

## National Day for the Retrieval of Martyrs' Bodies - August 27th

Facts about the Martyrs Whose Bodies are Held in Numbered Cemeteries, Refrigerators, and the Sdeh Teiman Military Base:

The number of martyrs whose bodies are held amounts to 552, including 256 in numbered cemeteries and 296 since the return of the policy of holding bodies in 2015. Among them are:

- 9 female martyrs.
- 32 martyrs from the captive movement.
- 55 children under the age of 18.
- 5 martyrs from the 1948 occupied territories.
- 6 martyrs from Palestinian refugees in Lebanon.

Since the start of the genocide against our people in Gaza, the occupation has escalated its policy of holding bodies. Since the war, the occupation has held 149 bodies, which constitutes more than half of the martyrs held since 2015. It is important to note that this figure does not include the bodies held from the Gaza Strip. The number of martyrs from Gaza held by the occupation is estimated to be in the hundreds, but there is no official statement from the occupation regarding the actual number of bodies from Gaza to this day.

**\*\*Key Data on the Crime of Holding Martyrs' Bodies (As a Systematic Historical Policy):\*\***

The crime of holding martyrs' bodies, practiced by the Israeli occupation, is one of the prominent historical policies used as part of the crime of collective punishment against martyrs and their families, and as a mechanism of control and punishment of Palestinians. This issue has passed through several stages and has been closely linked to the escalating level of resistance and confrontation against the Israeli occupation system. Since the occupation of Palestine in 1948, the occupation has used this policy, continuing its implementation until 2008, and resumed it with a decision by the Israeli cabinet in 2015, at the beginning of the popular uprising. The occupation did not stop at holding the bodies but also imposed certain conditions when returning the bodies. It also applied a classification policy as part of the conditions imposed on families, particularly affecting martyrs with Jerusalemite identities, by imposing harsh and unjust restrictions in the context of the occupation's desire for revenge against the living and the martyrs.

This issue underwent legal transformations since 2017. On December 14, 2017, the so-called Israeli Supreme Court decided to postpone its ruling invalidating the holding of martyrs' bodies to allow the Israeli authorities to legislate clear and explicit provisions authorizing the military and police leadership to hold martyrs' bodies. In September 2019, the Supreme Court issued a decision allowing the military commander to hold the martyrs' bodies and bury them temporarily for use as bargaining chips in negotiations. It also imposed broad conditions authorizing the previously mentioned authorities to issue orders to hold the bodies of some martyrs. In reality, the vast majority of the martyrs whose bodies are held do not meet the conditions imposed by the court, making this issue a new phase in the role played by the so-called Supreme Court in consolidating the crime of holding martyrs' bodies. This was followed by efforts by the Israeli Knesset to legislate a law authorizing the occupation police to hold martyrs' bodies, and later an amendment was made to the "Anti-Terrorism Law."

#### **\*\*Holding Martyrs' Bodies Since the Start of the Genocide:\*\***

The ongoing genocide against our people in Gaza has brought about transformations on all levels, with the enormous crimes committed by the Israeli occupation. The issue of martyrs' bodies is one of the most prominent of these issues, with the number of bodies held by the occupation increasing. After the war, the number of bodies held reached 149, which constitutes more than half of the martyrs held since 2015. This number does not include the martyrs from Gaza whose bodies are held, estimated to be in the hundreds.

To this day, there is no official statement from the occupation regarding the actual number of bodies held from Gaza, in addition to the fact that the occupation employs a policy of concealing identities as another face of the systematic crime of enforced disappearance, instead assigning numbers to the bodies. The only information that has emerged regarding the bodies of martyrs from Gaza held by the occupation was in July 2024, when the Hebrew newspaper Haaretz revealed in an article that the Israeli occupation holds about 1,500 bodies of Palestinians whose identities are unknown, stored in refrigerated containers inside the military base known as Sdeh Teiman, and they were classified by numbers rather than names. The newspaper mentioned that the condition of the bodies had reached a certain stage of decomposition, with some missing limbs and others without identifiable features.

During the war, the occupation handed over the bodies of 428 unidentified martyrs in several batches, and they were buried in mass graves in Khan Younis and Rafah in the southern Gaza Strip. The scene of the occupation handing over the bodies of martyrs in blue bags was one of the most striking images, reflecting the level of savagery of the occupation and its disdain for human dignity as one of the aspects of the ongoing genocide for more than ten continuous months.

**\*\*Holding Martyrs' Bodies in Violation of International Conventions and Charters:\*\***

This policy contradicts all international customs and charters that stipulate respect for the victims and the return of their bodies. The relevant rules of international humanitarian law concerning the treatment of the dead, their remains, and their graves include Rule 112 on searching for and collecting the dead, Rule 113 on protecting the dead from pillage and mutilation, Rule 114 on the return of the dead's remains and their personal belongings, Rule 115 on the disposal of the dead, and Rule 116 on identifying the dead.

The First Geneva Convention of 1949, in Article 17, emphasizes the importance of decent and respectful burial, stating that the parties to the conflict must "ensure the dead are honorably interred, if possible according to the rites of the religion to which they belonged, that their graves are respected, grouped according to nationality, and properly maintained and marked so that they can always be found."

In addition to Article 17 of the First Geneva Convention, Article 120 of the Third Geneva Convention, Article 130 of the Fourth Geneva Convention, and Article 34 of the Additional Protocol require facilitating the return of the bodies and remains of the dead.

The National Campaign for the Retrieval of Martyrs' Bodies and Palestinian human rights organizations renew their constant demand for the international legal system to resume its necessary role in stopping the genocide and to stand up for humanity by addressing the terrifying state of paralysis that surrounds its role in the ongoing Palestinian tragedy that has persisted for decades and to exert pressure to free the bodies of our martyrs.

**\*\*Free the Martyr Captives' Bodies, Free the Martyr Captives:\*\***

We have names... We have a homeland.