentials and water, which the IPS has reportedly restricted to less than an hour a day. The toilets are not functional, thereby denying Mr. Barghouti minimum sanitary standards. Additionally, Mr. Barghouti's belongings, including his clothes and books, have been confiscated and he has no contact with the outside world. His family fears that the continued physical torture and the lack of medical care will have life-threatening consequences.

According to Mr. Barghouti's family, they have not been able to visit him for the past three years, as the Israeli authorities have been systematically denying their visit requests. Since the 7 October attack, the International Committee of the Red Cross (ICRC), the only organization allowed by the Israeli authorities to visit Palestinian inmates held in Israel, has been denied access to Israeli prisons, while family visits facilitated by the ICRC have been prohibited. Only lawyers have been granted the right to visit their clients. In this regard, Mr. Barghouti received two visits from his lawyer, who reported on his state and his dire detention conditions.

According to a public report¹ issued by Israeli human rights organizations, including the Public Committee Against Torture in Israel and Physicians for Human Rights Israel on 16 February 2024, "since Hamas' attack on October 7, 2023, and the subsequent Israeli offensive on Gaza, there has been a marked and severe escalation in the abuse of Palestinian detainees and prisoners incarcerated in Israeli prisons and detention facilities. Over the last four months, at least seven Palestinians have died while in custody in Israeli prisons and ad-hoc detention facilities, with initial evidence and testimonies suggesting that at least some of these deaths were connected to instances of severe violence by IPS officers". The report aims to address the widespread abuse inflicted by IPS officers on Palestinian prisoners.

In their letter of 18 March 2024, the Israeli parliamentary authorities reiterated their long-standing view that Mr. Barghouti was a terrorist mastermind who was held for questioning and sentenced to five consecutive life terms and another 40 years in prison, adding that he had only served 20 years so far. The parliamentary authorities stated that "under no circumstances should the IPU make light of a terrorist unaffiliated with Hamas", adding that Mr. Barghouti was a Fatah terrorist leader. From Israel's point of view, there is no difference between him, and a terrorist associated with Hamas, Islamic Jihad, Al-Qaeda, or ISIS. With regard to the detention conditions of Mr. Barghouti, the parliamentary authorities stated that the Red Cross was responsible for carrying out these inspections and that the prison authorities carefully review and consider the recommendations of every Red Cross report and implement changes when necessary.

With regard to the situation in Gaza, on 25 March 2024, the United Nations Security Council passed a resolution expressing deep concern about the catastrophic humanitarian situation in the Gaza Strip and demanding an immediate ceasefire. However, an agreement to a ceasefire was only reached on 19 January 2025. The agreement included the release of 33 Israeli hostages in exchange for 2,000 Palestinian detainees, the withdrawal of Israeli troops from key areas in Gaza and an increase in humanitarian aid for the Gaza Strip. Hamas has reportedly included Mr. Marwan Barghouti on the list of detainees to be released. The implementation of the agreement's first phase has already started with the return of several Israeli hostages and the release of hundreds of Palestinian inmates, including several high-profile prisoners. Mr. Barghouti's family hopes he will be freed in the coming weeks.

Former Israeli Mossad and Shin bet members, including Ephraim Halevy and Ami Ayalon, have called for the release of Mr. Barghouti so that the Israeli Government can engage in talks with him. For many years, Mr. Barghouti has been widely seen as a unifying and popular figure in Palestine and a viable political counterpart for Israel, whose release would be a vital step towards meaningful negotiations.

B. Decision

The Committee on the Human Rights of Parliamentarians

¹ *Systemic torture and inhumane treatment of Palestinian detainees in Israeli prison facilities since October 7, 2023 – Urgent Appeal to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment*, authored by 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, 14 February 2024.

