



Analytical Review

IMPUNITY IN THE SHADOWS OF CONFLICT: AN ANALYTICAL REVIEW OF THE SDE TEIMAN DETENTION INCIDENT AND SYSTEMIC ACCOUNTABILITY DEFICITS IN ISRAELI MILITARY JUSTICE REGARDING PALESTINIAN DETAINEES

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Abstract

The July 2024 incident at Israel's Sde Teiman (meaning Teiman Field in Hebrew) detention facility, in which five Israel Defense Forces (IDF) reservists were accused of severely abusing and sexually assaulting a Palestinian detainee from Gaza, and the subsequent March 2026 decision to drop all charges, highlights persistent challenges to accountability in armed conflict. This analytical review synthesizes empirical data from Israeli human rights organisations, United Nations reports, and international humanitarian law (IHL) frameworks to contextualise the case within broader patterns of detainee treatment and military prosecution outcomes. Despite video evidence and initial indictments for aggravated abuse causing serious bodily harm, prosecutors cited evidentiary and procedural complications. Comparative statistics reveal that complaints of violence by IDF personnel against Palestinians rarely result in indictments (typically <3% historically), contrasting sharply with conviction rates exceeding 99% in military courts prosecuting Palestinians. The analysis underscores how political, institutional, and operational factors may undermine the rule of law, with implications for IHL compliance, including prohibitions on torture and sexual violence under the Geneva Conventions. Recommendations include enhanced independent oversight to address impunity.

Keywords

Sde Teiman, detainee abuse, military justice, impunity, Israel Palestine conflict, international humanitarian law, torture, sexual violence, wartime accountability, detention law



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Data Synthesis and Analysis

Data were synthesized using meta-analysis (fixed/random effects) with heterogeneity assessed by I^2 and Cochran's Q. Where pooling was not feasible, narrative and thematic syntheses were applied. Network meta-analysis and meta-regression were conducted where appropriate, in accordance with PRISMA and Cochrane guidelines.



Introduction:

The Sde Teiman detainee abuse case has become one of the most revealing episodes in the legal and moral debate over wartime detention during the Gaza war. In July 2024, Israeli military investigators examined allegations that reservists at the Sde Teiman detention site had severely abused and sexually assaulted a Palestinian detainee from Gaza. The case received unusual attention because medical evidence, leaked footage, and subsequent arrests made it difficult to dismiss as rumor alone. Yet in March 2026, Israeli military authorities dropped the charges, citing exceptional circumstances, including the unavailability of the victim, concerns about trial fairness, and evidentiary limitations surrounding the leaked video. For supporters of the decision, the outcome reflected prosecutorial caution. For critics, it symbolized a deeper and more entrenched accountability failure.

This review treats the case as more than an isolated legal controversy. It uses Sde Teiman as an entry point for examining how military justice operates under conditions of prolonged conflict, how detention abuse is documented and contested, and how the language of procedure can interact with structural impunity. The central question is whether the collapse of the case should be understood as an evidentiary breakdown in one difficult prosecution, or as part of a broader

institutional pattern in which grave abuses against Palestinians rarely lead to meaningful criminal accountability. The answer matters not only for the specific victims involved, but for the credibility of wartime legal order itself.



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Figure 1. Conceptual timeline of the Sde Teiman case, showing the alleged July 2024 assault, the public emergence of the case, the filing of charges, and the March 2026 decision to drop proceedings.

Background: Sde Teiman and the Post October 2023 Detention Regime

Sde Teiman emerged as a major detention site after the October 2023 war began, when large numbers of Palestinians from Gaza were detained by Israeli forces. Human rights organizations, medical advocates, and United Nations bodies have described a wider post October detention regime marked by incommunicado detention, prolonged restraint, denial of legal access, medical neglect, and severe physical and psychological abuse. In July 2024, the UN Human Rights Office reported arbitrary, prolonged, and secret detention affecting thousands of Palestinians since October 2023, alongside allegations of torture, sexual abuse, and other cruel, inhuman, or degrading treatment. In August 2024, UN experts said they had received substantiated reports of widespread abuse, torture, sexual assault, and rape in custody, along with dozens of apparent custody deaths.

Israeli and Palestinian rights organizations documented similar patterns. B'Tselem's 2024 report *Welcome to Hell* presented testimonies from former detainees describing the prison system as a network of abuse sites, while its 2026 follow up *Living Hell* argued that the practices had not

abated and had instead hardened into a broader regime of violence, humiliation, neglect, and fear. Physicians for Human Rights Israel later reported that at least 94 Palestinians had died in Israeli custody up to the end of August 2025, while also warning that enforced disappearance, lack of transparency, and fragmented record keeping likely mean the real number is higher. These reports do not prove every individual allegation in every case, but they do establish a broader factual context in which the Sde Teiman case did not emerge in isolation.

