

Palestine's Legal Scene

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

Issue.206 | 10 -16 Dec. 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

- **The Palestinian Ministry of Foreign Affairs (MOFAE) states that Israel undermines the foundations of international legitimacy, replacing them with the law of the jungle and apartheid.** (December 11, 2023) For further details, click [here](#)
- **The Permanent Observer Mission of the State of Palestine to the United Nations emphasized that the U.S. obstruction of the humanitarian ceasefire in the Gaza Strip contradicts global appeals to preserve human life and international laws. It called on the General Assembly to adopt a resolution to halt aggression, protect civilian lives, and provide urgent humanitarian assistance.** (December 11, 2023) For further details, click [here](#)

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- **The Palestinian MOFAE condemns the Israeli occupation's confiscation of 8 dunams of Palestinian land in Silwan, occupied East Jerusalem, under the pretext of building an aerial tramway over these lands leading to the Old City of Jerusalem. The Ministry calls for urgent international action to halt the unilateral measures taken by Israel. (December 11, 2023) For further details, click [here](#)**
- **The Palestinian MOFAE strongly condemns the invasion carried out by the Israeli occupation forces in the city of Jenin. It expressed its condemnation regarding the destruction of infrastructure, attacks on institutions, and the targeting of hospitals. The Ministry emphasized that such actions are nothing but a cover for Netanyahu's colonial plans. (December 13, 2023) For further details, click [here](#)**

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

- **The Israeli Prime Minister affirmed that Israel would oversee security matters in the Gaza Strip after the end of the war. He also emphasized that Israel would not permit the Palestinian Authority to govern Gaza under any circumstances. (December 12, 2023) For further details, click [here](#)**
- **The Israeli Prime Minister pledged that the military attack against Hamas would continue until the end, until the destruction of Hamas. He emphasized that Israel would not yield to the increasing international pressure for a ceasefire. (December 13, 2023) For further details, click [here](#)**
- **The Israeli Cabinet approved the temporary reopening of the Kerem Shalom Israeli crossing for the entry of humanitarian aid into the Gaza Strip for the first time since the start of the war with Hamas. According to "Times of Israel," an Israeli official confirmed that the Cabinet's decision only includes aid provided by Egypt and not the United Nations. (December 15, 2023) For further details, click [here](#)**

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

- The Qatari Prime Minister **emphasized** the urgent need for a Gaza ceasefire as the top priority before engaging in post-war discussions. He underscored Qatar's successful efforts in negotiating hostage releases and called for an immediate halt to the shelling and targeting of civilians. In an extraordinary meeting of the WHO Executive Board, Qatar **condemned** the deliberate targeting of hospitals and health centers in Gaza, urging global support for urgent measures to prevent a health catastrophe in the region.
- In a special session held in Geneva, the WHO's Executive Board adopted a resolution aimed at addressing the catastrophic humanitarian situation in the Gaza Strip. The resolution was adopted by consensus. The resolution calls for immediate, sustained and unimpeded passage of humanitarian relief, including the access of medical personnel. (December 10, 2023) For further details, click [here](#)
- The European Union's (EU) Foreign Policy Chief, Josep Borrell, presented a paper on options for achieving stability in Gaza for the "day after" the war in the Gaza Strip, which was "very well received" by EU ministers. The options include: neither the forced displacement of the civilian population in Gaza nor Israel's occupation of the Strip; continue taking restrictive measures against Hamas; imposing sanctions on extremist settlers in the West Bank; working on political initiatives and adhering to the two-state solution. He also stressed the need for the European Commission to financially support the Palestinian Authority. (December 11, 2023) For further details, click [here](#)
- As part of an overall \$35 million package of support, the World Bank announced \$20 million in new financing to provide emergency relief for the affected people of Gaza. This included \$10 million provided by Japan and Germany for medical care and supplies for humanitarian purposes. (December 12, 2023) For further details, click [here](#)

