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Internal Number: 2222852
Reference Number: 2026-000068
Appendix No. 5-1170/κ
(P/5020/25)

Prosecution of Participants in the October 7, 2023 Massacre Events (Shemini Atzeret Massacre) Bill, 5786–2026

This Bill was deliberated in the Knesset in the first reading on 24 Tevet 5786 (January 13, 2026) [in a session that commenced on 23 Tevet 5786 (January 12, 2026)], and was referred to the Constitution, Law and Justice Committee.

The Bill is submitted – together with reservations – for the second reading and third reading on 17 Iyar 5786 (May 4, 2026).

Requests for the floor have been filed with respect to this Bill.

This Bill is a budgetary bill as defined in section 3c of the Basic Law: State Economy.

Initiators: Members of Knesset Simcha Rotman, Yulia Malinovsky

Bill for Second and Third Readings

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Prosecution of Participants in the October 7, 2023 Massacre Events (Shemini Atzeret Massacre) Law, 5786–2026

Chapter A: Purpose and Definitions

Purpose¹. The purpose of this Law is to regulate the prosecution of the perpetrators of the acts of hostility, murder, sexual crimes, abduction, and looting committed by the Hamas terrorist organization and its partners in an organized and intentional manner against the citizens and residents of Israel, within the framework of the murderous terrorist attack, which began on 22 Tishrei 5784 (October 7, 2023), acts which constitute crimes against the Jewish people, crimes against humanity, and war crimes.

Definitions². In this Law –

“**Military Court**” – the Court of First Instance and the Appellate Court;

“**Videoconferencing**” – communication between several locations enabling real-time transmission of image and sound;

“**Courts Law**” – Courts Law [Combined Version], 5744–1984;¹

“**Arrests Law**” – Criminal Procedure Law (Enforcement Powers – Arrests), 5756–1996;²

“**Criminal Procedure Law**” – Criminal Procedure Law [Combined Version], 5742–1982;³

“**Penal Law**” – Penal Law, 5737–1977;⁴

“**Military Justice Law**” – Military Justice Law, 5715–1955;⁵

“**Guard Unit**” – the court guard unit of the Military Court within the Israel Prison Service, as defined in Chapter IX;

“**President of the Military Court of Appeals**” – as defined in the Military Justice Law;

“**Court of First Instance**” – the court established pursuant to Regulation 12 of the Defense Regulations that adjudicates an indictment in proceedings under this Law;

“**Appellate Court**”– as defined in section 10;

“**Evidence Ordinance**”– Evidence Ordinance [New Version], 5731–1971;⁶

“**Chief of Staff**”– the Chief of the General Staff of the Israel Defense Forces;

“**Defense Regulations**”– Defense (Emergency) Regulations, 1945.⁷

Chapter B: Military Court and Judges – Jurisdiction, Appointments, and Administration

Jurisdiction of the Military Court3.(a) A person who is to be prosecuted for an offense committed within the framework of the October 7 massacre events shall have an indictment filed against them in the Military Court; for this purpose, “offense committed within the framework of the October 7 massacre events” – an offense committed within the framework of the terrorist attack events carried out by the Hamas terrorist organization and its partners from 22 Tishrei 5784 (October 7, 2023) through 25 Tishrei 5784 (October 10, 2023), including an offense committed after the said period against a person who was abducted from the State of Israel, including deceased persons, to the Gaza Strip during that period.

(b) Notwithstanding the provisions of the Defense Regulations, when adjudicating an indictment as stated in subsection (a), the Military Court shall be authorized to adjudicate an offense according to any law, including offenses under the Genocide (Prevention and Punishment) Law, 5710–1950;⁸ offenses of harming state sovereignty or integrity, causing war, and assisting the enemy in war under sections 97 to 99 of the Penal Law; and offenses under the Counter-Terrorism Law, 5776–2016.⁹

Seat4.The seat of the Military Court for proceedings under this Law shall be in Jerusalem.

Appointment of Judges5.(a) For the purpose of proceedings under this Law, judges shall be appointed to the Court of First Instance and to the Appellate Court following a notice published in the Official Gazette by the President of the Military Court of Appeals regarding the need for such appointments.

(b) A person who has served or is serving in a judicial position as listed below shall be appointed as a judge of the Military Court by the President of the State, upon the selection of the Chief of Staff, made upon the recommendation of the President of the Military Court of Appeals:

- (1) a retired Supreme Court justice;
- (2) a retired District Court judge;
- (3) a serving District Court judge, provided that the consent of the President of the Supreme Court has been given for the appointment;
- (4) a person who has served in permanent service as a military judge-advocate pursuant to the provisions of the Military Justice Law;
- (5) a person who has served, in permanent service or for at least ten years in reserve service, as a judge pursuant to the provisions of section 11 of the Security Provisions Order [Consolidated Version] (Judea and Samaria) (No. 1651), 5770–2009.¹⁰

(c) A person who is eligible to be appointed as a District Court judge and has experience and expertise in the criminal field shall be appointed as a judge of the Court of First Instance by the President of the State, upon the selection of the Selection Committee as stated in section 187 of the Military Justice Law; the provisions of sections 187a and 187b of that Law shall apply to the Selection Committee.

