

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

- **Palestinian Ministry of Foreign Affairs: The failure of international legitimacy to implement its resolutions encourages the occupation state to accelerate the division of Al-Aqsa Mosque.** (October 1, 2023). For further details, click [here](#)
- **The Palestinian Ministry of Foreign Affairs condemned the violence by the Israeli occupation against the Palestinian people, land, and holy sites. It stated that the concept of peace for this extremist government does not go beyond the options presented by the Israeli Finance Minister to the Palestinian citizens, which are either surrender, death, or displacement.** (October 2, 2023). For further details, click [here](#)
- **The Palestinian Ministry of Foreign Affairs has released a statement once again highlighting the concerns regarding the absence of a political resolution and the denial of the legitimate**

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rights of the Palestinian people to self-determination and statehood. The statement underlined that lasting peace and security can only be attained by bringing an end to the Israeli occupation of Palestinian territories and acknowledging the Palestinian people's right to independence and sovereignty. (October 7, 2023). For further details, click [here](#)

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

- The Jewish National Fund (JNF) allocated 4 million shekels over the past two years to support settlers at risk in illegal settlement communities in the West Bank, with the aim of reducing Palestinian grazing lands. (October 1, 2023). For further details, click [here](#)
- Israel decided to prevent foreign ministers from Ireland, the United Kingdom, and Norway from accessing specific Palestinian towns in Area C of the West Bank. Although Israel claims security concerns as the basis for this action, European diplomats suspect that it reflects a change in Israeli policy led by the right-wing extremist government, which is against the establishment of a Palestinian state. (October 1, 2023). For further details, click [here](#)
- Israeli opposition leader Yair Lapid offered to form an emergency government following Hamas's devastating surprise attack against Israel. (October 7, 2023). For further details, click [here](#)
- Israeli Prime Minister Benjamin Netanyahu said Israel "is at war". He vowed to exact 'unprecedented price' from the terror group. (October 7, 2023). For further details, click [here](#)
- The National Security Council warns Israelis living abroad to be on alert for attacks linked to the current war. (October 7, 2023). For further details, click [here](#)
- Israeli Defense Minister, Yoav Gallant, threatened Hamas, after it launched a murderous invasion in southern Israel and fired thousands of rockets. Gallant stated that Hamas will pay a heavy price, and that they will change the face of reality in Gaza 50 years ahead. (October 7, 2023) For further details, click [here](#).

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

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- In the event of their re-election in October 2023, the New Zealand Labour Party has announced its intention to recognize Palestine as a state. They intend to strengthen diplomatic ties with Palestine by elevating the level of diplomatic representation and extending an invitation to the head of the Palestinian mission to present their credentials as an ambassador to New Zealand. (October 1, 2023). For further details, click [here](#)
- The United Nations Relief and Works Agency for Palestine Refugees (RWA), in collaboration with the Office for the Coordination of Human Affairs (OCHA) in Lebanon, has an update on the situation in Einal-Hilweh camp in Lebanon for the period from September 22nd to September 29th, 2023. (October 1, 2023). For further details, click [here](#)
- [The Organization of Islamic Cooperation](#) strongly condemned the Israeli occupation forces' storming of Al-Aqsa Mosque and the closure of the Ibrahimi Mosque. [The Arab Parliament](#) also condemned the extremist settlers' incursions into Al-Aqsa Mosque. Both institutions called on the international community to take action to stop these violations and preserve the historical and legal status of the holy sites. (October 2, 2023). For further details, click [here](#)
- According to a new report from "OCHA," since July 2023, thirteen Palestinian families have been displaced from the town of Massafer Yatta in the southern occupied West Bank, citing increased Israeli forces restrictions on movement. These restrictions, along with property confiscation, house demolitions, and military exercises, have created a coercive environment that has pressured Palestinians to leave their homes. (October 3, 2023). For further details, click [here](#)
- The United Kingdom condemned the attacks on Christian pilgrims in the Old City of Jerusalem and called on Israel to conduct a comprehensive investigation into these events and take measures aimed at holding the perpetrators accountable (October 4, 2023). For further details, click [here](#)