- **The Council of Representatives in Bahrain affirmed steadfast support for the Palestinian cause and the legitimate rights of Palestinians to establish an independent state with East Jerusalem as its capital. The council emphasized adherence to the two-state solution, the Arab Initiative, and international resolutions. Strong condemnation was expressed for the ongoing war against the Palestinian people, denouncing humanitarian violations, violence, escalation, killing, siege, and starvation inflicted on innocent civilians in the Gaza Strip. (December 12, 2023) For further details, click [here](#)**
- **President Joe Biden emphasized the need to work towards a two-state solution, and warned that Israel could lose international support due to its "indiscriminate bombing" of Gaza. He urged Israel, saying: "Don't make the same mistakes we made on 9/11. There was no reason why we had to be in a war in Afghanistan after 9/11." (December 12, 2023) For further details, click [here](#)**
- **The WHO reiterates its call for the protection of health care and humanitarian assistance in Gaza, following military checkpoint delays and detention of health partners during a mission to transfer critically-ill patients and deliver supplies to a hospital in northern Gaza. During the mission, a patient reportedly died. (December 12, 2023) For further details, click [here](#)**
- **The UN General Assembly in the Emergency Special Session, adopted a resolution, demanding an immediate humanitarian ceasefire, the immediate and unconditional release of all hostages, and ensuring humanitarian access. It passed with a large majority of 153 in favor and 10 against, with 23 abstentions. (December 12, 2023) For further details, click [here](#)**
- **[The League of Arab States \(LAS\)](#) and [the Organization of Islamic Cooperation \(OIC\)](#) condemned the Israeli occupation's confiscation of Palestinian lands in Silwan, in occupied East Jerusalem, for the purpose of building an aerial tramway that passes over these lands. They affirmed that this act constitutes a flagrant violation of international law and relevant international resolutions (December, 2023)**

- **The League of Arab States expressed strong disapproval of the Swiss Parliament's decision to withhold approximately \$21 million in aid allocated by Switzerland to UNRWA. The official spokesperson for the LAS Secretary-General emphasized that the humanitarian crisis facing the people of Gaza necessitates an increase in UNRWA's budget and financial support, rather than deducting from its existing funds. He urged all nations to uphold their commitment to supporting the vital work of the UN agency, which serves as a lifeline for the majority of Palestinians in Gaza. (December 13, 2023). For further details, click [here](#)**
- **During his address at the Global Refugee Forum, UNRWA Commissioner-General Philippe Lazzarini [voiced](#) profound apprehension over the dire circumstances in Gaza. He emphasized the pressing requirement for an immediate humanitarian ceasefire and drew attention to the formidable challenges confronting the displaced residents in Rafah, coupled with the strain on UNRWA's service capabilities. Lazzarini urged an urgent humanitarian intervention, underscoring the necessity to revitalize the overlooked political process addressing the Israeli-Palestinian conflict. His remarks were [reiterated](#) in a subsequent press conference in Geneva.**
- **The European Commission President Ursula von der Leyen: "The rise in violence by extremist settlers is inflicting enormous suffering on the Palestinians. It is jeopardising the chances of achieving a lasting peace. That is why I am in favour of imposing sanctions on the perpetrators of the attacks in the West Bank" (December 13, 2023). For further details, click [here](#)**
- **The UN ad hoc Conciliation Commission of the UN Committee on the Elimination of Racial Discrimination affirmed the necessity for all parties involved in the armed conflicts in Gaza to refrain from any actions that endanger the lives and security of civilians. The committee condemned all acts of violence and hostile actions targeting civilians and escalating the conflict since October 7. Gün Kut, the committee's chairman, stated: "The**

Commission is fully committed to carrying out its tasks according to its mandate. It keeps making its good offices available to both Governments, with a view to an amicable solution of the matter on the basis of respect for the Convention." (December 13, 2023)

For further details, click [here](#)

