



According to an official court filing:

- Israeli authorities are holding 1,287 detainees from Gaza under the Unlawful Combatants Law, including 1,239 in Israel Prison Service facilities and 48 in military facilities;
- The state admits that it's continuing to arrest people from Gaza, including 41 recently detained.

“The war has ended on paper only. In practice, Israel continues to incarcerate detainees under an emergency provision whose validity was supposed to expire, and to hold them in inhumane conditions amounting to torture and cruel treatment.”

Nearly three months after the ceasefire came into effect (October 10, 2025), the Israeli government continues to detain Palestinians from Gaza. The information came to light from an update submitted by the state over the past weekend in response to a Supreme Court petition filed by the Public Committee Against Torture in Israel and additional human rights groups, seeking annulment of provisions that strip detainees of their rights under an amendment to the Incarceration of Unlawful Combatants Law.

In its filing, the state announced that it had extended the emergency provision abridging detainee rights by three months, through the end of March 2026. In the update, the state reported that Israel currently holds 1,287 detainees from Gaza under the law and continues to arrest and detain Palestinians from Gaza pursuant to it. The state noted the “continuation of arrests even after the ceasefire came into effect” and announced that as of the end of December it was holding 41 Palestinians from Gaza under temporary detention orders, meaning they were recently detained.

The renewed emergency provision explicitly enshrines practices that expired elsewhere, determining that hearings and other procedures for these detainees will be conducted virtually, by video. This procedure prevents judges from obtaining a reliable and clear picture of the detainees’ physical and mental condition. Together with that worrying development, the new provision shortens the periods permitted for violations of detainees’ rights: the period for issuing a permanent detention order was shortened to 25 days (instead of 30 previously); the period for judicial review was shortened to 40 days (previously 45 days); and the period for which the state could prevent detainees from meeting with their lawyers was set at 25 days (previously 45 days).

Detainees held under the law are kept in extreme conditions of hunger, are denied adequate medical treatment, are cut off from contact with the outside world, and are subjected to degrading and abusive treatment amounting to torture by their interrogators and by prison guards.



Only recently, a [report](#) by PCATI and additional organizations determined that since the beginning of the war Israel has dismantled the minimal protective mechanisms that previously existed for prisoners, and that today torture and abuse of Palestinian detainees take place throughout all stages of detention and by all the security forces involved in incarceration. This applies to all security detainees (including but not limited to those detained under the law), with the approval of senior officials, without meaningful intervention by legal or administrative protective mechanisms, and with the participation of medical staff. At the same time, the Knesset is racing to legislate the death penalty, which constitutes a further violation of detainees' right to life.

According to PCATI Executive Director Atty. Sari Bashi: "The amendment to the Incarceration of Unlawful Combatants Law should have expired when the ceasefire took effect. Instead, the Israeli government is making up rules as it goes along and continuing to detain and hold Palestinian detainees under an abusive wartime law, subjecting them to cruel, inhuman, and degrading treatment amounting to torture. We are deeply concerned about the high number of detainees dying in detention facilities, a number that, according to estimates by the human rights community, has exceeded 100 since the beginning of the war, amid concerns of denial of medical treatment, starvation, and death by torture. The State of Israel should repeal the emergency provision, cease its targeted and cruel incarceration policy against Palestinians, and act in accordance with international law, which requires humane treatment of all detainees and prisoners, during both war and peace. The small number of prisoners still held in military detention facilities makes it more urgent to dismantle these facilities entirely, as they were a known and documented locus of torture and death in detention."

In February 2024, approximately four months after the outbreak of the war in Gaza, PCATI, together with Physicians for Human Rights–Israel, HaMoked: Center for the Defence of the Individual, Gisha, and Adalah, petitioned the Israeli High Court of Justice to annul the provisions amended by the Knesset as part of the Incarceration of Unlawful Combatants Law, addressing the duration of temporary detention, how long to prevent detainees from meeting their lawyers or coming before a judge, and the manner of judicial review. This petition highlighted their severe infringement of the rights to liberty, life, bodily integrity, and due process. The law, enacted in 2002, allows Israeli authorities to hold individuals indefinitely without indictment and without presenting them or their legal representatives with evidence that would ostensibly justify the deprivation of their liberty. The emergency provision added to the law after October 7, 2023 further aggravated the violation of detainees' rights to due process and to protection from torture and cruel treatment.