Term of Appointment6.(a) An appointment to serve on the Court of First Instance shall be for a term of seven years, and on the Appellate Court – ten years.

(b) A judge who has commenced a hearing and whose term as stated in subsection (a) has ended shall be authorized to complete the hearing within six months from the end of the term.

Provisions Applicable to Judges of the Military Court7.(a) The provisions of sections 184, 190, 192c through 193b of the Military Justice Law shall apply to a judge of the Court of First Instance and of the Appellate Court, with the necessary changes.

(b) For the purposes of the provisions of the Public Complaints Commissioner for Judges Law, 5762–2002,¹¹ a judge appointed to proceedings pursuant to this Law shall be regarded as a military judge-advocate.

(c) A judge of the Military Court shall not engage in any additional occupation or hold any public position without the consent of the President of the Appellate Court.

(d) A serving judge who has commenced a hearing in the court in which they serve and who is appointed to serve on the Military Court shall be authorized to complete the hearing within six months from the date of the appointment to serve as aforesaid; the President of the Appellate Court may extend the said period for special reasons.

(e) The President of the Supreme Court and the President of the Appellate Court jointly may determine that a serving President or Deputy President of a District Court who is appointed to the Appellate Court shall be permitted to continue serving on the District Court, under conditions they shall determine.

President of the Court of First Instance and President of the Appellate Court8.(a) The President of the Military Court of Appeals shall be the President of the Appellate Court; the President of the Court of First Instance shall be a serving District Court judge, or a serving or retired President or Deputy President of a District Court, who shall be appointed by the Chief of Staff upon the recommendation of the President of the Military Court of Appeals.

(b) A panel of the Court of First Instance and a panel of the Appellate Court shall each be composed by its President from among the judges of that court; the presiding judge of a panel shall be as determined pursuant to sections 9 and 10 respectively, unless the President of the court has determined otherwise for a specific panel.

(c) The President of the Court of First Instance and the President of the Appellate Court shall each determine the administrative arrangements of that court and shall be responsible for its operation.

Chapter C: Court of First Instance and Appellate Court

Composition of the Court of First Instance9.(a) Notwithstanding the provisions of Regulation 13 of the Defense Regulations, the Court of First Instance shall sit in a panel of three, at least one of whom shall be the President of the Court of First Instance, or a serving or retired District Court judge, and two additional judges appointed pursuant to section 5.

(b) The presiding judge of the Court of First Instance panel shall be the first among the following who sits in judgment:

- (1) the President of the Court of First Instance;
- (2) a serving or retired President of a District Court, and if several sit in judgment – the one who has served on the District Court for the longest period, and among those of equal seniority – the oldest among them;
- (3) a serving or retired Deputy President of a District Court, and if several sit in judgment – the one who has served on the District Court for the longest period, and among those of equal seniority – the oldest among them;
- (4) a serving or retired District Court judge, and if several sit in judgment – the one who has served on the District Court for the longest period, and among those of equal seniority – the oldest among them.

Appellate Court10.(a) Notwithstanding the provisions of section 440b of the Military Justice Law and the Defense Regulations, a judgment of the Court of First Instance may be appealed before the Appellate Court pursuant to this section.

(b) The Appellate Court shall sit in a panel of three, comprising a presiding judge who shall be a retired Supreme Court justice or a serving or retired President of a District Court, and two judges who are a retired Supreme Court justice or a serving or retired President or Deputy President of a District Court, appointed pursuant to section 5(b).

(c) If a retired Supreme Court justice sits in judgment, that justice shall be the presiding judge; if several retired Supreme Court justices sit in judgment – the presiding judge shall be the one who has served on the Supreme Court for the longest period, and among those of equal seniority – the oldest among them; if several serving or retired Presidents of a District Court sit in judgment – the presiding judge shall be the one who has served on the District Court for the longest period, and among those of equal seniority – the oldest among them.

Appeal against a Sentence Imposing the Death Penalty¹¹. A judgment of the Court of First Instance imposing the death penalty against which no appeal has been filed by the person upon whom the penalty was imposed shall be treated as if an appeal was filed on their behalf.

Chapter D: Publicity, Documentation, and Victims of Offense

Publicity and Documentation¹².(a) The Military Court shall hear matters in public; however, it may hear a specific matter, in whole or in part, behind closed doors, and the provisions of sections 68 and 70 of the Courts Law shall apply.

(b) Military Court proceedings shall be documented with video and audio recording; the documentation shall be preserved and transferred to the State Archives upon the conclusion of the proceedings; the provisions under the Courts Law regarding access to case files shall apply with the necessary changes.