- **UN Humanitarian Coordinator, Lynn Hastings, urges an immediate ceasefire in occupied Palestinian territories, emphasizing Israel's responsibility to protect civilians as an occupying force. She highlights the Gaza crisis, emphasizing the healthcare system collapse, infectious disease spread, and human casualties. Hastings stresses the need for clean water, addressing food shortages, and opening markets. She urges Israeli authorities to allow the passage of commercial trucks through the Kerem Shalom crossing for effective humanitarian aid.** (December 13, 2023) For further details, click [here](#)
- **The humanitarian aid organization HASENE International [made](#) a donation of one million euros to UNRWA, in support of emergency relief efforts for Palestinians in the Gaza Strip. This donation aims to provide necessary assistance, including food and basic health care, to civilians affected by the escalation of violence and the humanitarian crisis. [The United States of America also affirmed its support for UNRWA and the mission carried out by its work team.](#)**
- **In a joint statement, Australia, Belgium, Canada, Denmark, the EU, Finland, France, Ireland, Luxembourg, the Netherlands, Norway, Spain, Sweden, Switzerland, and the United Kingdom urge Israel to address record-high settler violence in the West Bank. The countries condemn violent acts by extremist settlers, terrorizing Palestinian communities, reiterating the illegality of Israeli settlements under international law. They call for accountability of extremist settlers to ensure the immediate protection of Palestinian communities.** (December 15, 2023) For further details, click [here](#)

- **The EU expressed its deep concern about Israel's approval for additional funding for the establishment of settlements, reiterating its rejection of Israeli settlement policy and activities. The EU stressed that the settlements constitute serious violations of international humanitarian law, a major obstacle to achieving the two-state solution, and a threat to regional stability.** (December 16, 2023) For further details, click [here](#)
- **The French MP Thomas Portes stated that France must strongly condemn the participation of French dual nationals in war crimes, noting that more than 4,000 Israeli soldiers fighting in Gaza are French dual nationals. He called on the French Minister of Justice to refer dual nationals convicted of war crimes to French justice.** (December 16, 2023) For further details, click [here](#)

Publications of human rights NGOs

- **In the context of commemorating International Human Rights Day, Palestinian human rights organizations, including the Palestinian Center for Human Rights, Al-Mezan, and Al-Haq, called on the international community to intervene quickly to achieve an immediate ceasefire and pressure Israel to stop its aggression in the Gaza Strip, and its violations in the occupied Palestinian territories. [Civil society organizations in the Maldives also published a statement in the same context](#)** (December 10, 2023). For further details, click [here](#)
- **The Association for Civil Rights in Israel sent legal correspondence to the Chief Military Prosecutor in Israel and filed a Freedom of Information request regarding Israel's use of the "Hasbara" system, which relies on artificial intelligence to propose attack targets in the Gaza Strip.** (December 10, 2023) For further details, click [here](#)
- **The International Federation for Human Rights (FIDH) recognises that Israel's actions against the Palestinian people constitute an unfolding genocide and that states and individuals who provide assistance to Israel are hereby rendering themselves complicit.**

FIDH further called on the International Criminal Court to immediately issue arrest warrants for Israeli officials who are responsible for international crimes against Palestinians (December 12, 2023). For further details, click [here](#)

- **B'Tselem and other Israeli human rights organizations and community groups have sent a letter to the U.S. President Joe Biden, asking him to use his influence to change Israel's policy and prevent the deteriorating humanitarian catastrophe in the Gaza Strip.** (December 12, 2023) For further details, click [here](#)
- **Human Rights Watch, along with a group of other organizations in the United Kingdom, has sent a letter to the UK government, calling for an immediate halt to the transfer of arms and military equipment to the Israeli government. The letter warned that failure to do so risks the UK Government breaching its own laws and international obligations and being complicit in grave abuses.** (December 12, 2023) For further details, click [here](#)
- **Diakonia has issued a detailed "account of events" addressing the ongoing hostile activities and escalating violence in the occupied Palestinian territories, relying on available and verified facts at the time of writing. The report will be updated regularly.** (December 13, 2023) For further details, click [here](#)
- **The Global Center for the Responsibility to Protect highlighted the serious humanitarian crisis in the Gaza Strip. It addressed the extensive Israeli bombing, expansion of military operations, and limited aid distribution. The Center called for urgent international intervention to achieve a humanitarian ceasefire, prevent more war crimes, and address the critical situation in Gaza.** (December 13, 2023) For further details, click [here](#)
- **Several Palestinian institutions specialized in prisoner's rights issued a special paper that dealt with the crimes and violations carried out by the occupation against Palestinian prisoners since October 7 in both the West Bank and Jerusalem. This included: torture, administrative detention, the martyrdom of six detainees in the**

occupation's prisons, and the arrests of women, children, and journalists. The institutions called on the countries parties in the Geneva Conventions to exert pressure to stop Israel's aggression against Palestinian prisoners, and to form an independent international investigation committee to investigate crimes against prisoners. (December 13, 2023) For further details, click [here](#)