- A US State Department spokesperson commented on Israel's prevention of European diplomatic missions and the British Foreign Secretary from visiting Palestinian villages under the risk of displacement that "it was a security decision made in coordination with relative security partners." On the other hand, he stressed that the normalization agreement between Israel and Saudi Arabia should include a serious component dealing with the fundamental issues between Israelis and Palestinians, "But much work continues to lie ahead". (October 3, 2023) For further details, click [here](#)
- Sixteen members of the US Senate sent a letter to US President Biden stressing the need to include clearly defined and enforceable provisions in the normalization agreement to ensure the preservation of the option of a two-state solution in the Israeli-Palestinian conflict, and to ensure the existence of "equal standards of dignity and security" for both Israelis and Palestinians and ensuring that the West Bank is not annexed. (October 4, 2023) For further details, click [here](#)
- The Jordanian Ministry of Foreign Affairs sent an official memorandum to the Israeli embassy in Amman, expressing its protest against the storming of the blessed Al-Aqsa Mosque by extremist settlers and members of the Israeli Knesset under the protection of the Israeli police. It also expressed its dissatisfaction with imposing restrictions on the entry of worshipers to the Al-Aqsa Mosque and allowing extremists to attack and desecrate Islamic graves in the vicinity of the Mosque, in addition to the increasing attacks on the Christians of occupied Jerusalem. (October 4, 2023) For further details, click [here](#)
- The State of Qatar stressed the necessity of keeping the 7th item on Palestine as a main item on the agenda of the Human Rights Council to document crimes and human rights violations committed by Israel, the "occupying power," against the Palestinian people. (October 4, 2023). For further details, click [here](#)
- In an article, Josep Borrell, EU High Representative for Foreign Affairs and Security Policy and Vice-President of the European Commission, said that thirty years after Oslo, we should not give up on peace in the Middle East. (October 5, 2023). For further details, click [here](#)

- **ICRC calls for immediate protection of civilians after horrific violence in the Occupied Territories and Israel. (October 7, 2023). For further details, click [here](#)**
- **The EU condemns in the strongest possible terms the multiple and indiscriminate attacks across Israel by Hamas and deeply deplores the loss of lives. (October 7, 2023). For further details, click [here](#)**
- **Japan strongly condemns the launch of a number of rockets as well as infiltration into the Israeli territories from the Gaza Strip by Hamas and other Palestinian militants. Japan invited all the parties concerned to exercise maximum restraint in order to avoid further damage and casualties. (October 7, 2023). For further details, click [here](#)**
- **Egypt called for exercising maximum self-restraint to avoid bloodshed and protect lives. The Foreign Ministry said that the continuation of violence can lead to dangerous consequences, which would negatively affect the future of truce efforts. (October 7, 2023). For further details, click [here](#)**
- **A statement issued by the Saudi Ministry of Foreign Affairs said that it “is closely following developments” in Palestine. Saudi Arabia called for an “immediate halt to the escalation of conflict between Palestinians and Israel”. (October 7, 2023). For further details, click [here](#)**
- **The United Nations Secretary-General condemned “in the strongest terms” the attack by Hamas against Israeli towns, and is appalled by reports that civilians have been attacked. He urged maximum restraint, diplomatic efforts “to avoid a wider conflagration”, and compliance with international humanitarian laws. The Secretary-General also urged the immediate release of all abducted persons, stressing that violence cannot provide a solution to the conflict, and that only through negotiation leading to a two-State solution can peace be achieved. (October 7, 2023). For further details, click [here](#)**
- **The United Nations Security Council will hold an emergency meeting on Sunday on the violence in the Middle East and the recent escalating violence. (October 7, 2023). For further details, click [here](#)**