(c)(1) The commencement of the trial, opening statements, and the hearings at which the verdict and the sentence are pronounced pursuant to the Criminal Procedure Law shall be broadcast on a dedicated website established for this purpose; however, the provisions of this paragraph shall not derogate from provisions regarding prohibition of publication pursuant to any law.

(2) The Appellate Court shall determine, with respect to a hearing of an appeal, whether to broadcast it on a website as stated in paragraph (1).

(d)(1) Without derogating from the provisions of subsection (c), any party, victim of an offense, or any other person may submit a request to the Military Court for the publication of the documentation of a hearing that was not conducted behind closed doors and the publication of which has not been prohibited, in whole or in part, on the website established as stated in subsection (c)(1).

(2) A decision on a request as stated in paragraph (1) shall be made by the presiding judge, the President of the Court of First Instance, or the President of the Appellate Court, or a judge authorized for this purpose by any of them, as the case may be; a judge adjudicating the request shall permit the publication of the documentation, in whole or in part, if satisfied that the public interest in publication outweighs the harm to the privacy of a victim of the offense, the harm to the proper conduct of the proceedings – including the testimony of witnesses not in each other's presence pursuant to section 172 of the Criminal Procedure Law – or any other public interest.

(e) Upon the conclusion of the proceedings, the Military Court shall determine, with respect to each hearing that was not conducted behind closed doors and the publication of which has not been prohibited, whether the documentation of the hearing may be published, in whole or in part; in this regard, the court shall consider the public interest in publishing the documentation, and whether it would harm the privacy of a victim of the offense or national security.

(f) Before a decision is made pursuant to subsections (c)(2) and (e), victims of the offense shall be given the opportunity to voice their position on the matter; and with respect to subsection (d) – victims of the offense whose details were mentioned in the hearing.

Victims of Offense¹³.(a) The provisions of the Crime Victims' Rights Law, 5761–2001¹² (hereinafter – the Crime Victims' Rights Law) shall apply to proceedings before the Military Court, with the necessary changes; powers vested in a District Attorney under that Law shall be vested in the Chief Military Prosecutor.

(b) The Chief Military Prosecutor shall establish a system that shall be responsible for ensuring and fulfilling the rights of victims of the offense in

accordance with this section; the system shall operate to optimally fulfill those rights and to address the needs of victims of the offense, taking into account the number of victims of the offense and the severity of the harm to them.

(c) The presence of a victim of an offense at a hearing in proceedings before the Military Court, in accordance with the Crime Victims' Rights Law, shall take the form of presence in the courtroom, or presence in another room designated for viewing the hearing by digital means (hereinafter – the additional room) if such is necessary; however, presence in the courtroom or in the additional room shall be possible subject to the capacity of those rooms at each hearing; if such presence or viewing was not possible, the victim of the offense may view the documentation of the hearing.

(d) If a hearing was conducted behind closed doors and a victim of the offense was not present pursuant to section 15(b) of the Crime Victims' Rights Law, that victim may request to view the documentation of the hearing; the Military Court shall not decide on the request before giving the parties the opportunity to voice their positions and receiving the position of another victim of the offense whose testimony was heard at the hearing.

Chapter E: Parties – Prosecution and Defense

Prosecutors14. The Chief of Staff, upon the recommendation of the Chief Military Prosecutor, may appoint a prosecutor for the purpose of a proceeding under this Law; powers vested in a prosecutor pursuant to any law shall be vested in such a prosecutor, with the necessary changes.

Defense Counsel15.(a) A defendant in proceedings before the Military Court may choose for themselves a defense counsel who is licensed to practice law in Israel or in the Area as defined in the Emergency Regulations (Judea and Samaria – Jurisdiction over Offenses and Legal Assistance), 5727–1967,¹³ as extended and amended by law from time to time.

(b) In proceedings before the Military Court, the court shall appoint defense counsel for an unrepresented defendant; however, such defense counsel shall not be from the Public Defender's Office.

Chapter F: Procedure, Evidence, and Conduct of Trial

Provisions Applicable to Proceedings under this Law16.(a) The provisions of the Preliminary Part and Part A of the Penal Law shall apply to proceedings before the Military Court, with the necessary changes.

(b) The provisions pursuant to Chapter VI, Section VI of the Courts Law, and sections 76, 77a, 80, and 81 of the Courts Law, regarding the powers of the court, shall apply to the Military Court, with the necessary changes and with this change: an appeal against a decision of a judge or court pursuant to section 77a(c) of the Courts Law shall be heard before a single judge who is a judge of the Appellate Court.

(c) The provisions pursuant to section 440h of the Military Justice Law shall apply to the Military Court, with the necessary changes.

(d) Notwithstanding the provisions of Regulation 31 of the Defense Regulations, if the Military Court sits in a panel and the judges' opinions are divided, the majority opinion shall prevail.

