

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 Palestinian Ministry of Foreign Affairs (MOFAE) says that the international failure to end the war on Gaza made Israel more daring to commit massacres to empty the northern Gaza Strip of its population. (November 19, 2023). For further details, click [here](#)
- The Palestinian MOFAE strongly [condemns](#) the occupation's targeting of the Indonesian Hospital and Kamal Adwan Hospital, affirming that these attacks constitute a continuation of the genocide crimes against the Palestinian presence in the northern Gaza Strip. The Ministry calls on the UN Security Council to assume its legal, ethical, and humanitarian responsibilities to immediately halt the aggression. The ministry also [appeals](#) to the

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international community to intervene to protect hospitals and ensure the provision of necessary supplies for the delivery of medical and humanitarian services to civilians.

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- The Palestinian MOFAE strongly [condemns](#) the acts of genocide, including the ruthless demolition of homes and structures in Gaza and throughout the occupied West Bank, including East Jerusalem. These brutal acts are carried out by Israeli occupation forces, driven by revenge and racism. The Ministry also [denounces](#) the incursion into Thabet Thabet Hospital in Tulkarem, the arrest of an injured individual inside an ambulance, and the horrific [execution](#) committed by occupation forces in the village of Burin south of Nablus, resulting in the tragic death of 16-year-old Muath Eid. Additionally, the Ministry [condemns](#) the assault by settler militias on Zanuta School south of Hebron and [calls](#) on the U.S. administration and the international community to impose sanctions on settler militias and their supporters.

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

- Israeli Prime Minister Benjamin Netanyahu criticized the Palestinian Authority for denying that Hamas carried out a massacre at the "Nature Festival" near Gaza. He said: "This is a complete opposite of the truth. Abu Mazen, who in the past denied the existence of the Holocaust, today denies the existence of the Hamas massacre." Regarding the post-war administration of Gaza, he said he wanted an administration that does not deny the massacre, "does not pay for terrorists and does not tell its children that their ultimate goal in life is to see the destruction and dissolution of the State of Israel." (November 19, 2023) For further details, click [here](#)
- Israeli Finance Minister Bezalel Smotrich proudly claimed he halted the clearance funds and prevented their transfer to the PA, saying: "I am proud that I stopped the PA's budget. I call on those who still dream of transferring money to the PA... to come to their senses." (November 19, 2023). For further details, click [here](#)

- Israeli Prime Minister Benjamin Netanyahu: “We are at war - and we will continue the war until we achieve all our goals: Eliminate Hamas, return all our abductees and missing persons and ensure that there will be no element in Gaza that threatens Israel.” (November 21, 2023). For further details, click [here](#)
- Israeli National Security Minister Ben Gvir warns that reaching a hostage deal with Hamas will end in “disaster,” pointing to the release of Hamas leader Yahya Sinwar in the Gilad Shalit deal in 2011 as an example of the results of prisoner exchange deals. (November 23, 2023). For further details, click [here](#)
- Israel recalled its ambassador to South Africa after Pretoria demanded Netanyahu’s arrest. The South African government has repeatedly described the Israeli war on Gaza as “genocide” and referred a case in this regard to the International Criminal Court. (November 23, 2023). For further details, click [here](#)
- The Israeli Supreme Court, in a unanimous decision, rejected the petition submitted by the Almagor organization, which cares for victims of hostile attacks, against the deal to return 50 Israeli hostages from captivity in Gaza. The court emphasized that only the government has the authority to conclude such agreements, and that the court cannot interfere in such matters. (November 23, 2023). For further details, click [here](#)

[Judicial decrees, decisions, positions, and orders issued by Arab, European, and international bodies](#)

- The Foreign Ministry of [Kuwait](#), [Saudi Arabia](#), [Oman](#), [Qatar](#), and the [Gulf Cooperation Council](#), condemn the Israeli massacre committed against Al-Fakhoura School, affiliated with the United Nations Agency, UNRWA. In addition, the Ministries of the [UAE](#), [Bahrain](#), [Jordan](#), the [League of Arab States](#), the [Organization of Islamic Cooperation](#), the [Arab Parliament](#), and the [Islamic World Educational, Scientific, and Cultural Organization \(ISESCO\)](#) condemn the Israeli bombing of Al-Fakhoura and Tal al-Zaatar schools in Gaza, stressing the necessity of a ceasefire. (November 2023).