1. *Deeply regrets* the Israeli authorities' continued lack of willingness to engage constructively with the Committee about the case of Mr. Barghouti and the lack of concrete information on his detention conditions;
1. *Reiterates its deep concern* about the alleged deteriorating detention conditions of Mr. Barghouti, including the alleged abusive and illegal measures taken against him in the absence of any valid reason; and *urges* the Israeli authorities to treat Mr. Barghouti with respect for his inherent dignity and value as a human being, to prevent torture and other forms of ill-treatment, to investigate thoroughly the very serious allegations about his current treatment and to take any necessary action that may be warranted as a result of the outcome of the investigation;
3. *Remains deeply concerned* about the reported continued arbitrary decisions of the Israeli authorities with regard to Mr. Barghouti's visiting rights; *reaffirms* the United Nations Standard Minimum Rules for the Treatment of Prisoners, according to which Mr. Barghouti's visitation rights should not be subject to arbitrary decisions authorizing or denying visits; *stresses*, once more, that the many national and international reports denouncing the conditions of detention of Palestinian prisoners in Israeli prisons should be of concern to the Knesset; and *wishes* to know if Knesset members are allowed to carry out impromptu prison visits and, if so, to receive information on the applicable legal framework;
4. *Reaffirms* its position that Mr. Barghouti's arrest and transfer to Israeli territory are in violation of international law; *also reaffirms*, in the light of the compelling legal arguments put forward in Mr. Foreman's report of 2003, on which the Israeli authorities have not provided observations, that Mr. Barghouti's trial failed to meet the fair-trial standards which Israel, as a party to the International Covenant on Civil and Political Rights, is bound to respect, and that as a result Mr. Barghouti's guilt has not been established;
5. *Welcomes* the ceasefire agreement reached between Hamas and Israel as a crucial step towards ending hostilities and fostering stability in the region; *sincerely hopes* that the agreement will lead to lasting peace and tangible improvements in the lives of both Palestinians and Israelis; and *underscores* the importance of humanitarian access, the return of Israeli hostages and the release of Palestinian detainees;
6. *Expresses its earnest hope* that Mr. Barghouti will be released, recognizing his potential role in fostering peace and reconciliation in the aftermath of the war; *stresses* that the release of political prisoners has historically contributed to conflict resolution and confidence-building between parties; and *wishes* to be kept informed of any steps taken in this regard;
7. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants and any third party likely to be in a position to supply relevant information;
8. *Decides* to continue examining this case.



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Palestine/Israel

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 176th session (Geneva, 3 to 19 February 2025)



Palestinian supporters of the PFLP take part in a protest calling for the release of Ahmad Sa'adat imprisoned in Israel © Majdi Fathi/Nur Photo

PSE-05 – Ahmad Sa'adat

Alleged human rights violations

- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of fair trial proceedings

A. Summary of the case

On 14 March 2006, Mr. Ahmad Sa'adat was abducted by the Israeli Defence Forces from Jericho prison and transferred to Hadarim prison in Israel, together with four other prisoners, after being accused by the Israeli authorities of involvement in the October 2001 murder of Mr. R. Zeevi, the Israeli Minister of Tourism. The Israeli authorities concluded one month later that Mr. Sa'adat had not been involved in the killing but went on to charge the other four suspects. Subsequently, 19 other charges were brought against Mr. Sa'adat, all arising from his leadership of the Popular Front for the Liberation of Palestine (PFLP), which Israel considers a terrorist organization. None of the charges allege direct involvement in crimes of violence. On 25 December 2008, Mr. Sa'adat was sentenced to 30 years in prison. While detained, he reportedly did not receive the medical care he needed, nor visits from his family. In March and June 2009, he was placed in solitary confinement, prompting him in June 2009 to go on a nine-day hunger strike. He remained in solitary confinement for three years, until May 2012.

Case PSE-05

Palestine/Israel: The Palestinian Legislative Council and the Parliament of Israel are affiliated to the IPU

Victim: Majority member of the Palestinian Legislative Council

Qualified complainants: Section I.(1)(b) of the Committee Procedure (Annex I)

Submission of complaint: July 2006

Recent IPU decision: March 2024

IPU mission(s): - - -

Recent Committee hearing(s): - - -

Recent follow-up:

- Communication from the authorities: Letter from the head of the Knesset delegation to the IPU (March 2024)
- Communication from the complainant: March 2024
- Communications to the authorities: Letters to the Knesset Speaker and the head of the Knesset delegation to the IPU (January 2024)
- Communication to the complainants: March 2024

In April 2017, Mr. Sa'adat took part in a mass hunger strike by Palestinian detainees to protest against their detention conditions in Israeli prisons. He was reportedly moved at that time to solitary confinement in Ohlikdar prison. According to the information gathered during a hearing with the Palestinian complainants in October 2020, the strike had also been triggered by the 2017 decision of the Israeli authorities to reduce the number of monthly visits to one instead of two visits per month. The complainants stated that the Israeli authorities had promised to increase the number of monthly visits; however, this has yet to be implemented.