(e) Regulations 47, 48, 50, 51, and 55 of the Defense Regulations and section 440f(b) of the Military Justice Law shall not apply to a conviction and sentence of the Military Court.

Procedure and Evidence17.(a) Notwithstanding the provisions of the Defense Regulations, the procedures and laws of evidence customary in courts operating under the Courts Law, including the Criminal Procedure Law and the Evidence Ordinance, shall apply to the Military Court, with the necessary changes, unless otherwise provided in this Law.

(b) The Military Court may deviate from procedure and laws of evidence, including from provisions regarding access to investigative material, chain of custody and transfer of evidence, making a decision on the basis of written

submissions, and arrangements for witness testimony, if satisfied, for reasons to be recorded, that this is necessary for the clarification of the truth and for the performance of justice and that it does not substantially harm the fairness of the proceedings; the Military Court shall take into account, inter alia, considerations regarding the protection of victims of the offense and their families, the scope of the evidence and the number of defendants, the publicity of the hearing and its accessibility to the general public, and the public interest in conducting fair and efficient proceedings.

Multiple Defendants in a Single Indictment18.(a) Where several defendants are charged in a single indictment, after the prosecutor has presented their evidence and before announcing the conclusion of the evidence as stated in section 157 of the Criminal Procedure Law, each defendant shall notify whether they intend to testify in their own defense pursuant to section 161(a)(1) of that Law; if a defendant notifies that they intend to refrain from testifying pursuant to section 161(a)(2) of that Law, the prosecutor shall be entitled to call the defendant as a witness as if that defendant were included in the list of prosecution witnesses in the indictment, and the provisions of Chapter V, Section VI of the Criminal Procedure Law, except section 172, shall apply to the testimony.

(b) If a defendant notified that they intend to refrain from testifying and the prosecutor requested to hear their testimony, the testimony given pursuant to this section shall not serve as evidence against the defendant.

(c) A defendant who notified as stated in subsection (a) that they will refrain from testifying in their own defense may choose to do so and testify in their own defense pursuant to section 161 of the Criminal Procedure Law after the conclusion of the prosecution's case as stated in section 157 of that Law, even if they previously testified as a prosecution witness.

(d) If a defendant notified as stated in subsection (a) that they intend to testify in their own defense pursuant to section 161(a)(1) of the Criminal Procedure Law, and they did not do so during the defense case, the prosecutor shall be entitled, notwithstanding the provisions of section 157 of that Law, to call the defendant as a witness as if included among the prosecution witnesses as stated in subsection (a), and the provisions of subsection (b) shall apply to that testimony.

Defendant's Presence19.If a defendant did not appear at a hearing and did not participate by videoconferencing in accordance with the provisions of Chapter VII, and the Military Court found that there was no justified reason for their non-appearance or non-participation, or that despite the existence of a justified reason there is a genuine need to advance the proceedings without delay, the Military Court may order that the hearing proceed even without the defendant's presence or participation by videoconferencing, after examining the circumstances preventing the defendant's participation and the subject of the hearing, and concluding that this would not harm the fairness of the proceedings.

Written Testimony20.In proceedings under this Law, the Military Court may permit the submission of written testimony without examination of the witness by the party that requested to hear that testimony, provided that the opposing party is given the opportunity to cross-examine the witness; if written testimony was submitted as aforesaid, the provisions of sections 174 through 177 of the Criminal Procedure Law shall apply, with the necessary changes.

Commencement of Presentation of Evidence21.If a request or appeal regarding access to investigative material has been filed, or a petition for disclosure of classified evidence has been filed, the Military Court may permit the prosecutor to commence the presentation of evidence before a decision in such proceeding has been rendered, if it finds, after hearing the positions of the parties, that this would not harm the defense of the defendant or the fairness of the proceedings.

Hearing before a Single Judge22.(a) A hearing that is one of the following shall be heard before a single judge who is the President of the Court of First Instance or a serving or retired District Court judge serving as a judge of the Court of First Instance:

- (1) a hearing on a motion for detention until the conclusion of proceedings pursuant to section 21 of the Arrests Law and for extension of detention pursuant to section 60 or 62 of the Arrests Law;
- (2) a hearing on a motion for access to investigative material pursuant to section 74(b) of the Criminal Procedure Law;
- (3) a hearing on a petition for disclosure of evidence pursuant to sections 44 and 45 of the Evidence Ordinance.

(b) A hearing that is one of the following shall be heard before a single judge who is a judge of the Appellate Court:

- (1) a hearing on an appeal against a decision on detention pursuant to section 53 or 55 of the Arrests Law;
- (2) a hearing on an appeal against a decision on access to investigative material pursuant to section 74(e) of the Criminal Procedure Law.

Chapter G: Videoconferencing

Participation by Videoconferencing23.(a) A hearing before the Military Court that is one of the hearings enumerated in subsection (b) shall take place in the physical presence of the defendant at the court; notwithstanding the provisions of section 126 of the Criminal Procedure Law, a hearing that is not one of those enumerated in subsection (b) shall take place not in the physical presence of the defendant but rather with the defendant's participation by videoconferencing, unless the court has determined otherwise in accordance with the provisions of this section.