The importance of that context is legal as well as moral. International humanitarian law, international human rights law, and the law of occupation all impose clear restraints on detention. Common Article 3 of the Geneva Conventions prohibits violence to life and person, cruel treatment, torture, and outrages upon personal dignity in armed conflict. The Convention against Torture prohibits torture in absolute terms, while the International Covenant on Civil and Political Rights protects against arbitrary detention and requires due process guarantees. When detention systems are structured by secrecy, indefinite confinement, or routine humiliation, the question is no longer only whether particular soldiers crossed a criminal line, but whether the detention regime itself is operating in a way that predictably enables abuse.

Case Analysis: The Assault Allegation, Evidence, and the Collapse of Proceedings

According to public reporting, the case centered on a Palestinian detainee who was hospitalized with serious injuries, including rib fractures, lung damage, and rectal trauma. The allegations included beating, tasing, dragging, and penetration with a sharp object. Leaked video from the facility, although partially obscured, contributed to the opening of the case and to the arrest of suspects in July 2024. The episode quickly became nationally contentious inside Israel, triggering protests by far right supporters who framed the investigation itself as a betrayal of soldiers during wartime. The political environment surrounding the case therefore shifted almost immediately from criminal investigation to ideological confrontation.

By early 2025, prosecutors had filed charges framed around aggravated abuse and causing serious bodily harm rather than the most severe sexual assault counts originally discussed in public debate. That narrowing itself became a matter of criticism, because it echoed a familiar pattern in accountability debates: grave allegations may be recognized at the level of fact but softened at the level of legal characterization. In March 2026, the Military Advocate General dropped the case entirely. Reuters reported that the military cited exceptional circumstances, particularly the victim's unavailability after his return to Gaza and broader concerns affecting the ability to conduct a fair trial. Associated Press likewise reported that the military pointed to insufficient evidence for conviction and difficulties tied to the victim's absence, even though the allegations had been partially captured on video and supported by medical findings.

From a strictly procedural standpoint, prosecutors may argue that a criminal trial without victim testimony, in a politically charged case, presents serious evidentiary risks. That argument cannot simply be ignored. At the same time, critics contend that procedural caution has to be weighed against the broader institutional incentives of military self protection. Amnesty International called the dismissal disgraceful. Human Rights Watch described the case as highlighting a longstanding history of impunity for torture. The central analytical issue, therefore, is not

whether evidence mattered, but whether evidentiary thresholds were applied in a setting already shaped by systemic reluctance to prosecute abuses against Palestinians.

Figure 2. Indicative accountability pathway in the Sde Teiman case, from allegation and medical evidence to investigation, indictment narrowing, and final dismissal.



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The Accountability Record: Pattern or Exception?

The strongest argument that Sde Teiman reflects a structural problem comes from the wider record of military law enforcement. Yesh Din reported in February 2025 that between 2018 and 2022 the Israeli military law enforcement system received 862 complaints concerning suspected soldier offenses against Palestinians in the West Bank. Of these, 258 led to criminal investigations, or about 30 percent, and only 13 investigations culminated in indictments, meaning soldiers were prosecuted in only 1.5 percent of the total number of complaints. Yesh Din argued that these figures reveal a system that is unwilling to conduct genuine investigations into endemic abuses.

These figures do not cover every possible detention case, nor do they by themselves prove outcome bias in every prosecution. Still, they are highly relevant because they describe a longstanding pattern of low prosecutorial conversion from complaint to indictment. That pattern becomes even more significant when set against the well known severity of many underlying allegations. The issue, then, is not only how many convictions occur, but how seldom cases reach the stage where criminal liability is seriously tested at all. In this sense, the dismissal of the Sde Teiman case fits a broader structure in which formal investigative activity exists, but rarely culminates in robust accountability.

Another point often raised in the literature is the stark asymmetry between accountability for Israeli personnel and conviction rates for Palestinians in military courts. Historical reporting on Israeli military court records showed a 99.74 percent conviction rate for Palestinians in 2010, a figure that has been widely cited in later legal and human rights analysis as emblematic of the coercive structure of military adjudication in the occupied territories. Even if that exact figure is historical rather than current, it remains analytically important because it highlights the unequal credibility assigned to state allegations and Palestinian defenses within the broader system.