- The UN Special Rapporteur on Palestine, Francisca Albanese, unequivocally condemned attacks on civilians whoever launches them. She emphasized the need to contextualize today's violence, asserting that nearly six decades of hostile military rule over an entire civilian population inherently constitutes aggression. (October 7, 2023). For further details, click [here](#)
- The [United States](#) "unequivocally condemns the appalling attacks by Hamas terrorists against Israel", and expressed support to Israel's right to self-defense. The U.S. Secretary of Defense [pledged](#) "to ensure that Israel has what it needs to defend itself and protect civilians from indiscriminate violence and terrorism". (October 7, 2023).
- UNICEF Executive Director Catherine Russell: UNICEF calls for the immediate cessation of hostilities, and for all parties to protect children from harm and afford them the special protection to which they are entitled, in accordance with their obligations under international humanitarian law. (October 7, 2023). For further details, click [here](#)
- The UK, France, Germany and Ukraine all expressed their condemnation of the attacks launched by Hamas on Israeli civilians. They expressed full solidarity with Israel and its right under international law to defend itself. (October 7, 2023). For further details, click [here](#)
- The Organization of Islamic Cooperation condemned the Israeli military aggression that led to the fall of hundreds of martyrs and wounded among the Palestinian people, stressing that the continuation of the Israeli occupation and its failure to adhere to the resolutions of international legitimacy, and the escalation of its daily attacks and crimes against the Palestinian people, their land and sanctities, and the deprivation of their legitimate rights are the main reason for instability. (October 7, 2023) For further, click [here](#)
- The foreign ministries of [Kuwait](#), [Saudi Arabia](#), [Jordan](#), [Oman](#), [Algeria](#), [Lebanon](#), [Qatar](#), [the United Arab Emirates](#), and [Yemen](#) voiced profound apprehension regarding the recent development in Gaza and the occupied Palestinian territories. These states appealed to the international community, with a particular emphasis on the UN Security Council, to fulfill its obligations by providing protection for the Palestinian people. They also have called for

an immediate halt to the provocative actions carried out by the occupying authorities, notably the continuous violations of the sanctity of the Al-Aqsa Mosque and the expansionist settlement policies. (October 7, 2023).

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- [The Arab League](#), [the Arab Parliament](#), [the Organization of Islamic Cooperation](#), and the [Gulf Cooperation Council](#) have called for an immediate halt to military operations in Gaza. They have urged the international community and relevant parties to swiftly intervene to de-escalate the situation and called Israel to cease its aggressive actions while ensuring international protection for the Palestinian people. (October 7, 2023).

Publications of human rights NGOs

- The Palestinian Prisoners Solidarity Network, Samidoun, considered the continued arbitrary detention of Amin Abu Rashid (a prominent leader in the Palestinian community in the Netherlands and a political detainee in Dutch prisons) an attack on the Palestinian movement in Europe. Adding that despite his deteriorating health and the lack of any evidence against him, the judge still returned Amin to pre-trial detention. The network demanded his immediate release and the dropping of all charges against him. (October 1, 2023). For further details, click [here](#)
- According to the Samidoun Palestinian Prisoner Solidarity Network, the Zionist prison administration frequently employs transfers and raids to disrupt the lives of prisoners, impede their organizational efforts, and confiscate their belongings, thereby eroding their sense of stability. (October 1, 2023). For further details, click [here](#)
- The International Committee of The Red Cross published a report titled: “ Israel and the Occupied Territories: Facts and Figures - January to June 2023”. (October 1, 2023). For further details, click [here](#)
- The Prisoners' Club held the Israeli Prisons Administration fully responsible for the life of prisoner Mahmoud Abu Dhari (55 years old), who has been sentenced to life imprisonment and is facing serious health deterioration. It demanded that the necessary treatment be

provided and that he be transferred to the hospital. (October 2, 2023). For further details, click [here](#)

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- The Prisoner's Club reported that the Israeli Supreme Court decided to return the case of detainee Kayed Al-Fasfus, who has been on a hunger strike for 61 days, to the Military Court of Appeals for reconsideration. (October 2, 2023). For further details, click [here](#)
- 29 scholars and experts in international law [sent a letter](#) to the editorial board of the European Journal of International Law blog (EJIL:TALK!) expressing dissent and profound disappointment with the blog choice to provide a platform for the Israeli military through a symposium on the customary law of armed conflict. They demanded clarification of the reasons for this decision, and the extent of (EJIL: Talk!)’s commitment to the principles of international law. The blog editors [responded](#) that they give priority to the quality of the content without considering the affiliations of the writers, and that the symposium discusses the methodologies of international law and does not aim to promote international crimes. They also acknowledged the existence of division within the editorial board regarding the matter and called on readers to write their opinions on the extent to which the blog must refrain from publishing papers that could represent a form of public relations for countries involved in serious violations of international law. (October 2, 2023).
- BADIL Resource Center delivered an oral statement calling for dismantling the Israeli colonial-apartheid regime. (October 3, 2023). For further details, click [here](#)
- ADDAMEER Prisoner Support and Human Rights Association submitted an urgent appeal to UN special procedures on the continued arbitrary administrative detention of Kayed Al-Fasfous who has been on hunger strike since August 3, 2023. (October 3, 2023). For further details, click [here](#)
- Fobzu (Friends of Birzeit University) joined Lawyers for Palestinian Human Rights, Amnesty International UK and War on Want, and sent a joint letter to the UK Foreign Secretary following the recent Israeli military raid on Birzeit University's campus. They called for