(b) A hearing that is one of the following shall take place with the defendant physically present at the court:

- (1) a hearing in which the defendant enters a plea to the indictment pursuant to section 152 of the Criminal Procedure Law;
- (2) a hearing in which the defendant's testimony is heard at the guilt determination stage;
- (3) a hearing at which the verdict is read pursuant to section 182 of the Criminal Procedure Law;
- (4) a hearing in which the defendant's testimony is heard at the sentencing evidence stage, or their statement is received pursuant to section 189 of the Criminal Procedure Law;
- (5) a hearing at which the sentence is read pursuant to section 193 of the Criminal Procedure Law.

(c) At the request of a defendant submitted through their defense counsel, and after giving the parties an opportunity to voice their positions, the court may conduct a hearing as stated in subsection (b)(1) or (4) by videoconferencing.

(d) If bringing a detainee or prisoner to a hearing enumerated in subsection (b) presents an elevated security risk, the court may postpone the hearing to another date; if the court finds that there is no way to reduce the said risk, it may order, at the request of the prosecution, in exceptional cases, and after giving the parties an opportunity to voice their positions, that the detainee or prisoner participate in a hearing enumerated in subsection (b)(1), (3), or (5) by videoconferencing, provided that this does not harm the fairness of the proceedings.

(e) At the defendant's request, the court shall determine that a hearing that may be conducted by videoconferencing pursuant to this section shall take place in the defendant's physical presence, if it considers, after giving the parties an opportunity to voice their positions, that the defendant's physical presence would make a substantial contribution to their defense.

(f) A witness who is in detention shall not testify by videoconferencing.

Detention Hearings by Videoconferencing24. During a period in which a defendant in proceedings under this Law is held in detention, no two consecutive detention hearings shall take place without the defendant's presence in the courtroom, unless the defendant, through their defense counsel, has requested to participate in the hearing by videoconferencing.

Manner of Conducting a Hearing by Videoconferencing25.(a) A hearing conducted by videoconferencing under this Law shall be conducted in a manner that ensures all of the following:

- (1) the participants in the hearing shall be able to see and hear each other continuously throughout the hearing, including the judge, the parties, the detainee or prisoner, the defense counsel, the police officer or prosecutor, an interpreter if required, and any person whose presence is required in the hearing at the time they are heard before the

court; at the commencement of the hearing, the court shall verify that the detainee or prisoner can see and hear the participants in the hearing, including the interpreter if required, and if that person has a disability – that the required accommodations have been made;

(2)(a) Prior to and immediately before a hearing conducted by videoconferencing, a confidential conversation shall take place between the detainee or prisoner and their defense counsel; the detainee or prisoner, through their defense counsel, may notify the court that they waive such a conversation.

(b) During and after the hearing, a confidential conversation shall be possible between the detainee or prisoner and their defense counsel.

(c) A conversation between the detainee or prisoner and their defense counsel pursuant to this section shall take place in private, in a manner that ensures the confidentiality of the words spoken in the conversation, and under conditions enabling supervision of the movements of the detainee or prisoner; the provisions of section 13(a)(2) of the Wiretap Law, 5739–1979,¹⁴ shall not apply to such conversation.

(d) The court shall verify that conversations as stated in this section have been made possible;

(3) the hearing shall take place in the presence of the defense counsel of the detainee or prisoner;

(4) during the hearing, the microphone of the detainee or prisoner shall not be muted, unless the court ordered it, for reasons to be recorded; an indication of the muting of the microphone of the detainee or prisoner shall appear on the screen in the courtroom and on the screen in the videoconferencing room at the place of detention or in the prison;

(5) at a hearing in which the detainee or prisoner is required to have the proceedings translated, translation shall be performed consecutively and continuously, so as to ensure that the detainee or prisoner understands what is said in the hearing;

(6) it shall be possible to present to the defendant, through the videoconferencing system, the documents, videos, and other evidence placed before the court;

(7) at the conclusion of the hearing, the court shall transmit the hearing protocol and the court's decisions to the Israel Prison Service without delay, for transmission to the detainee or prisoner as soon as possible and no later than 24 hours from the time of the hearing concerning that person;

(8)(a) A request for accessibility accommodations for a hearing to be conducted by videoconferencing participation of a detainee or prisoner shall be submitted to the court in writing, or orally at the time of the hearing, in accordance with the provisions established pursuant to the Equal Rights for Persons with Disabilities Law, 5758–1998,¹⁵ regarding accessibility accommodations for service; such a request shall be referred for the response of the Israel Prison Service, as needed.

(b) If a request for accessibility accommodations as stated in sub-paragraph (a) has been submitted, the Israel Prison Service shall be responsible for the accommodations regarding the provision of an adapted seat, conducting the hearing at an accessible location, or providing a portable assistive listening device, in accordance with the needs of the detainee or prisoner, all pursuant to the provisions of the Equal Rights for Persons with Disabilities Law.