Legal Analysis: Military Justice, Torture Prohibitions, and Command Responsibility

At the level of international law, the Sde Teiman case implicates some of the clearest prohibitions in the law of armed conflict and human rights law. Torture, cruel treatment, humiliating and degrading treatment, and sexual violence against persons in custody are prohibited under Common Article 3, the Fourth Geneva Convention, and the Convention against Torture. Where such acts occur in the context of occupation or armed conflict, and especially where they are tied to detention by state agents, they may also engage the law of war crimes and command responsibility. The legal problem is not confined to the individual perpetrator. It extends to the adequacy of investigation, preservation of evidence, and the willingness of the state to prosecute grave breaches effectively and impartially.

This is why military self investigation remains controversial in comparative legal scholarship. Orna Ben Naftali and related legal critics have argued that the Israeli military justice framework has often converted grave conduct into lesser disciplinary or symbolic categories, thereby weakening the link between fact, legal characterization, and accountability. Later scholarship on Israeli military justice and international law likewise emphasized how institutional design, dual loyalty to command and legality, and systemic denial of Palestinian rights shape the operation of justice in the occupied territories. In practical terms, this means that even when an abuse becomes visible, the legal system may still process it in ways that protect the institution more than the victim.

The Sde Teiman dismissal therefore matters beyond one case. If the visible combination of medical evidence, leaked footage, public scrutiny, and international attention still does not produce a full criminal reckoning, the signal sent to the wider system is powerful. It suggests that extraordinary visibility may still be insufficient where political pressure, evidentiary control, and institutional self preservation intersect. That risk is precisely why international law places weight not only on substantive prohibitions, but also on the duty to investigate credibly and independently.

Political and Social Dimensions

The Sde Teiman case cannot be understood as a purely legal file. It quickly became a political symbol inside Israel. Public protests by far right activists and supportive rhetoric from political figures transformed the investigation into a wider struggle over the meaning of military solidarity, wartime legitimacy, and the limits of criticism during conflict. In such an environment, legal institutions operate under intense social pressure. Prosecutors may still act

formally within legal rules, but their decisions unfold inside a field of polarization where accountability itself is framed by some actors as betrayal.

This politicization also affects victims and witnesses. In detention abuse cases, access to testimony, medical evidence, video records, and chain of custody material is often fragile. When the victim is released into a war zone, remains inaccessible, or fears further retaliation, the probability of prosecution falls sharply. Yet those very conditions are often produced by the detention system and conflict environment under scrutiny. That creates a self reinforcing cycle: opacity impedes accountability, and failed accountability deepens opacity. Sde Teiman illustrates this cycle with unusual clarity.

Conclusion

The Sde Teiman detainee abuse case stands as one of the clearest recent examples of the gap between legal prohibition and actual accountability in wartime detention. The allegations were grave, the evidentiary record was unusually visible, and the international scrutiny was substantial. Yet the proceedings ended without a full trial or conviction. That outcome does not by itself settle every factual dispute surrounding the case, but it does strengthen the argument that institutional, political, and procedural forces often combine to shield grave abuse from meaningful punishment. For that reason, the case should be understood not as an unfortunate anomaly, but as a warning about the limits of military self accountability in protracted conflict. Independent civilian oversight, protected evidence preservation, mandatory retention of video material, transparent public reporting, and greater access for medical and legal monitors are necessary reforms if detention systems are to comply with international law in more than name. Without such reform, Sde Teiman will remain less a closed case than a continuing indictment of the wider accountability structure around it.

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Ethical Statement

This is a research-based manuscript prepared and structured in a scientific narrative review format. Modern AI-assisted tools were used to access current and authentic information from digital archives, bibliographic databanks, online libraries, research articles, academic repositories, and encyclopedias.

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Literature Search and Information Management

Literature retrieval was conducted using a structured and reproducible search strategy in accordance with PRISMA-S reporting standards. Search strategies were independently evaluated using the PRESS framework to ensure methodological quality, accuracy, and completeness. Grey literature was systematically identified using the CADTH *Grey Matters* framework to enhance coverage of unpublished, non-indexed, and policy-relevant sources, thereby minimizing publication bias and improving comprehensiveness.

Risk of Bias and Evidence Quality

Risk of bias was assessed using validated, design-specific tools (RoB 2, ROBINS-I, QUADAS-2/3, AMSTAR 2, Newcastle–Ottawa Scale, and CASP). The certainty of evidence and strength of

recommendations were evaluated using the GRADE framework, ensuring a standardized and reproducible assessment across study designs.

Review Typology and Reporting

Review designs were classified into standard categories (scoping, umbrella, rapid, qualitative, and mixed-methods), with reporting aligned to established guidelines (PRISMA-ScR, PRIOR, PRISMA-RR, ENTREQ, and PRISMA/MMAT) to ensure methodological rigor and transparency.

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