

# APPROVAL OF LAW PERMITTING EXECUTION OF PALESTINIAN PRISONERS VIOLATES INTERNATIONAL HUMANITARIAN LAW, REQUIRES CONSENT OF PALESTINIAN NATIONAL AUTHORITY



المركز العربي لاستقلال القضاء والمحاماة  
THE ARAB CENTER FOR THE INDEPENDENCE OF  
THE JUDICIARY AND THE LEGAL PROFESSION  
(ACIJP)



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**Approval of law permitting execution of Palestinian prisoners  
violates international humanitarian law,  
requires consent of Palestinian National Authority**

**The Arab Center for the Independence of the Judiciary and the Legal Profession (ACIJLP)** strongly condemns the issuance by the Israeli parliament of a law permitting the application of the death penalty to Palestinian prisoners under the authority of the occupation, notwithstanding the abolition of the death penalty for murder in Israel since 1954. This constitutes a clear violation of the provisions of the Geneva Convention relative to the Treatment of Prisoners of War, which prohibits the conviction of any prisoner of war for an act that is not expressly prohibited by the law of the detaining power. Moreover, prisoners of war in situations of occupation are entitled to the protections afforded by international humanitarian law governing the treatment of detainees in times of war.

The ACIJLP further notes that the occupying authority does not possess the right to impose the death penalty for any offense without the consent of the state to which the prisoners belong. Article 100 of the Third Geneva Convention stipulates that "Prisoners of war and the Protecting Powers shall be informed as soon as possible of the offences which are punishable by the death sentence under the laws of the Detaining Power. Other offences shall not thereafter be made punishable by the death penalty without the concurrence of the Power upon which the prisoners of war depend" — namely, the Palestinian National Authority.

The ACIJLP affirms that Israeli law currently permits the application of the death penalty only for serious crimes committed in wartime, while it has been abolished in peacetime. These crimes include genocide, crimes against humanity, and war crimes. Accordingly, the introduction of the death penalty for new offenses (terrorism-related crimes) constitutes a flagrant violation of international humanitarian law with respect to Palestinian prisoners, rendering such legislation null and void for its contravention of Article 100 of the Third Geneva Convention concerning prisoners of war.

The ACIJLP further asserts that the imposition of the death penalty on Palestinian prisoners for intentional homicide — after its abolition for Israeli citizens since 1954 — constitutes a violent legislative act marked by racial discrimination, in violation of international human rights law, particularly the International Covenant on Civil and Political Rights.

The ACIJLP calls upon the Secretary-General of the United Nations, the Special Rapporteur on the situation in the Occupied Palestinian Territory, and the United Nations High Commissioner for Human Rights to intervene urgently to halt the implementation of this new legislation, which could endanger thousands of Palestinian prisoners in Israeli occupation prisons.

Cairo, 31 March 2026