immediate actions regarding the continuous Israeli occupation forces raids on Palestinian Universities and students. (October 4, 2023). For further details, click [here](#)

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- **Al-Mezan Centre for Human Rights issued a statistical update on violations against children in times of armed conflict by Israeli and Palestinian duty bearers.** (October 4, 2023). For further details, click [here](#)
- **Palestine Solidarity Campaign (PSC) urges the Labour Party to confront the reality of Israel’s practice of the crime of apartheid rather than avoid naming it. The call follows the party’s decision to remove any reference to the word ‘apartheid’ from Labour’s listing of PSC’s annual stall and fringe meeting in the conference brochures.** (October 4, 2023). For further details, click [here](#)
- **The International Rescue Committee (IRC) called on all parties to uphold their obligations under International Humanitarian Law and ensure humanitarian access to those affected.** (October 7, 2023). For further details, click [here](#)

Opinion Pieces and features

- **Days of Palestine published an article by Miko Peled entitled: “Mahmoud Abbas at the UN: A Global Betrayal For Palestine’s Struggle For Justice”.** (October 1, 2023). For further details, click [here](#)
- **Foreign Affairs published an article By Martin Indyk and Zeid Ra’ad Al Hussein entitled: “What a Saudi-Israeli Deal Could Mean for the Palestinians”.** (October 2, 2023). For further details, click [here](#)
- **Palestinian News Agency (WAFA) published an article in French By Sophia Goodfriend entitled: “For Palestinians, social media influence comes with the threat of prison”.** (October 2, 2023). For further details, click [here](#) / [here](#)
- **The CounterPunch Magazine published a new article by Prof. Lawrence Davidson entitled: “The Holocaust Becomes a Palestinian Issue”.** (October 2, 2023). For further details, click [here](#)

- The Belgian-Palestinian Association published an article (in French) entitled “Apartheid dominates Israeli public debate”. (October 2, 2023). For further details, click [here](#)
- The Belgo Palestinienne association published an article in French entitled “Apartheid imposes itself in the Israeli public debate,”. It noted that although the Palestinian issue has been largely absent from mobilization for the rule of law in Israel, it is, however, difficult to be ignored. (October 2, 2023). For further details, click [here](#)
- Al-Shabaka: The Palestinian Policy Network published a policy brief entitled, “The Dangerous Exceptionalism of Christian Zionism”. It highlighted the overlapping ideologies and the synergy between Christian Zionism and white supremacy. (October 3, 2023). For further details, click [here](#)
- +972 Magazine published an article by Haggai Matar titled “Gaza’s shock attack has terrified Israelis. It should also unveil the context”. (October 7, 2023). For further details, click [here](#)

Human rights conferences and events

- During the activities of the Eighth International Conference of the European Alliance, the Palestinian Prisoner’s Club presented three working papers on the crime of detaining the bodies of martyrs, the crime of administrative detention, and the conditions of detention of the wounded in Israeli occupation prisons. (October 1, 2023). For further details, click [here](#)

Upcoming human rights opportunities and events

- Bisan Research and Development Center announced its intention to hold an online symposium entitled: “The Latest Phase of the Hundred Years’ War on Palestine.” The keynote speaker will be Dr. Rashid Al-Khalidi from Columbia University, and the lecture/symposium will be held on Wednesday, October 11 at 7 pm Palestine time. It will be English, with simultaneous translation into Arabic available. (October 2, 2023). For further details, [here](#) / To register and attend, [here](#)