(c) If a decision as stated in sub-paragraph (a) on a request for accessibility accommodations as stated in sub-paragraph (b) was given less than 48 hours before the date of the hearing, the Israel Prison Service shall implement the said accommodations to the extent possible; if the Israel Prison Service notified that the accommodations cannot be implemented, the hearing shall take place in the physical presence of the detainee or prisoner in the courtroom.

(b) A hearing by videoconferencing pursuant to this Chapter shall take place in a courtroom and a detention facility that have received approval from a competent authority.

(c) The Minister of National Security and the Minister of Justice, with the consent of the Minister of Defense and with the approval of the Constitution, Law and Justice Committee of the Knesset, shall establish provisions regarding the implementation of this section, including provisions regarding the technological conditions for conducting a hearing by videoconferencing and regarding the approval of the competent authority as stated in subsection (b).

Chapter H: Detention after Filing of Indictment

Detention after Filing of Indictment26. The provisions of the Arrests Law shall apply to a defendant against whom an indictment has been filed pursuant to this Law, with the necessary changes and the following changes:

(1) In section 21(c), instead of “for periods not exceeding 7 days each time, provided that the total periods do not exceed 30 days” read “for periods not exceeding 30 days each time, and may repeatedly so order from time to time”;

(2) In section 21(d), at the end thereof read “and the court may repeatedly so order from time to time”;

(3) In section 60, instead of “for a period of 30 days” read “for a period of 90 days” and instead of “for 30 additional days, if requested by the defendant or their defense counsel” read “for 90 additional days, if requested by the parties, and the court may repeatedly so order from time to time”;

(4) In section 61(c), instead of “the defendant shall be released from detention” read “the court may order the extension of detention for 90 additional days or until sentencing, whichever is earlier, and may repeatedly so order from time to time”;

(5) In section 62(a), instead of “90 days” read “150 days”.

Chapter I: Guard Unit

Guard Unit and Its Functions27.(a) A guard unit of the Military Court shall be established within the Israel Prison Service for the purpose of proceedings under this Law.

(b) The functions of the Guard Unit are:

(1) to protect the judges, employees of the Military Court complex, and those who enter it, including performing any action required for the purpose of maintaining their security within and in the immediate vicinity of the Military Court complex;

(2) to maintain public order and public safety within the Military Court complex and in its immediate vicinity.

Commander of the Guard Unit28. The Minister of National Security, with the consent of the President of the Appellate Court, shall appoint a senior prison officer as defined in the Prisons Ordinance as the Commander of the Guard Unit (hereinafter – Commander of the Guard Unit), for the purpose of performing the functions of the Guard Unit pursuant to this Law; the Commander of the Guard Unit, in consultation with the President of the Appellate Court, shall establish provisions regarding the principles of operation of the Guard Unit for the performance of its functions.

Command Staff and Security Personnel29.(a) The Commander of the Guard Unit shall appoint command staff and authorize security personnel for the Guard Unit, from among the prison officers of the Israel Prison Service or employees of the Israel Prison Service who are qualified to be appointed as prison officers.

(b) No person shall be appointed to the command staff or authorized as a security officer unless they have successfully completed a professional training program established by the Commander of the Guard Unit.

Powers of Guard Unit Personnel³⁰.The Commander of the Guard Unit, the command staff, and the security personnel of the Guard Unit shall have the powers vested in a court security officer as defined in the Courts Law pursuant to sections 106z and 106h of that Law, for the purpose of performing their functions.

Identification of Guard Unit Personnel³¹.The provisions of section 106ya of the Courts Law shall apply, with the necessary changes, to the identification of Guard Unit personnel.

Chapter J: Administrative Preparation and Miscellaneous Provisions

Establishment of Headquarters³².The Chief of Staff shall establish a headquarters that shall be responsible for the preparation for proceedings under this Law (in this Law – the Headquarters).

Steering Committee³³.(a) A Steering Committee is hereby established for the purposes of the proceedings under this Law, headed by the Director-General of the Ministry of Defense, whose members are the Directors-General of the Ministry of Justice, the Ministry of Finance, the Ministry of Foreign Affairs, and the Ministry of National Security, and a representative of the Chief of Staff.

(b) The Steering Committee shall be responsible for formulating the manner of preparation of government ministries for the prosecution of those who have committed offenses within the framework of the October 7 massacre events, including ensuring the allocation of the necessary means and resources for their prosecution, and for accompanying and overseeing such preparation.

