

Palestine's Legal Scene

Your weekly survey of the most important publications and activities related to Palestine, from local and international sources

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This weekly report reviews the legal dynamics of the Palestine question, and everything related to international law and Palestine. The report includes an account of the most important publications, activities, and conferences related to Palestine at the local, regional, international levels. The report further covers decisions, decrees, and judicial orders affecting the Palestinian cause, whether made at the official, academic or public levels. The report aims to be a reference for monitoring, documenting, and archiving the latest human rights developments related to Palestine, and to present them to individuals, researchers, study centers, and official, academic, and legal institutions concerned.

Judicial decrees, decisions, positions, and orders issued by official Palestinian bodies:

- **The Permanent Observer Mission of the State of Palestine to the United Nations addressed the UN authorities, highlighting Israel's ongoing atrocities against Palestinians and the use of administrative detention as a collective punishment policy.** (August 6, 2023). For further details, click [here](#)
- **The Palestinian Ministry of Foreign Affairs (MOFAE) condemned Israeli Minister Ben Gvir's statements to honor the murderers of martyr Qusay Maatan by awarding them a "medal of appreciation" and immunity. The Ministry identified this as another call to encourage settlers to commit more murders against Palestinians.** (August 6, 2023). For further details, click [here](#)
- **In response to Israel's claim that it would provide a package of facilities, including the cancellation of a loan it claims it provided to the Palestinian Authority, the Palestinian Prime Minister stated: "Israel is required to return withheld funds and to stop the unjust deductions it**

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makes per month, these are our funds and our rights." (August 7, 2023). For further details, click [here](#)

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- **The Palestinian Prime Minister urged that a 22-member delegation from the United States Congress recognize the State of Palestine, remove unfavorable legislation, and put pressure on Israel to enable holding elections in Jerusalem.** (August 7, 2023). For further details, click [here](#)
- **The Commission for Detainees Affairs [placed](#) complete accountability on the Israeli prison administration for the persistent cases of medical neglect endured by Palestinian detainees. It called upon international organizations and the Red Cross to play an active role in supporting the detainees. Concurrently, the [Palestinian Prisoners Club](#) affirmed that administrative detainees have a plan to persist in their fight against administrative detention.**
- **The Palestinian MOFAE condemned the Israeli court's decision to release the "extremist terrorist" Elisha Yardou and place him under house arrest. Yardou was arrested by the Israeli police as one of the two individuals suspected in the killing of the boy Qusai Maatan in the village of Burqa.** (August 8, 2023). For further details, click [here](#)
- **The Minister of National Economy called on the Spanish Minister of Industry, Trade and Tourism to take urgent measures against the Spanish companies (CAF) and (GMV), which contribute to the construction and expansion of the light rail project in occupied Jerusalem with the Israeli company Shapir.** (August 9, 2023). For further details, click [here](#)
- **The Palestinian MOFAE [condemned](#) the provocative storming of Al-Aqsa Mosque and called for an end to the escalation. [The Chief Justice of Palestine](#) also called on the countries and organizations of the Islamic world to confront the Israeli plans that aim at changing the historical and legal situation in the city of Jerusalem.**

Judicial decrees, decisions, positions, and orders issued by official Israeli bodies:

- **The Israeli National Security Minister declares that any person defending himself against stone-hurling should be awarded a "medal of honor" rather than be investigated. A group of former police chiefs and senior officers expressed their concern that National Security Minister Itamar Ben Gvir is seeking to "taint" the investigation into the killing of a Palestinian youth, Qusai Jamal Mutan, 19.** (August 6, 2023). For further details, click [here](#)

- **Finance Minister Bezalel Smotrich is refusing to sign off on economic measures to prop up the Palestinian Authority, despite Israeli commitments to the US.** (August 7, 2023). For further details, click [here](#).
- **The Israeli Prime Minister stated in an interview with the American agency Bloomberg that: “The Palestinians should have all the powers to govern themselves and none of the powers to threaten Israel. Which means that in whatever final peace settlement we’ll have with the Palestinians, I’d say, Israel has an overriding security power in the entire area, ours and theirs. Otherwise, we collapse, they collapse”.** (August 7, 2023). For further details, click [here](#).
- **Israel will ease travel restrictions for Palestinian-Americans from Gaza following outcry over their exclusion from the US Visa Waiver Program (VWP). Palestinian Americans living in Gaza who pass security examinations will be able to fly out of Ben Gurion Airport. The decision surpasses the Memorandum of Understanding that was previously signed between the two states.** (August 9, 2023). For further details, click [here](#).

Judicial decrees, decisions, positions, and orders issued by Arab, European, and international bodies:

- **Germany’s antisemitism commissioner Dr. Felix Klein, said that applying the framework of apartheid to discuss Israel’s treatment of Palestinians is “an antisemitic narrative”.** (August 7, 2023). For further details, click [here](#).
- **According to a statement issued by the Court's Registry, 57 written submissions were filed by various countries and organizations as part of the procedures for the advisory opinion of the International Court of Justice (ICJ) on “Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem.”** (August 7, 2023). For further details, click [here](#).
- **The General Secretariat of the Organization of Islamic Cooperation condemned the Israeli occupation’s execution of three Palestinians inside their car in Jenin. It denounced the rise of “extremist Israeli settler militias” in their attacks on Palestinians.** (August 7, 2023). For further details, click [here](#).
- **A leading Democratic Senator, Chris Van Hollen, has called on Joe Biden to “get more personally engaged” in stopping “racists” in the Israeli government from a land grab in the occupied**

territories and committing “gross violations” of Palestinian rights or risk damage to the US’s credibility. (August 7, 2023). For further details, click [here](#)