At a hearing held by the Committee on the Human Rights of Parliamentarians in October 2020 with the Palestinian complainants, the latter confirmed the dire detention conditions and limited visitation rights of Mr. Sa'adat. In their letter of 18 October 2020, the Israeli parliamentary authorities did not provide any information on Mr. Sa'adat's conditions of detention, including his visiting rights. The authorities suggested that the IPU should consider whether future correspondence relating to the case of Mr. Sa'adat was appropriate, given his involvement in terrorism-related crimes.

In their letter of 10 March 2022, the Israeli authorities declined the Committee's invitation for a hearing, considering that Mr. Sa'adat had been convicted for heading a terrorist group which, among other things, assassinated a member of the Israeli Parliament and was sentenced to 30 years in prison. According to the authorities, Mr. Sa'adat was duly convicted in a fair trial conducted in an Israeli court for murder, attempted murder and membership of a terrorist organization. The Israeli authorities added that, in light of these elements, they see "no reason to alter their position *vis-à-vis* the Committee on this case or any others pertaining to terrorists convicted in Israeli courts".

On 7 October 2023, Hamas-led gunmen from the Gaza Strip launched an attack in southern Israel, deliberately killing civilians and taking hostages back to Gaza. In response to the attack, Israel launched an offensive against Gaza, which has caused large-scale loss of human lives and widespread destruction.

Mr. Sa'adat's detention conditions, as well as those of all the Palestinian inmates detained in Israeli prisons, have reportedly deteriorated since the Hamas attack on 7 October. Mr. Sa'adat was reportedly transferred from Rimon prison to an unknown detention facility in Israel. He was also reportedly placed in solitary confinement with no access to medical care, water or electricity due to the severe limitations imposed by the Israeli Prison Service (IPS) in all prison cells, which also extends to restrictions on food supply. Mr. Sa'adat is also denied access to showers, hygiene essentials and water, which the IPS has reportedly restricted to less than an hour a day. The toilets are not functional, thereby denying Mr. Sa'adat minimum sanitary standards. The ICRC, the only organization allowed by the Israeli authorities to visit Palestinian inmates held in Israel, has been denied access to Israeli prisons, while family visits facilitated by the ICRC have been prohibited. Only lawyers have been granted the right to visit their clients.

According to a public report¹ issued by Israeli human rights organizations, including the Public Committee Against Torture in Israel and Physicians for Human Rights Israel, on 16 February 2024, "since Hamas' attack on October 7, 2023, and the subsequent Israeli offensive on Gaza, there has been a marked and severe escalation in the abuse of Palestinian detainees and prisoners incarcerated in Israeli prisons and detention facilities. Over the last four months, at least seven Palestinians have died while in custody in Israeli prisons and ad-hoc detention facilities, with initial evidence and testimonies suggesting that at least some of these deaths were connected to instances of severe violence by IPS officers". The report aims to address the widespread abuse inflicted by IPS officers on Palestinian prisoners.

In their letter of 18 March 2024, the Israeli parliamentary authorities reiterated their long-standing view that Mr. Ahmad Sa'adat is a PFLP terrorist, who was responsible for planning the murder of Israeli Knesset member Rehavam Zeevi. The authorities stated that "for this despicable act, he was arrested and sentenced to 30 years in prison". However, according to information on file, in 2006 the Israeli authorities dropped the charge of Mr. Sa'adat's involvement in Mr. Zeevi's murder after the Attorney General decided that there was insufficient evidence to try Mr. Sa'adat for the murder. Mr. Sa'adat was later found guilty of leading the PFLP and 19 charges were brought against him, but none allege direct involvement in offences of violence, although seven (dating from 1998 or earlier) alleged preparatory or

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Systemic torture and inhumane treatment of Palestinian detainees in Israeli prison facilities since October 7, 2023 – Urgent Appeal to the UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, authored by 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, 14 February 2024.

secondary involvement in such acts. With regard to his detention conditions, the parliamentary authorities stated in their letter of 18 March 2024 that the Red Cross was responsible for carrying out these inspections and that the prison authorities carefully review and consider the recommendations of every Red Cross report and implement changes when necessary.

With regard to the situation in Gaza, on 25 March 2024, the United Nations Security Council passed a resolution expressing deep concern about the catastrophic humanitarian situation in the Gaza Strip and demanding an immediate ceasefire. However, an agreement to a ceasefire was only reached on 19 January 2025. The agreement included the release of 33 Israeli hostages in exchange for 2,000 Palestinian detainees, the withdrawal of Israeli troops from key areas in Gaza and an increase in humanitarian aid for the Gaza Strip. Hamas has reportedly included Mr. Ahmad Sa'adat on the list of detainees to be released. The implementation of the agreement's first phase has already started with the return of several Israeli hostages and the release of hundreds of Palestinian inmates, including several high-profile prisoners. Mr. Sa'adat's family hopes he will be freed in the coming weeks.

