

## Palestine's Legal Scene

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

Page | 1

Issue. 201 | 5 - 11 Nov. 2023

Issued every Sunday

By Law for Palestine

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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**

- **During his discussion with US Secretary of State Anthony Blinken, Palestinian Authority President Mahmoud Abbas called for an immediate halt to the war on the Gaza Strip and to accelerate the provision of humanitarian aid to the Strip.** (November 5, 2023) For further details, click [here](#)
- **[The Palestinian Ministry of Foreign Affairs](#) (MOFAE) condemns the barbaric racist statements made by Heritage Minister Amihai Eliyahu calling to strike the Gaza Strip with a nuclear bomb and annihilate it. It also condemns the call of [the Israeli Finance Minister](#) to create buffer and safe zones around the West Bank settlements.** (November 6, 2023)
- **The Palestinian MOFAE strongly condemns the brutal attacks by the occupation forces in Jenin. The Ministry cautions against exploiting the attention on Gaza to expedite the annexation of the**

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**West Bank, urging the international community to step in, halt the aggression, and bring an end to the occupation of the State of Palestine.** (November 9, 2023) For further details, click [here](#)

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

- **In an interview, Israeli Heritage Minister Amichai Eliyahu suggested that dropping a nuclear bomb on the Gaza Strip could be an option for Israel. When asked about the fate of hostages held in Gaza, he said: "I pray and hope for their return, but there is a price to be paid in war." Eliyahu emphasized that no humanitarian aid should be given to "Nazis," referring to Palestinians in Gaza.** (November 5, 2023) For further details, click [here](#)
- **Israeli Finance Minister Smotrich calls for Palestinian-free buffer zones around West Bank settlements. He says olive harvest must cease in designated areas to reduce friction and rising settler violence by 'left-wing anarchist activists'** (November 6, 2023). For further details, click [here](#)
- **Prime Minister Benjamin Netanyahu says Israel will assume security control over Gaza "for an indefinite period" following the Hamas War. He also said he would consider hour-long "tactical little pauses" in fighting to allow the entry of aid or the exit of hostages from the Gaza Strip, but again rejected calls for a ceasefire.** (November 7, 2023) For further details, click [here](#)
- **The Israeli Supreme Court rejected a petition demanding the police be ordered to approve an anti-war demonstration in the northern Arab Israeli towns of Umm al-Fahm and Sakhnin, siding with the police stance that such an event would divert critical manpower during a time of intense security challenges.** (November 8, 2023) For further details, click [here](#)
- **Israeli Defense Minister asserted that "Israel's war against Hamas carries no time limit". He added that the conflict is existential – in terms of both Israeli security, and its "Zionist and democratic" values.** (November 8, 2023) For further details, click [here](#)
- **Prime Minister Benjamin Netanyahu said that the IDF ground action in the Gaza Strip is advancing well and is achieving good results. He stated: "There will be no ceasefire without the release of our hostages." Regarding the West Bank, he said the goal is to prevent escalation, mentioning the extremists that cause great damage to the State of Israel.** (November 8, 2023). For further details, click [here](#)

- **The Israeli Knesset passed an amendment to the Counter-Terrorism Law introducing a new criminal offense, namely the “consumption of terrorist materials”, with a maximum penalty of one year’s imprisonment. The law criminalizes even passive social media use. (November 8, 2023).**

Page | 3

For further details, click [here](#)

- **The Israeli Prime Minister stated that Israel isn't aiming to displace Palestinians from Gaza. He emphasized efforts to create a safe zone in the southern part, claiming that Israel doesn't seek to occupy or rule Gaza. However, he stressed the need for a reliable force to prevent entities similar to Hamas from emerging. (November 10, 2023) For further details, click [here](#)**

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

- **The World Food Programme (WFP) issued an urgent appeal for safe, expanded humanitarian access to the Gaza Strip, as vital food supplies reach dangerously low levels. (5 November 2023). For further details click [here](#).**
- **[The Arab Parliament](#), [the Gulf Cooperation Council](#), [the Organization of Islamic Cooperation](#), and the Foreign Ministries of [Saudi Arabia](#), [Qatar](#), [Kuwait](#), [Pakistan](#), and [Jordan](#) condemned the statements issued by the Israeli Minister of Heritage regarding dropping a nuclear bomb on the besieged Gaza Strip. The latter considered these statements a call for genocide and a hate crime that cannot be tolerated. (November 5, 2023)**
- **The South African government announced that the Cabinet had decided to recall all South African diplomats from Tel Aviv for consultation. Minister in Presidency Khumbudzo Ntshavheni said that "Genocide under the watch of the international community cannot be tolerated. Another Holocaust in human history is not acceptable." (November 6, 2023) For further details, [here](#)**
- **The International Labor Organization issued a bulletin on the impact of the current conflict on the labor market and livelihoods in the occupied Palestinian territories, noting that more than over 60 per cent of employment has been lost in Gaza since the start of the current conflict. (November 6, 2023) For further details, [here](#)**