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- **Australia's foreign minister has stated that the phrase “Occupied Palestinian Territories,” including East Jerusalem, would be formally reinstated (after an absence since 2014), and added that they will consider Israeli settlements illegal under international law.** (August 8, 2023). For further details, click [here](#)
- **The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) published a statement explaining that there is an increase in cases of settler violence towards Palestinians. OCHA also stressed that Israeli settlements are illegal and exacerbate humanitarian needs and affect the livelihood and food security of Palestinians.** (August 8, 2023). For further details, click [here](#) / [here](#)
- **Australian Senator Lidia Thorpe called her government “to formally recognise Israel as an apartheid state and Palestine as a sovereign state”.** (August 10, 2023). For further details, click [here](#)
- **The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) published a new report titled “Occupied Palestinian territory: Protection of Civilians Report | 25 July – 7 August 2023”.** (August 11, 2023). For further details, click [here](#)

Publications of human rights NGOs:

- **Samidoun Palestinian Prisoner Solidarity Network issues a report entitled, “Rising revolt against administrative detention: 5 Palestinians on hunger strike, over 1100 jailed without charge or trial”.** In addition, [it highlighted](#) the refusal of the occupation courts to release the cancer-stricken Palestinian thinker, Walid Daqqa, who has been detained since 1986. (August 7, 2023). For further details, click [here](#)
- **The Association for Civil Rights in Israel (ACRI) and 37 human rights organizations filed a joint petition with the High Court of Justice against the amendment to Basic Law: Judiciary, which eliminates the grounds of reasonableness.** (August 8, 2023). For further details, click [here](#)
- **The Peace Now Organization says that 2023 sets a record for settlement construction and outpost legalization in the West Bank. The government approved the construction of 12,855 new**

housing units throughout the West Bank so far this year. (August 9, 2023). For further details, click [here](#)

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- **The Norwegian Refugee Council’s country director for Palestine says that there are entire Palestinian communities being wiped off the map due to Israeli settler violence where 500 Palestinians from seven communities, over the past 20 months have been forcibly transferred. Some 60 Palestinian communities in the occupied West Bank are at heightened risk of forcible transfer.** (August 10, 2023). For further details, click [here](#)
- **“Peace Now” published a report that explains the Israeli Civil Administration’s acknowledgment of extreme discrimination in building permits and law enforcement between Palestinians and settlers. The organization reported that 95% of Palestinian building permit applications in Area C are rejected, meanwhile the majority of settlers’ applications were approved.** (August 10, 2023). For further details, click [here](#)
- **B’tselem publishes a new report titled: “Killings, pogroms, expulsion: Israel dispossesses Palestinians of their lands using settler violence.” This report explains how settler violence, coupled with state strategies, causes Palestinians to abandon their homes.** (August 10, 2023). For further details, click [here](#)
- **The French Solidarity Association with Palestine warned of the repeated settler attacks in the occupied West Bank. It further reported that in August, armed attacks escalated on a daily basis in the West Bank.** (August 10, 2023). For further details, click [here](#)

Opinion Pieces and features:

- **Institute for Palestine Studies publishes an article by Fahad Ali titled: “In Australia, Recognition of Palestine is a Farce.”** (August 7, 2023). For further details, click [here](#)
- **The Israeli newspaper Haaretz publishes an article by journalist Benjamin Pogrund titled “For Decades, I Defended Israel from Claims of Apartheid. I No Longer Can.”** (August 10, 2023). For further details, click [here](#)
- **The Washington Post publishes an article by columnist Ishaan Tharoor titled: “In Israel and the U.S., ‘apartheid’ is the elephant in the room.”** (August 11, 2023). For further details, click [here](#)

Research and academic studies (in Arabic and English):

- **Researcher Mais Qandeel publishes an article titled: "Violence and State Attribution: The Case of Occupied Palestine."** For further details, click [here](#)
- **Dr. Anis F. Kassim published a legal study on the Arab Center for Research and Policy Studies titled: "Israeli Practices and the 'Respect' for the Jordanian Role in Jerusalem: A Legal Study."** For further details, click [here](#)

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Human rights conferences and events:

- **The Foundation for Middle East Peace (FMEP) produces an episode titled: "Has Israel Annexed the West Bank?" in which FMEP's Kristin McCarthy talks to Shira Livne (Association for Civil Rights in Israel) about all things related to annexation.** (August 7, 2023). For further details, click [here](#)
- **The [Foundation for Middle East Peace](#) (FMAP) , in cooperation with Americans for Peace Now produced an episode of "New Occupied Thoughts" podcast shedding light on the freedom of expression in Palestine, the export of Israeli occupation technology worldwide, and the impact of bombardment and siege on the mental health of Gaza Strip residents.** (August 8, 2023). For further details, click [here](#)
- **More than 1100 academics and public figures from Israel, the United States, and other countries have signed a petition regarding the Israeli apartheid regime, considering it "[The Elephant in the Room](#)".** The petition calls for supporting the protest movement in Israel and achieving equality between Jews and Palestinians within the Green Line and in the occupied Palestinian territories. (August 9, 2023). For further details, click [here](#)
- **Badil Resource Center for Palestinian Residency & Refugee Rights Concludes its 4th Annual International Mobilization Course on the Inalienable Rights of the Palestinian People which was attended by 17 people from around the world involved in advocacy and mobilization for Palestinian rights.** (August 10, 2023). For further details, click [here](#)

Upcoming human rights opportunities and events:

- **The Australia Palestine Advocacy Network hosts an event titled "Palestine: reality, recognition & rights".** For further details, click [here](#)