- The UN Secretary-General, António Guterres, issued a statement describing his deep shock that two United Nations Relief and Works Agency (UNRWA) schools were struck in less than 24 hours in Gaza, saying: “I reaffirm that our premises are inviolable.” He reiterated his call for an immediate humanitarian ceasefire. (Nov 19, 2023). For further details, click [here](#)
- Khumbudzo Ntshavheni, Minister in the Presidency of the Republic of South Africa, announced that his country’s Cabinet expects the International Criminal Court to issue an arrest warrant against Israeli Prime Minister Benjamin Netanyahu and his senior officials before its conference is held next December. Ntshavheni explained that the court’s failure to do so is a failure of the global system of justice. (November 20, 2023). For further details, click [here](#)
- The Qatari Foreign Ministry condemned the ongoing Israeli bombing of the Indonesian hospital in the northern Gaza Strip, renewing its call for the formation of an international committee to investigate Israeli crimes against civilians in the Gaza Strip. (November 20, 2023). For further details, click [here](#)
- The United States welcomes the deal to release 50 hostages, including American citizens, held by Hamas since its October 7 attack on Israel. (Nov 21, 2023). For further details, click [here](#)
- President Cyril Ramaphosa welcomes the announcement by the State of Qatar that a four-day humanitarian pause has been agreed to in the conflict in Gaza. He added: “It is my hope that the achievement of this pause will strengthen efforts to achieve an outright end to the current conflict”. (Nov 22, 2023). For further details, click [here](#)
- U.S. Senator Michael Bennet along with other senators called to keep working with Israel and international partners to deliver humanitarian aid and opening of Kerem Shalom Border Crossing, while emphasizing the need to protect civilians and achieve sustainable peace in the region. (November 21, 2023). For further details, click [here](#)

- The official spokesperson for the Secretary-General of the United Nations [issued](#) a statement welcoming the agreement reached between Israel and Hamas, and stressed that the United Nations will mobilize all its capabilities to support the implementation of the agreement and its positive impact on the humanitarian situation in the region. Tor Wennesland, Special Coordinator for the Middle East Peace Process, also [issued](#) a statement in this regard.
- The Barcelona City Council decided to suspend institutional relations with the current Israeli government, and informed the Israeli Embassy and the Spanish government. It obligated all public municipal contracts to ensure that there are no economic commercial activities that violate international law and human rights in Palestine. (November 24, 2023). For further details, click [here](#)
- The European Union (EU) welcomed the start of the truce agreed between Israel and Hamas, called for an extension of its period, and stressed that humanitarian aid must arrive without conditions. The EU expressed its rejection of settler violence against Palestinians in the West Bank, and stressed that Israel has the right to defend itself and must comply with international law. (November 24, 2023). For further details, click [here](#)
- In a statement, Philip Lazarini, the Commissioner-General of UNRWA, highlighted a stark deterioration during his second visit to Gaza amidst the ongoing conflict. He pointed out that over a million people are currently seeking shelter in UNRWA facilities in Gaza. Lazarini called for an expansion of humanitarian operations and the reopening of the Kerem Shalom border crossing along with trade supply lines. (Nov 24, 2023). For further details, click [here](#)
- The Director-General of UNESCO, Audrey Azoulay, strongly condemned the death of journalist Bilal Jadallah, who was killed in an airstrike targeting his car. She emphasized the importance of protecting journalists as civilians under international law and called for a thorough and transparent investigation to determine the circumstances of this tragedy. (Nov 24, 2023). For further details, click [here](#)

Publications of human rights NGOs

- The Palestinian Return Centre in London expresses concern by the simmering Israeli onslaughts on buildings sheltering hundreds of displaced families, including hospitals and schools-turned-shelters. (Nov 18, 2023). For further details, click [here](#)
- Peace Now issued a statement about an “Attempt for the Establishment of a New Settlement in the Armenian Quarter of the Old City”. (Nov 19, 2023). For further details, click [here](#)
- Al Dameer organization issued a press statement on World Children's Day, stating that approximately 200 children have been arrested since October 7th, with some of them subsequently released. The organization emphasized that Israeli forces exploit the arrest of children to blackmail their families, forcing them to pay high financial fines for their release. (Nov 20, 2023). For further details, click [here](#)
- Amnesty International has documented two illustrative cases in which Israeli strikes in Gaza killed 46 civilians, including 20 children. The oldest victim was an 80-year-old woman and the youngest was a three-month-old baby. These attacks must be investigated as war crimes. (Nov 20, 2023). For further details, click [here](#)
- The French-Palestinian Solidarity Association issued a press statement (in French) commemorating the annual anniversary of the International Convention on the Rights of the Child, urging an immediate halt to the "senseless loss of Palestinian children's lives" . (Nov 20, 2023). For further details, click [here](#)
- Democracy for the Arab World Now (DAWN) emphasized in a policy memo to the Biden Administration that it should not only work towards securing a ceasefire in Gaza but also undertake practical measures to promote a post-conflict Gaza scenario. This should prioritize the rights of Palestinians and ensure the reconstruction of Gaza without facing a blockade, siege, or other punitive actions by the Israeli government. (Nov 20, 2023). For further details, click [here](#)