- **During the European Union Ambassadors' Conference, the President of the European Parliament condemned what she said were heinous acts of rape, mutilation, kidnapping, torture and murder that Israel said were committed by Hamas. She stressed that Hamas does not represent the legitimate aspirations of the Palestinian people and demanded the release of the kidnapped hostages. (November 6, 2023) For further details, click [here](#)**
- **During the European Union Ambassadors' Conference, the European Union High Representative expressed concern about the continued colonization of the West Bank, noting a significant increase in the number of settlers over the past 30 years. He stressed the necessity of a comprehensive and final settlement in the Israeli-Palestinian conflict as a “last chance” to resolve the two-state issue. (November 6, 2023) ) For further details, click [here](#)**
- **During the European Union Ambassadors Conference, Ursula von der Leyen, President of the European Commission, proposed five principles for the future of the Gaza Strip, which include no safe haven for terrorists, no Hamas-led government, no long-term Israeli security presence, no forced displacement of Palestinians, and no sustained blockade on Gaza. (November 6, 2023) For further details, click [here](#)**
- **Spanish Minister of Human Rights, Ione Pellara confirmed that there is a striking similarity between the Nazi bombing of France and the situation in Palestine. She stressed the need to support the Palestinian people against the "genocidal State of Israel." (November 6, 2023) For further details [here](#)**
- **Special envoys and coordinators for combating anti-Semitism in several countries issued a joint statement condemning the attack on Israel, calling for the protection and support of Jewish communities around the world, and stressing the importance of combating hatred in all its forms, including on the Internet. [Norway](#) later signed the statement, affirming that the Jewish community has the right to feel safe. (November 6, 2023) For further details, [here](#)**
- **The UN Secretary-General reiterated his condemnation of the “abhorrent acts of terror” committed by Hamas on 7 October. He called for the immediate, unconditional and safe release of hostages held in Gaza and added that nothing can justify the deliberate torture, killing, injuring and kidnapping of civilians. (November 6, 2023) For further details, [here](#)**

- **The US House of Representatives has passed a resolution to censure Democratic Representative Rashida Tlaib for her remarks concerning the conflict in Gaza. Tlaib attracted scrutiny for her stance on the events of October 7th and for sharing a video on social media that included the phrase "from the river to the sea," a statement interpreted by the United States as advocating for the destruction of the State of Israel. (November 6, 2023) For further details, [here](#)**
- **The Secretary-General of the Arab League sent two identical letters to UN officials regarding the statements of the Israeli Minister of Heritage, saying that these statements "reveal the level of extremism and fanaticism that permeates the levels of authority in Israel." (November 7, 2023) For further details, [here](#)**
- **The UN Secretary-General stressed the steps that must be taken immediately: Humanitarian ceasefire, respect for int'l humanitarian law, unconditional release of hostages, protection of civilians, hospitals, UN facilities, shelters & schools, ending use of civilians as human shields, and more humanitarian aid entering Gaza. (November 7, 2023) For further details, [here](#)**
- **Member States of the UN General Assembly said that the work of the International Court of Justice and the Human Rights Council has never been more important. Several Member States commended the World Court for its integrity and impartiality and expressed hope that it would look at Israel's possible violations of international law. (November 7, 2023) For further details, [here](#)**
- **Nicolas de Rivière, Permanent Representative of France to the United Nations, made statements expressing deep concern about the situation in the Gaza Strip during the UN Security Council meeting held at the request of the United Arab Emirates and China. (November 7, 2023) For further details, [here](#)**
- **British Prime Minister Rishi Sunak announced his support for Israel's decision to reject an unconditional ceasefire which, if approved, would simply allow Hamas to 'entrench its position' and continue its attacks on Israel." (November 7, 2023) For further details, [here](#)**
- **British Police Commissioner Mark Rowley, in response to a call to [reconsider the planned march](#) by the Palestinian Solidarity Campaign on Saturday, said that there is no absolute power to ban protest, therefore there will be a protest this weekend. He added that banning protests "is**