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Deeply regrets* the Israeli authorities' lack of willingness to engage constructively with the Committee about the case of Mr. Sa'adat and the lack of concrete information on his detention conditions;
2. *Reiterates its deep concern* about the alleged deteriorating detention conditions of Mr. Sa'adat, including the alleged abusive and illegal measures taken against him; and *urges* the Israeli authorities to treat Mr. Sa'adat with respect for his inherent dignity and value as a human being, to prevent torture and other forms of ill-treatment, to investigate thoroughly the very serious allegations about his current treatment and to take any necessary action that may be warranted as a result of the outcome of the investigation;
3. *Remains deeply concerned* about the continued arbitrary decisions of the Israeli authorities with regard to Mr. Sa'adat's visiting rights; *reaffirms* the United Nations Standard Minimum Rules for the Treatment of Prisoners, according to which Mr. Sa'adat's visitation rights should not be subject to arbitrary decisions authorizing or denying visits; *stresses*, once more, that the many national and international reports denouncing the conditions of detention of Palestinian prisoners in Israeli prisons should be of concern to the Knesset; and *wishes* to know if Knesset members are allowed to carry out impromptu prison visits and, if so, to receive information on the applicable legal framework;
4. *Reaffirms* its position that Mr. Sa'adat's abduction and transfer to Israel had breached the Oslo Agreements and the Fourth Geneva Convention and were related not to the original murder charge but rather to his political activities as Popular Front for the Liberation of Palestine (PFLP) General Secretary;
5. *Welcomes* the ceasefire agreement reached between Hamas and Israel as a crucial step towards ending hostilities and fostering stability in the region; *sincerely hopes* that the agreement will lead to lasting peace and tangible improvements in the lives of both Palestinians and Israelis; and *underscores* the importance of humanitarian access, the return of Israeli hostages and the release of Palestinian detainees;
6. *Expresses its earnest hope* that Mr. Sa'adat will be released; *stresses* that the release of political prisoners has historically contributed to conflict resolution and confidence-building between parties; and *wishes* to be kept informed of any steps taken in this regard;
7. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants and any third party likely to be in a position to supply relevant information;
8. *Decides* to continue examining this case.



Inter-Parliamentary Union

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Palestine/Israel

Decision adopted unanimously by the IPU Governing Council at its 203rd session (Geneva, 18 October 2018)



Hamas parliamentarians Mr. Ahmed Attoun (R), Mr. Mohammed Totah (second from right) and Mr. Khaled Abu Arafah (L) in front of the International Red Cross offices, where they have been living for the past 162 days fearing expulsion by the Israeli authorities, 9 December 2010 © AFP Photo/Marco Longari

Parliamentarians in administrative detention:

PSE-57 - Hasan Yousef

PSE-82 - Khalida Jarrar (Ms.)

Parliamentarians previously in administrative detention:

PSE-29 - Ahmad Attoun

PSE-32 - Basim Al-Zarrer

PSE-47 - Hatem Qfeisheh

PSE-61 - Mohammad Jamal Natsheh

PSE-62 - Abdul Jaber Fuqaha

PSE-63 - Nizar Ramadan

PSE-64 - Mohammad Maher Bader

PSE-65 - Azam Salhab

PSE-75 - Nayef Rjoub

PSE-84 - Ibrahim Dahbour

PSE-85 - Ahmad Mubarak

PSE-86 - Omar Abdul Razeq Matar

PSE-87 - Mohammad Ismail Al-Tal

PSE-89 - Khaled Tafesh

PSE-90 - Anwar Al Zaboun

Parliamentarians reportedly currently subject to criminal proceedings:

PSE-103 - Naser Abd Al Jawad

Parliamentarians reportedly subject to criminal proceedings in recent years:

PSE-28 - Muhammad Abu-Tair

PSE-78 - Husni Al Borini

PSE-79 - Riyadh Radad

PSE-80 - Abdul Rahman Zaidan

Parliamentarians subject to the withdrawal of their Jerusalem residence permit:

PSE-28 - Muhammad Abu-Tair

PSE-29 - Ahmad Attoun

PSE-30 - Muhammad Totah

Alleged human rights violations:

- ✓ Arbitrary arrest and detention
- ✓ Inhumane conditions of detention
- ✓ Lack of due process at the investigation stage
- ✓ Lack of fair trial proceedings
- ✓ Violation of freedom of movement

A. Summary of the case

The original case concerned parliamentarians who, in mid-2006, were seized by Israeli Defence Forces in the occupied West Bank and Jerusalem and transferred to Israeli prisons. All of the parliamentarians had been elected in January 2006 on the Electoral Platform for Change and Reform (Hamas). On 25 September 2006, an Israeli military appeal court in the West Bank overturned a court decision to release them and ordered that they remain in prison pending trial. All were charged with being members of a terrorist organization, namely Hamas, carrying out activities on its behalf and providing it with services. Most received prison sentences of about 40 months and were released after serving them. Over the years, several have been rearrested, with most of them subject to administrative detention and some to criminal prosecution. Currently, two members of the Palestinian Legislative Council (PLC), namely Mr. Hasan Yousef and Ms. Khalida Jarrar, are in administrative detention and one, Mr. Naser Abd Al Jawad, is reportedly facing criminal proceedings.

Mr. Ahmad Attoun, who was released in February 2009, as well as Mr. Muhammad Abu-Tair and Mr. Muhammad Totah, both released in 2010, had their Jerusalem residence permits withdrawn and were ordered to be deported.

B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Thanks* the head of the Knesset delegation for his most recent letter; *regrets* nevertheless that the letter does not address the concerns raised in these cases directly; *regrets therefore* all the more that he was unable to meet the Committee on the Human Rights of Parliamentarians at the 139th IPU Assembly;
2. *Notes* that only two PLC members are currently in administrative detention in Israel, down from 10 members when it last commented on this case in October 2017; *considers*, however, that, as the case history shows, even when PLC members are released, they remain subject to renewed arrest and can be placed in administrative detention again at any time and indefinitely, as the repeatedly extended detention of the two PLC members shows;
3. *Remains deeply concerned* in this regard that the practice of administrative detention often relies on classified evidence, as the Israeli authorities acknowledge; *understands* that, at the normative level, and at that of the relevant jurisprudence of the Supreme Court, safeguards are provided for with a view to preventing the abusive use of administrative detention; *underscores* nevertheless that the reality of administrative detention is quite different, mainly owing to the

Case PSE-COLL-01

Palestine/Israel: The Palestinian Legislative Council and the Parliament of Israel are affiliated to the IPU

Victims: 25 majority members of the Palestinian Legislative Council (24 men and one woman)

Qualified complainant(s): Section I (1) (d) of the [Committee Procedure](#) (Annex 1)

Submission of complaint: June 2014

Recent IPU decision: [October 2017](#)

IPU mission: - - -

Recent Committee hearing:

- Hearing with the head of the Fatah parliamentary group at the 139th IPU Assembly (October 2018)

Recent follow-up

- Communication from the authorities: Letters from the head of the Knesset delegation to the Inter-Parliamentary Union (October and January 2018; September 2017)
- Communication from the complainant: October 2018
- Communication from the IPU to the authorities: September 2018
- Communication from the IPU to the complainant: October 2018

lack of any effective possibility for the detainees to defend themselves, with the result that they are open to arbitrary treatment;

4. *Points out* that UN human rights mechanisms and bodies have long voiced their strong concern about the extensive use of administrative detention by the Israeli authorities, such as most recently the UN Human Rights Council in its resolution adopted in March 2018, and that the UN Human Rights Committee called on the Israeli authorities, in its concluding observations adopted in 2014 on the human rights situation in Israel, “to end the practice of administrative detention and the use of secret evidence in administrative proceedings, and ensure that individuals subject to administrative orders are either promptly charged with a criminal offence, or released”;
5. *Calls once again*, therefore, on the Israeli authorities to abandon the practice of administrative detention and to make use only of the regular criminal procedure to justify detention;
6. *Notes* the total absence of information on the reasons for Mr. Naser Abd Al Jawad's detention under – as it appears – the regular criminal procedure; *wishes* to receive information from the Israeli authorities on the facts and legal basis that led to his arrest, on whether he has been charged, and if so, whether trial proceedings are taking place, as well as information on his conditions of detention;
7. *Requests* the Secretary General to convey this decision to the competent authorities, the complainant and any third party likely to be in a position to supply relevant information;
8. *Requests* the Committee to continue examining this case and to report back to it in due course.