



Killing Under the Cover of the Knesset:

A Reading into the Institutionalization of Field Executions

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Introduction:

The occupation's legislative and judicial system is witnessing a radical shift toward the **"institutionalization of crime."** Field killings are no longer isolated practices but have become an official policy adopted by the highest legislative authority (the Knesset). The draft law for the execution of Palestinian prisoners comes to bridge the gap between criminal practice in the field and legal cover in the courts, transforming the judicial system into an executive tool for ethnic and political liquidation. This report analyzes the grave danger of this legislation, which strips prisoners of legal protection and disregards the Fourth Geneva Convention, establishing a new stage of "institutional execution" based on racial discrimination.

What is this law?

This draft law is not a coincidence; rather, it is the culmination of a series of legislative attempts that began to emerge intensively between 2015 and 2017, promoted by far-right parties (such as the former "Yisrael Beiteinu" and current "Otzma Yehudit"). It also passed through a breakthrough stage (2018), where the proposal succeeded in passing the preliminary vote (52-49) with Netanyahu's support before being frozen^[1].

Moving to the current stage (2023-2026), the project shifted from a political maneuver to a binding coalition clause led by Itamar Ben-Gvir (Minister of National Security). It was approved in the first preliminary reading and has not yet been presented for the final vote in the second and third readings in the Knesset. However, the current version before the Knesset is considered the most dangerous, as it simplifies execution procedures, cancels trial guarantees, and aims to strip any remaining international immunity from the prisoners.

[1] The 2018 preliminary vote refers to the success of the "Yisrael Beiteinu" party (led by Avigdor Lieberman at the time) in passing the preliminary reading of the prisoner execution bill. It received support from Benjamin Netanyahu's coalition despite opposition from security and legal agencies, representing a legislative precedent in the Knesset before the law was later frozen due to international and security pressures.

Definition:

This law is an amendment to the Penal Law (5737-1977)[1] and the Defense (Emergency) Regulations of 1945[2]. Its primary goal is to transform the field executions practiced by the occupation into institutional executions by court order. Additionally, the law establishes "special or exceptional" (Ad Hoc) military courts for the October 7 trials, which increases the severity of the violations.

But what has changed in the law? The draft law focuses on three fundamental amendments in its new version:

- **Breaking the Consensus Rule:** Previously, an execution required the unanimous approval of three military judges. According to the new amendment, a "simple majority" (2 out of 3) is sufficient, making it easier to issue unfair and biased sentences.
- **Stripping Authority:** The law strips the "Military Regional Commander" of the authority to commute a sentence issued by the court, making the punishment final and irreversible once it is issued.
- **Nationalist Definition:** The law is drafted to define the crime as "nationalist" aimed at harming the "State of Israel," which means it applies exclusively to Palestinians and excludes crimes committed by settlers against Palestinians.
- **Expanding the Scope:** The amendment does not stop at targeting the perpetrator directly; it expands the scope of the nationalist crime to include anyone who provided assistance or had a role in planning. This opens the door to issuing mass death sentences based on broad interpretations of the term "terrorism."



[1] Penal Law, 5737-1977. [2] Defense (Emergency) Regulations, 1945.

Implementation Mechanism:

As mentioned earlier, the law has not yet been finalized and is awaiting the second and third readings in the Knesset. However, the occupation authorities are hardly waiting for the final vote; they have already begun practical field steps reflecting their determination to adopt and implement the project as soon as it is approved. The mere introduction of the bill for a vote has granted it de facto legitimacy among the Israeli repressive apparatus.

These preparations are embodied in the following tracks, according to Hebrew media reports (Channel 13 and others):

- Establishment of the Israeli "Green Mile" Complex: The Israel Prison Service (IPS) has launched an organizational plan to build an isolated complex dedicated to carrying out executions, known as the "Green Mile." This complex is designed to be a completely separate detention facility where visits are prohibited and meetings with lawyers are restricted to "video conference" only, ensuring the prisoner's total isolation. The law also limits those sentenced to death to a maximum of only two lawyers.
- Execution Method and Psychological Immunity: The final draft revealed that executions will be carried out by hanging. To bypass any psychological barriers for the executioners, three guards will press the execution button simultaneously, so none of them knows who actually triggered the platform—a procedure aimed at protecting the killers and granting them psychological and legal immunity.
- Timeframe and Secrecy: Unlike international legal systems, the law sets a very narrow timeframe; the sentence is carried out within only 90 days of its issuance, eliminating any real opportunity for appeal or international intervention. The law also grants total anonymity to the executing guards and full criminal immunity for their actions inside the execution chambers, while penalizing anyone who reveals execution details with up to 3 years in prison.
- Logistical Training: Within the logistical preparations, reports revealed that delegations from the Prison Service traveled to countries in East Asia (that utilize hanging) for the purpose of "learning and training" on technical and organizational execution methods.
- Leaked reports and plans indicate that prisoners accused of participating in the October 7 events (classified by the occupation as "Nukhba forces") represent the first target group for implementation, with the scope of the law's application intended to expand later to include Palestinian prisoners from the West Bank.