**incredibly rare and must be based on intelligence which suggests there will be a real threat of serious disorder"** (November 7, 2023) For further details, click [here](#)

Page | 6

- **The United Nations Special Rapporteur on the right to adequate housing, Balakrishnan Rajagopal, said that the world must act now to stop the horrific and massive attacks on civilian housing and infrastructure in the Gaza Strip. He further stressed that these actions constitute war crimes, and when directed against a civilian population, they also constitute crimes against humanity.** (November 8, 2023) For further details, [here](#)
- **The EU Commission chief, Ursula von der Leyen said that the European Union is working to establish a maritime humanitarian corridor from Cyprus to Gaza. She reiterated the Union's condemnation of the events of October 7, and reaffirmed the five principles it had previously announced regarding the future of the Gaza Strip.** (November 8, 2023) For further details, [here](#)
- **Deputy Prime Minister of Belgium, Petra De Sutter called on the federal government to impose sanctions on Israel. She called for the suspension of the association agreement between the European Union and Israel and supported the ban of importing goods produced in illegal settlements in the West Bank.** (November 8, 2023) For further details, [here](#)
- **The Foreign Ministers of the Group of Seven (G7) wealthy nations, in cooperation with the European Union, condemned the "terrorist attacks" carried out by Hamas on October 7, and affirmed their support to Israel and its right to defend itself. The Ministers stressed the need to deal with the humanitarian crisis in the Gaza Strip, announcing their pledge to provide \$500 million to support the Palestinian people.** (November 8, 2023) For further details, [here](#)
- **The World Health Organization has warned of the risk of the rapid spread of infectious diseases in Gaza, as health facilities, water and sanitation systems are disrupted. WHO calls for urgent, accelerated access for humanitarian aid - including fuel, water, food, and medical supplies - into and throughout the Gaza Strip.** (November 8, 2023) For further details, click [here](#)
- **Following his visit to the Rafah crossing in Egypt, the United Nations High Commissioner for Human Rights Volker Türk made a press statement in which he said that the lifeline has been unjustly, outrageously thin. He described what people are experiencing as a nightmare, where people have been suffocating, under persistent bombardment, mourning their families,**



**struggling for water, for food, for electricity and fuel.** (November 8, 2023) For further details, click [here](#)

Page | 7

- **During his participation in the international conference dedicated to discussing the situation in Gaza, Philippe Lazzarini, Commissioner-General of UNRWA, said that “This has been a painful month for UNRWA, the UN Agency for Palestine Refugees. 99 of my colleagues have been killed in Gaza - the highest number of UN aid workers killed in a conflict in such a short time.”. He called for a humanitarian ceasefire, along with strict adherence to international humanitarian law.** (November 9, 2023) ) For further details, click [here](#)
- **The United Nations High Commissioner for Human Rights condemned the use of dehumanizing language, in particular by political and military leaders in Israel as well as by Hamas, stressing its negative impact and highlighting that it could result in increased violence. He also stressed that the final solution to the crisis is to put an end to the occupation and fully respect the right of self-determination for the Palestinians.** (November 9, 2023) For further details, click [here](#)
- **The Belgian Prime Minister supported the imposition of sanctions by the European Union on Israeli extremists who promote violence in the West Bank, including by banning those who commit acts of violence in the West Bank from entering EU countries. He criticized the failure of the Israeli authorities to take action against the violence committed by settlers in the West Bank, saying that this is "unacceptable."** (November 9, 2023) For further details, click [here](#)
- **The Fourth Committee of the General Assembly -The Special Political and Decolonization Committee-, adopted six resolutions related to the Palestinian issue, including a resolution on support for Palestine refugees, which includes the UNRWA agency, and a resolution on the illegality of the Israeli settlement.** (November 9, 2023) For further details, click [here](#)
- **During the Paris Humanitarian Conference on Gaza, UN officials called for a humanitarian halt to the fighting, the release of hostages held in Gaza, and the need to reach an agreement to establish “safe zones.”** (November 9, 2023) For further details, click [here](#)
- **UNRWA launched an urgent appeal to secure \$481 million to meet critical humanitarian needs in the Gaza Strip and the West Bank until the end of the year. During the Paris Humanitarian Conference, the Commissioner-General of UNRWA stressed the escalation of needs due to the**

