



CMPAC Analysis: The Israeli Knesset's Passage of Death Penalty Law on Palestinians

April 1 2026 - The passage of legislation by Israel's parliament enabling the death penalty on Palestinians raises profound and urgent legal and human rights concerns.

A system in which capital punishment is applied to one population and not another, based on identity, nationality, or ethnicity, is fundamentally incompatible with the principle of equality before the law. The selective application of the most severe and irreversible punishment to Palestinians alone constitutes a deeply discriminatory framework that demands urgent international scrutiny.

Any expansion of capital punishment must be assessed not in isolation, but within the broader context of the legal and detention systems in which it would be applied. In this case, that context is deeply troubling. For years, credible human rights organizations, legal experts, and international bodies have documented systemic concerns in the treatment of Palestinians within Israeli custody. These include the widespread use of administrative detention without charge or trial, prolonged pre-trial detention, restrictions on access to legal counsel, and the adjudication of cases in military courts that lack fundamental fair trial guarantees.

Equally concerning are consistent and well-documented reports of ill-treatment and torture during interrogation. Former detainees and independent investigations have described practices including physical violence, sexual abuse, sleep deprivation, stress positions, electrocution, and psychological coercion. Such methods fundamentally undermine the reliability of any statements or confessions obtained, raising serious questions about evidentiary standards and due process. Furthermore, it is important to note that these cases would be tried in military courts, which maintain a 99% conviction rate.

When capital punishment, which is irreversible, is imposed within a system where due process protections are compromised and where coercion influences outcomes, the risk of wrongful conviction and execution becomes acute.

International human rights law is unequivocal: the death penalty must be only following proceedings that meet the highest standards of fairness, independence, and due process. The documented deficiencies in the current system raise serious doubts as to whether these standards can be met. This development must therefore be understood as part of a broader pattern of practices that have drawn sustained international concern, including arbitrary detention, unequal application of legal standards, and the normalization of coercive interrogation methods.



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Canada and the international community have a responsibility to respond to this immediately. We call for immediate international scrutiny of this legislation and the systems in which it would operate, and for renewed efforts to ensure accountability, adherence to international legal standards, and the protection of fundamental human rights.

Canada must respond with urgency by:

- 1- Applying diplomatic pressure to signal the gravity of these actions
- 2- Supporting independent international investigations into the treatment of Palestinian detainees
- 3- Advancing accountability through international legal mechanisms,
- 4- Imposing targeted sanctions on Israeli officials and entities credibly implicated in serious human rights violations