Authorization for Exceptional Reserve Service Period³⁴.The Minister of Defense, upon the recommendation of the President of the Appellate Court or the Chief Military Prosecutor, as the case may be, may authorize each year a call-up for reserve service for a judge or prosecutor who has consented to volunteer to fulfill their role pursuant to this Law, for a period exceeding the period established pursuant to the Defense Service Law [Combined Version], 5746–1986.¹⁶

Amendment of the Criminal Information and Rehabilitation of Offenders Law³⁵.In the Criminal Information and Rehabilitation of Offenders Law, 5779–2019,¹⁷ in the First Schedule, in paragraph 4(3), after “and the Military Justice Law” shall come “including as applied in section 5(c) of the Prosecution of Participants in the October 7, 2023 Massacre Events (Shemini Atzeret Massacre) Law, 5786–2026.”¹⁸

Amendment of the Prevention of Financing of Legal Representation by the State of Israel (Suspect, Defendant, or Convicted of a Security Offense – Iron Swords) Law³⁶.In the Prevention of Financing of Legal Representation by the State of Israel (Suspect, Defendant, or Convicted of a Security Offense – Iron Swords) Law, 5785–2024,¹⁹ in section 2, after “from time to time” shall come “or against whom an indictment has been filed pursuant to the Prosecution of Participants in the October 7, 2023 Massacre Events (Shemini Atzeret Massacre) Law, 5786–2026.”²⁰

Report to the Knesset³⁷.The Minister of Defense shall report to the Constitution, Law and Justice Committee of the Knesset, in writing, on January 1, April, July, and October of each year, until the commencement of the first proceeding under this Law, on the preparation for the conduct of proceedings under this Law.

Implementation and Regulations³⁸.The Minister of Defense is responsible for the implementation of this Law and may, with the consent of the Minister of Justice, promulgate regulations in all matters related to its implementation; regulations regarding Chapter IX shall also be promulgated with the consent of the Minister of National Security.

Regulations Regarding the Execution of a Sentence Imposing the Death Penalty³⁹.Notwithstanding the provisions of Regulation 52 of the Defense Regulations and any other law, the Minister of Defense, in consultation with the Minister of Justice and with the approval of the Constitution, Law and Justice Committee of the Knesset, shall establish provisions regarding the time and manner of the execution of a sentence imposing the death penalty in proceedings under this Law.

¹ S.H. 5744, p. 198.

² S.H. 5756, p. 338.

³ S.H. 5742, p. 48.

⁴ S.H. 5737, p. 226.

⁵ S.H. 5715, p. 171.

⁶ Laws of the State of Israel, New Version, Vol. 18, p. 421.

⁷ O.R. 1945, Supp. 2, p. (E) 855, (A) 1055.

⁸ S.H. 5710, p. 137.

⁹ S.H. 5776, p. 898.

¹⁰ Proclamations Compendium No. 234, 5770, p. 5902.

¹¹ S.H. 5762, p. 590.

¹² S.H. 5761, p. 183.

¹³ K.T. 5727, p. 2741; S.H. 5728, p. 20; 5783, p. 10.

¹⁴ S.H. 5739, p. 118.

¹⁵ S.H. 5758, p. 152.

¹⁶ S.H. 5746, p. 107.

¹⁷ S.H. 5779, p. 298; 5786, p. 406.

¹⁸ S.H. 5786, p. [TBD].

¹⁹ S.H. 5785, p. 120.

²⁰ S.H. 5786, p. [TBD].

Internal Number: 2222852

Appendix No. 5-1170/κ

(P/5020/25)

Reservations and Requests for the Floor

Regarding the Prosecution of Participants in the October 7, 2023 Massacre Events (Shemini Atzeret Massacre) Bill, 5786–2026

** Note: If a reservation requiring renumbering is adopted, the remaining provisions of the Law shall be renumbered and references thereto amended accordingly.*

The following are the names of the reserving Members of Knesset, by group:

- **Hadash-Ta'al Group** – Members of Knesset Ayman Odeh, Ahmad Tibi, Aida Touma Suleiman, Ofer Cassif, Sami Ben Sa'id

Reservations to Section 1

The Hadash-Ta'al Group proposes:

1. Replace with: "The purpose of this Law is to regulate the prosecution of suspects in offenses committed during the period of validity of and in substantial connection with the declaration of a special situation in the home front by the Minister of Defense, issued on October 7, 2023, pursuant to the Civil Defense Law, 5711–1951."
2. Replace with: "The purpose of this Law is to regulate the prosecution of suspects in offenses that occurred in connection with events included within the framework of the Prohibition of Denial of October 7, 2023 Massacre Events (Shemini Atzeret Massacre) Law, 5785–2025."

Reservations to Sections 2 and 3

No reservations.

Reservations to Section 4

The Hadash-Ta'al Group proposes:

3. Replace "Jerusalem" with "Kibbutz Nir Oz," and at the end add "the court is authorized to conduct hearings in any of the communities of the Gaza Strip envelope as defined in Government Resolution No. 462."

Reservations to Sections 5 through 10

No reservations.

Reservations to Section 11

The Hadash-Ta'al Group proposes:

4. Replace the section with:

Prohibition of Death Sentence 20 A military court adjudicating proceedings under this Law is not authorized to impose a death penalty.