**war and siege, pointing to the urgent need for a ceasefire.** (November 9, 2023) For further details, click [here](#)

Page | 8

- **In a joint study, the United Nations Development Program and ESCWA warn that the continuation of the Gaza war for a second month may lead to an increase in the poverty rate in Palestine by 34%, and an increase in the number of poor people by half a million people. The study stressed the importance of an immediate ceasefire, providing life-saving aid, and alleviating the accumulated humanitarian and economic conditions.** (November 9, 2023) For further details, click [here](#)
- **During the opening of the humanitarian conference on Gaza in Paris, the French President [called](#) on Israel to protect civilians, saying that “all lives have equal worth” and urged for pauses in the fighting to allow deliveries of desperately needed aid. He announced an increase in French aid to the Gaza Strip to reach 100 million euros. [Macron](#) also said that Israel must stop killing babies and women in Gaza, noting that there was “no justification” for the bombing, saying a ceasefire would benefit Israel.** (November 10, 2023).
- **The Director-General of the World Health Organization has warned of the collapse of Gaza's healthcare system. He also called on the Security Council to secure an immediate ceasefire and provide humanitarian access.** (November 11, 2023). For further details, click [here](#)
- **During the Emergency Arab-Islamic summit on Gaza, the Commissioner-General of UNRWA, Philippe Lazzarini, said that a political solution to end the cycle of conflict in Israel and Palestine has become a stark “matter of life and death” for millions in Gaza and beyond. He called on the leaders of the Arab summit to “act now to change the trajectory” of the crisis considering that the “humanitarian catastrophe” in Gaza has underlined the failure of the international community and UN Security Council to end Israel’s “gross violations of international humanitarian laws”.** (November 11, 2023). For further details, click [here](#)
- **At the Joint Arab-Islamic Extraordinary Summit in Riyadh: Organization of Islamic Cooperation (OIC) Secretary-General stresses the OIC’s rejection of forced displacement plans and demands immediate cessation of the Israeli aggression against the Palestinian people.** (November 11, 2023) For further details, click [here](#)



### **Publications of human rights NGOs**

- **The Physicians for Human Rights (PHR) issued a response to a letter written by several Israeli doctors in which they called on the army to destroy “hornet nests and the hospitals shielding them” in the Gaza Strip. The PHR expressed its dissatisfaction with the letter and called on the medical community to withstand this dark breach in history without allowing its core values to be destroyed. (November 6, 2023) For further details, click [here](#)**
- **Media Palestine shared a call ([in French](#)) by a network of librarians, archivists and information workers, for the public to learn about the history and root causes of the current events in Gaza. The network, called [Librarians and Archives with Palestine](#), also provided a list of sources for additional information and deeper study. (November 6, 2023)**
- **The Legal Center for Arab Minority Rights in Israel (Adalah), submitted a petition to the Israeli Supreme Court demands the cancellation of the police’s decision not to grant permits for protests in the Palestinian towns in Israel, as well as the cancellation of a sweeping directive issued by the Police Commissioner prohibiting demonstrations in solidarity with the Palestinian people in Gaza and in protest against Israel’s actions. (November 6, 2023) For further details, click [here](#)**
- **The Palestinian Journalists Syndicate (PJS) delivered a letter to the representative of the Secretary-General of the United Nations. PJS demands that Palestinian journalists be protected, and that the leaders of the Israeli occupation be held accountable through the International Criminal Court for committing approximately 300 crimes against journalists. (November 7, 2023) For further details, click [here](#)**
- **Human Rights Watch sent a letter to the European Union foreign ministers about current developments in Gaza and European positions. (November 7, 2023) For further details, click [here](#)**
- **The Israeli Information Center for Human Rights in the Occupied Territories (B’Tselem) issued a statement calling on Israel not to bomb Al-Shifa Hospital in Gaza, noting that an attack of this kind would cause unbearable, horrifying harm to civilians, and that such an attack constitutes a war crime. (November 7, 2023) For further details, click [here](#)**