- Médecins Sans Frontières (MSF) express their horror of the killing of two MSF doctors, Dr. Mahmoud Abu Nujaila and Dr. Ahmad Al Sahar, along with a third doctor, Dr. Ziad Al-Tatari, in the aftermath of a targeted strike on Al-Awda Hospital in Gaza, and called yet again for the respect and protection of medical facilities, staff and patients. (Nov 21, 2023). For further details, click [here](#)
- AL Haq Organization issued a statement on World Children's Day, in which it affirmed its call upon the Prosecutor of the International Criminal Court (ICC) to immediately investigate the crimes in Gaza and to issue arrest warrants for the Israeli officials responsible for flagrant crimes against Palestinian children. (Nov 21, 2023). For further details, click [here](#)
- The board of the Harvard Law Review has decided not to publish "The Ongoing Nakba: Towards a Legal Framework for Palestine," a piece by Rabea Eghbariah, a human rights attorney completing his doctoral studies at Harvard Law School. The vote was in response to what an editor at the law review described in an email to Eghbariah as "an unprecedented decision" by the leadership of the Harvard Law Review to prevent the publication of the piece. (Nov 21, 2023). For further details, click [here](#)
- 7amleh - The Arab Center for the Advancement of Social Media investigation revealed a troubling reality: Meta reaps financial benefits from the dissemination of harmful content within its platforms. The investigation was prompted by the discovery that Facebook ran targeted ads calling for the assassination of individuals, and ads calling for the forcible expulsion of Palestinians from the occupied West Bank to Jordan. This sheds light on the failure of Meta's "automated and manual review" enforcement mechanisms aimed at prohibiting inflammatory advertising content on its platforms, and the company's inadvertent financial gains from the propagation of this rhetoric. (Nov 21, 2023). For further details, click [here](#)

- **A statement was issued by the Protection Cluster for the Occupied Palestinian Territory and the Global Protection Cluster, describing the suffering of the people of Gaza as a crisis of humanity. The statement called for the cessation of Israeli airstrikes and an immediate ceasefire to protect civilians and preserve medical facilities. (November 22, 2023) For further details, click [here](#).**
- **Save the Children CEO, Inger Ashing, welcomes the temporary truce and release of hostages, stressing the need to have a lasting ceasefire for the sake of all children. (Nov 22, 2023). For further details, click [here](#).**
- **The International Federation for Human Rights (FIDH) expressed its deep concern about the safety of human rights defenders in the Gaza Strip. For the first time in history, staff from member organizations in the enclave are left almost entirely inoperative: they cannot document the human rights violations that are currently being committed, which reinforces the cycle of impunity for international crimes. (November 22, 2023) For further details of the news, click [here](#).**
- **"J Street" issued a press release welcoming the agreement reached between Israel and Hamas regarding the release of hostages and the temporary ceasefire. It called on President Biden to stop providing "unbounded support" to Israel for a war with no limits and no exit strategy. (November 22, 2023). For further details of the news, click [here](#).**
- **BADIL Center published a statement affirming that, "the future of the Gaza Strip is an invisible part of the Palestinian people's right to self-determination." The center stated, "Once again, without consulting with the Palestinian people or considering our rights or will, colonial states, such as the USA, EU, UK, Germany, and others, are proposing management plans for a post-ceasefire Gaza." For further details, click [here](#).**

Opinion Pieces and features

- Human Rights Watch published an article by Omar Shakir, Israel and Palestine Director, noting that while global attention is focused on Israel and Gaza, Israeli authorities are tightening their repression in the West Bank, and Israeli settler attacks on Palestinians are surging. (November 22, 2023). For further details, click [here](#)

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Upcoming human rights opportunities and events

- On November 30th, "America For Peace Now" will host an online workshop titled, "UNRWA's Gaza Challenge," featuring a discussion with William (Bill) Deere, the director of UNRWA's Washington Representative Office. The discussion will focus on the challenges that the agency faces as it struggles to serve Palestinian residents of the Gaza Strip during the war and the possible role of UNRWA in the monumental task of rebuilding the Strip after the war. For further details, click [here](#)
- On November 29th, the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) will hold a special [meeting](#) to commemorate the International Day of Solidarity with the Palestinian People at the United Nations headquarters in New York. Additionally, an [exhibition](#) titled, "Palestine: A Land with A People" will be inaugurated in the Visitors' Lobby, at UN headquarters and will continue until January 8, 2024.