Reservations to Section 12

The Hadash–Ta'al Group proposes:

5. At the end thereof add: "(g) A judicial decision, hearing protocol, and any other court document whose publication is permitted under this Law shall be published in Hebrew, Arabic, and English."

Reservations to Section 13

No reservations.

Reservations to Section 14

The Hadash–Ta'al Group proposes:

6. Replace "upon the recommendation of the Chief Military Prosecutor" with "upon the recommendation of the Attorney General and the Chief Military Prosecutor."

Reservations to Section 15

The Hadash–Ta'al Group proposes:

7. In subsection (b), the words "however, such defense counsel shall not be from the Public Defender's Office" – shall be deleted.

Reservations to Sections 16 through 18

No reservations.

Reservations to Section 19

The Hadash–Ta'al Group proposes:

8. The words "and did not participate in the hearing by videoconferencing in accordance with the provisions of Chapter VI" – shall be deleted.

[Note: The body of section 19 references Chapter VII; this reservation references Chapter VI. The discrepancy appears in the original Hebrew.]

Reservations to Sections 20 through 22

No reservations.

Reservations to Section 23

The Hadash–Ta'al Group proposes:

9. Replace with: "Notwithstanding any other law, a court adjudicating proceedings under this Law shall not be authorized to try a defendant by videoconferencing."

Reservations to Section 24

The Hadash–Ta'al Group proposes:

10. The section – shall be deleted.

Reservations to Section 25

The Hadash–Ta'al Group proposes:

11. The section – shall be deleted.

Reservations to Section 26

The Hadash–Ta'al Group proposes:

12. The section – shall be deleted.

Reservations to Sections 27 through 32

No reservations.

Reservations to Section 33

The Hadash–Ta'al Group proposes:

13. In subsection (a), at the end thereof add "and a representative of the Attorney General."

14. At the end thereof add: "(c) The Steering Committee shall establish guiding rules, allocate a budget, and recruit personnel for the purposes of translation into English and Arabic."

After Section 34

Members of Knesset Yulia Malinovsky and Simcha Rotman propose:

15. After the section add:

Release of Prisoners 4a. A decision on the release of a prisoner as stated in section 8b of the Government Law, 5761–2001, shall not include a person who is a suspect, defendant, or convicted of an offense committed within the framework of the October 7 massacre events as defined in section 3.

Reservations to Section 35

No reservations.

Reservations to Section 36

The Hadash–Ta'al Group proposes:

16. The section – shall be deleted.

Reservations to Section 37

No reservations.

Reservations to Section 38

The Hadash–Ta'al Group proposes:

17. After "and may" add "with the approval of the Constitution, Law and Justice Committee of the Knesset."

18. After "with the consent of the Minister of Justice" add "after consulting with the Chief Military Prosecutor and the Attorney General."

19. At the end thereof add "Regulations pursuant to this Law shall be published in Hebrew, Arabic, and English."

Reservations to Section 39

No reservations.

Requests for the Floor

Members of Knesset: Binyamin Gantz, Pnina Tamano, Chili Tropper, Michael Mordechai Biton, Orit Farkash-Hacohen, Alon Schuster, Etan Ginzburg, Yael Ron Ben Moshe, Yair Lapid, Meir Cohen, Karin Elharrar, Merav Cohen, Elazar Stern, Mickey Levy, Merav Ben Ari, Ram Ben Barak, Yoav Segalovitz, Boaz Toporovsky, Michal Shir Segman, Yuval Lahav Hertzano, Vladimir Bieliak, Ron Katz, Mati Tzarfati Harakbi, Tatiana Mazarsky, Yasmin Friedman, Devby Biton, Moshe Tur-Paz, Simon Davidson, Naor Shiri, Sheli Tal Miron, Yaron Levi, Adi Azuz, Avigdor Lieberman, Oded Forer, Evgeny Sova, Sharon Nir, Hamad Amar, Avi Maoz

Translator's Notes

"Court of First Instance" / "Appellate Court" – Both are defined components of the "Military Court" under this Law. They are newly constituted bodies, distinct from the permanent Military Court of Appeals.

"Chief Military Prosecutor" – Two Hebrew terms appear in the text – הפרקליט הצבאי הראשי and התובע הצבאי הראשי – both rendered as "Chief Military Prosecutor" following the established terminology in prior English versions of this bill.

Detainee / prisoner – עזור (pre-trial detainee) and אסיר (prisoner serving a sentence) are consistently distinguished throughout.

Section 19 discrepancy – The bill body references Chapter VII (videoconferencing); Hadash-Ta'al's reservation 8 references Chapter VI. The discrepancy is in the original Hebrew and is preserved without harmonization.

Footnotes 18 and 20 – Page references in S.H. 5786 are marked [TBD] as they appear as ellipses (...) in the original, pending official gazette publication.