- **7amleh - The Arab Center for the Advancement of Social Media published an appeal on behalf of the “Palestinian Coalition for Digital Rights,” criticizing Meta for dehumanizing Palestinians and silencing their voices on its digital platforms. (November 7, 2023) For further details, click [here](#)**
- **Amnesty International said that the Israeli authorities have increased their use of administrative detention of Palestinians in the occupied West Bank; extended emergency measures facilitating inhuman and degrading treatment of prisoners; and failed to investigate cases of torture and deaths in custody over the past four weeks. (November 8, 2023) For further details, click [here](#)**
- **[Al-Haq](#), the Prisoner Support and Human Rights Association ([Addameer](#)), and more than 100 other civil society organizations from around the world, signed a letter calling for a ban on the supply of weapons to or purchases from Israel, and called on states that have provided, and continue to provide, military assistance and weapons to Israel, to adhere to their legal obligations and act resolutely and urgently to prevent Israel from perpetuating further international crimes (November 8, 2023)**
- **The Resource Center for Palestinian Residency & Refugee Rights (Badil) issued a press release calling on UN member states and its agencies to take urgent action to stop the Israeli genocide and ethnic cleansing of Palestinians. (November 8, 2023) For further details, click [here](#)**
- **ActionAid urged international leaders at the Paris conference to work on an immediate ceasefire in Gaza, and stressed that humanitarian aid is insufficient to stop the escalation that has killed more than 10,000 people so far. (November 9, 2023) For further details, click [here](#)**
- **Al Mezan Center for Human Rights, Al-Haq, and the Palestinian Center for Human Rights announced that they have filed a lawsuit with the International Criminal Court to issue arrest warrants against Israeli leaders on charges of committing crimes against humanity, including the crime of genocide. (November 9, 2023) For further details, click [here](#)**
- **The International Federation for Human Rights (FIDH) warns third states that their unconditional support for the State of Israel makes them complicit in Israel’s human rights abuses being documented, not only in the Gaza Strip but also in the West Bank, East Jerusalem, and against Palestinian citizens of Israel. (November 9, 2023) For further details, click [here](#)**

- **The International Committee of the Red Cross (ICRC) demands protection of patients, healthcare workers, and medical facilities in Gaza amid escalating attacks.** For further details, click [here](#)

Page | 11

- **The Norwegian Refugee Council’s Middle East Regional Director said that: “We are horrified by reports of relentless attacks on Gaza’s hospitals... It is an affront to wage war around and on hospitals.” She urges that “an urgent ceasefire is needed to avoid further loss of innocent lives.”** (November 11, 2023) For further details, click [here](#)

### **Opinion Pieces and features**

- **Al-Shabaka published an article titled: “Genocide in Gaza: Culpability and Ways Forward” in which several analysts discussed the events since October 7th in the context of ongoing Israeli settlement and Palestinian resistance.** (November 7, 2023) For further details, click [here](#)
- **Luigi Daniele publishes an article in EJIL:Talk! titled: “A lethal misconception, in Gaza and beyond: disguising indiscriminate attacks as potentially proportionate in discourses on the laws of war.”** (November 7, 2023) For further details, click [here](#)
- **Ralph Wilde publishes an article in Opinio Juris titled: “Israel’s War in Gaza is Not a Valid Act of Self-defense in International Law.”** (November 9, 2023) For further details, click [here](#)
- **Mohammad Hadi Zakerhossein publishes an article in Opinio Juris titled: “An Appeal to Address the Failure in Preventing Genocide in Gaza through the International Court of Justice.”** (November 10, 2023) For further details, click [here](#)

### **Human rights conferences and events**

- **The Jerusalem Fund and the Palestine Center held their annual conference entitled: “One Palestine: The Struggle Against Apartheid.”** (November 10, 2023) For further details, click [here](#)

### **Upcoming human rights opportunities and events**

- **The British Society for Middle Eastern Studies (BRISMES) announces that it will organise a webinar titled, “The Gaza War and Academic Freedom”, on Tuesday, 14 November 2023. The event will host Hassan Jabareen, the founder of Adalah, Laurie Brand, Professor Emerita of Middle East Studies, Giovanni Fassina, Director of the European Legal Support Centre (ELSC), Andrea Teti, Managing Editor of Middle East Critique, Lewis Turner, Lecturer in International Politics at Newcastle University, and Areej Sabbagh-Khoury, a member of Academia4Equality (A4E). The discussion will be moderated by Neve Gordon, a professor of International Law and Human Rights at Queen Mary, University of London. (November 10, 2023) For further details, click [here](#)**