Legal and Human Rights Dimension:

Furthermore, the gravity of this proposal—supposedly applied to anyone causing the death of an Israeli motivated by "racism or hostility toward the public"—lies in its clever design to be applied exclusively in military courts where Palestinians are tried. Meanwhile, Israeli settlers, who are subject to civil courts, are excluded. This renders the death penalty a tool reserved solely for Palestinians, further entrenching the system of Apartheid.

Consequently, this legislation constitutes cruel, inhuman, and degrading treatment that fundamentally contradicts the right to life and human dignity. It places the occupation authorities in direct collision with global norms and the international human rights system, which has trended toward the total abolition of this penalty

Based on this, the project violates international law and international obligations by contradicting the following conventions:

The Universal Declaration of Human Rights (1948): Specifically Article (3), which affirms every human being's right to life and security. This law represents a regression from the fundamental steps taken to protect human life

The International Covenant on Civil and Political Rights (ICCPR): Ratified by Israel in 1991. Article (6) states that the right to life is inherent to every human being and shall not be "arbitrarily" deprived. It also prohibits measures that increase the use of the death penalty. Passing the death penalty by a simple majority in military courts lacks legal integrity, and making the sentence mandatory denies the convicted person the right to seek a pardon or commutation

The Second Optional Protocol: The law violates the spirit of this protocol (attached to the ICCPR) and the international direction toward the comprehensive abolition of the death penalty to enhance human dignity

Fair Trial Guarantees: "Judicial consensus" is the sole safety valve in major criminal cases. By abolishing it, the occupation violates the fair trial guarantees stipulated in the Fourth Geneva Convention and international charters, transforming trials into repressive procedures lacking the minimum standards of justice

War Crimes Classification: Depriving protected persons of their right to a fair and regular trial constitutes a grave breach of the Fourth Geneva Convention and amounts to being classified as a war crime

Article 75 of the Fourth Geneva Convention: This article grants the right to petition for a pardon, a right that this law explicitly abolishes

[1] الإعلان العالمي لحقوق الإنسان (1948)

[2] العهد الدولي الخاص بالحقوق المدنية والسياسية (المادة 6)

[3] البروتوكول الاختياري الثاني للعهد الدولي الخاص بالحقوق المدنية والسياسية والهادف إلى إلغاء عقوبة الإعدام

[4] Article 75 - Penal procedure V. Death sentence

Recommendations:

Based on the extreme gravity that this draft law poses to the lives of Palestinian prisoners and the international justice system, the Shahid Organization demands the following:

- **Immediate Cancellation of the Project:** A total halt to the advancement of this draft law and its permanent dismissal, as it constitutes a blatant violation of the right to life.
- **Activation of International Oversight:** Calling upon the international community to exert serious pressure to ensure the occupation authorities abandon these legislative amendments and adhere to the International Covenant on Civil and Political Rights, which it has ratified.
- **International Criminal Prosecution:** We call on the Prosecutor of the International Criminal Court (ICC) to consider these legislations as part of the evidence of "war crimes" and "crimes against humanity," especially since depriving detainees of fair trials and executing them under arbitrary procedures represents a grave breach of the Fourth Geneva Convention.
- **Ending the Legal Apartheid System:** Denouncing the discriminatory nature of these laws that exclusively target Palestinians while excluding Israeli settlers, and demanding the dismantling of this system that entrenches racial segregation.
- **Commitment to UN Resolutions:** Reminding the occupation authorities of their previous obligations and their votes in favor of UN General Assembly resolutions calling for a moratorium on the use of the death penalty as a prelude to its comprehensive abolition.

Conclusion: We emphasize that the presence of the Israeli occupation in the Palestinian territories is an illegal presence according to the principles of international law and the rulings of the International Court of Justice (ICJ). Accordingly, the occupation possesses no sovereign powers or legal jurisdiction authorizing it to create legislation or issue sentences of this nature.

The attempt to impose a discriminatory legal system, establish illegal settlements, and exceed the internationally limited powers of an occupying force represents a flagrant violation of the rule of international law. This renders all military orders and legislations issued by it legally null and void, carrying no legitimate effect.