- **Palestinian human rights organizations warn of a real and unprecedented famine in the Gaza Strip, which began in northern Gaza and Gaza City as a result of the 69-day Israeli military offensive coupled with a tight siege preventing food and water supplies from reaching most people in Gaza. The organizations recalled that international humanitarian law prohibits starvation of the civilian population as a method of warfare. (December 14, 2023). For further details, click [here](#)**
- **The Egyptian Journalists Syndicate condemned the assassination of journalist Samer Abu Daqqa and the targeting of journalist Wael Al-Dahdouh working at Al-Jazeera, by the Israeli occupation army. The union stressed its participation in international efforts to prosecute the perpetrators of this crime as a war crime before the International Criminal Court. (December 16, 2023)) For further details, click [here](#)**

Research and academic studies (in Arabic and English):

- **Renowned researcher Mutaz M. Qafisheh, professor of International Law at Hebron University, Palestine, and Chair of the Board of Trustees at Law for Palestine, has recently published a research article in volume 160 of the Marine Policy Journal titled: "From Constantinople to Oslo to Gaza: Developments of Palestine's maritime legislation under colonization" (December 14, 2023) For further details, click [here](#)**

Opinion Pieces and features

- **Shahd Hammouri, a lecturer of International Law at the University of Kent, published an article on Al Jazeera English, entitled: “How international law is used to cover up Israeli settler-colonialism” (December 10, 2023). For further details, click [here](#)**
- **The Royal Elcano Institute published an article by Haizam Amirah entitled: “Recognising Palestine, a prerequisite for hope and peace” (December 11, 2023). For further details, click [here](#)**
- **The Arab Center in Washington DC published an article by Yara Asi entitled: “Criminal Injustice in the “Court of Occupation”: Palestinian Prisoners in Israeli Jails.” (December 13, 2023) For further details, click [here](#)**
- **Bill Van Esveld, associate director for the Middle East and North Africa at Human Rights Watch, published an article entitled: “Gaza Blockade Puts People with Diabetes at Risk: Dire Insulin Shortage Potentially Life-Threatening.” (December 15, 2023) For further details, click [here](#)**

Human rights conferences and events

- **The Committee on the Exercise of the Inalienable Rights of the Palestinian People held a panel discussion entitled: “The 2023 War on Gaza: The Responsibility to Prevent Genocide.” This discussion addressed the legal implications of the Israeli military offensive against the Gaza Strip, the applicability of key legal frameworks including those that define Genocide; the responsibility of the international community to uphold international law; including its duty to prevent the recurrence of forced displacement, ethnic cleansing, and uprooting of Palestinians. Speakers at the session included Hannah Bruinsma, Legal Advisor at Law for Palestine; Jihad Abusalim, Executive Director of the Al-Quds Fund; Raz Segal, associate professor of Holocaust and Genocide Studies at Stockton University; and Katherine Gallagher,**

Senior Staff Attorney at the Center for Constitutional Rights. (December 12, 2023) For further details, click [here](#)

- **More than 100 French MPs signed a letter addressed to the French Prime Minister, expressing their concern and demanding immediate protection for journalists in Gaza, in light of the escalation of attacks targeting more than 56 Palestinian journalists at the hands of Israel.** (December 12, 2023)) For further details, click [here](#)
- **The General Secretariat of the Palestinian Federation of Trade Unions, on behalf of the “Stopfire” campaign, and on behalf of millions of male and female workers and civil society activists around the world, delivered an urgent letter to the Secretary-General of the United Nations, in which it appealed to him to exert more efforts and pressure for an immediate, urgent and sustainable ceasefire in the Gaza Strip.** (December 15, 2023) For further details, click [here](#)