

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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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) condemned the ongoing genocide being carried out by Israel in the Gaza Strip and warned against its attempts to control the executive mechanisms of Resolution 2720 in order to prolong the war.** (December 24, 2023) For further details, click [here](#)
- **The Palestinian Ministry of Foreign Affairs and Expatriates condemned the Israeli government's [approval](#) to allocate millions of dollars to settlements in the West Bank, considering it a deliberate undermining of the opportunity to implement a two-state solution. It also [condemned](#) the statements of Israeli Prime Minister Benjamin Netanyahu and Likud Party leaders regarding efforts to facilitate the displacement of**

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citizens from the Gaza Strip. The Ministry considered these confessions a blow to the countries that support Israel in its war against the people of Gaza.

- **The Palestinian MOFAE condemned the crimes and unlawful actions carried out by the Israeli occupying forces and settlers in the West Bank. It denounced these acts as an extension of a racist colonial mindset aimed at undermining the rights of Palestinian people. The statement emphasized that the West Bank has endured a sustained blockade and faced ongoing aggression and devastation at the hands of the occupying power. (December 26, 2023) For further details, click [here](#)**
- **The Palestinian MFA said that the international community is failing to end the genocidal war on the Palestinian people in the Gaza Strip and is also failing to guarantee freedom of movement for citizens in the occupied West Bank. The Ministry called on the international community and the US administration to intervene urgently to force the Israeli government to end all its illegal unilateral measures (December 26, 2023). For further details, click [here](#)**
- **During a televised interview, Palestinian President Mahmoud Abbas emphasized the imperative to cease Israeli aggression entirely. He called for the opening of all crossings to facilitate the movement of people and goods and advocated for an increase in humanitarian aid to alleviate the suffering of the Palestinian people. Additionally, he proposed the convening of an international conference to assess the situation based on international legitimacy. (December 26, 2023) For further details, click [here](#)**
- **Palestinian Central Bureau of Statistics "PCBS" issues a press release on the losses of the private sector in Palestine due to the Israeli occupation Aggression on Gaza Strip. It incurred the Palestinian private sector in production by 1.5 billion USD through two months of Israeli occupation Aggression. (Dec. 27, 2023). For further details, click [here](#)**
- **The Palestinian Ministry of Foreign Affairs has welcomed South Africa's move to file a case against Israel before the International Court of Justice for committing the crime of**

genocide. The Foreign Ministry called on the Court to act quickly and issue provisional measures to halt the aggression, while stressing that Israel and complicit states must be held accountable in accordance with international law. (December 27, 2023). For further details, click [here](#)

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

- **The Israeli police announced that 19 prison guards were questioned in connection to the fatal beating of a security prisoner (Thair Abu Asab) last November. Police said the guards have since been conditionally released from custody. National Security Minister Itamar Ben Gvir, voiced his support for the guards who had been questioned. He said: "We need to remember that our prison guards are dealing with the scum of the earth, murderers, who pose a security threat. I would suggest not defaming the guards." (December 24, 2023) For further details, click [here](#)**
- **In a recent cabinet meeting, the Israeli government greenlit a proposal follows the request of Finance Minister Bezalel Smotrich to allocate \$20 million for the enhancement of security infrastructure in unauthorized West Bank settler outposts. The approved funds are earmarked for approximately 70 illegal outposts, often referred to as "young settlements," which have never been officially authorized by the Israeli government. (December 24, 2023) For further details, click [here](#)**
- **Benjamin Netanyahu announced three prerequisites for Peace: Destroying Hamas, demilitarizing Gaza, and deradicalizing the Palestinian society. He also discussed the establishment of a security zone around Gaza, stressing that Israel must retain security control over the Strip in the future. (December 25, 2023). For further details, click [here](#)**
- **Knesset member and former UN ambassador, Danny Danon, said that the State of Israel has received inquiries from countries willing to take in refugees from the Gaza Strip including countries in South America and Africa, noting that this is considered "voluntary**

migration” for Palestinians who wish to leave. Prime Minister Benjamin Netanyahu said that he is ready to encourage voluntary immigration of Palestinians from the Gaza Strip, but that Israel's issue is finding countries to accept the refugees (Dec 26, 2023). For further details, click [here](#)

- Israel's Minister of Foreign Affairs announced that Israel will not extend the visa of the UN organization's employees in Israel, criticizing the organization for hypocrisy. He stated that the actions of the UN were a justification for war crimes and a disregard for acts of rape against Israeli women. He stressed his refusal to cooperate with those who support Hamas propaganda. (Dec. 26, 2023). For further details, click [here](#)
- In response to Turkish President Recep Erdogan's [remarks](#), [Israeli Prime Minister Benjamin Netanyahu](#) stated that Erdogan is not in a position to preach morality to others. Netanyahu noted that the IDF is the most moral army in the world, fighting against Hamas-ISIS, which he described as the most heinous and brutal in the world. [Israeli Defense Minister Benny Gantz](#) pointed out that Hamas was the organization that perpetrated a despicable massacre, and that removing the threat of Hamas from the citizens of Israel is an existential necessity and an unparalleled moral imperative. (December 27, 2023).
- An Israeli military official announced that an Israeli strike that killed dozens of people in the Maghazi camp in the center of the Gaza Strip earlier this week was carried out using improper ordnance, causing collateral damage which could have been avoided. The Israeli forces regretted the harm to those civilians, stressing that they had targeted Hamas members. (December 28, 2023). For further details, click [here](#)
- Israel rejects with disgust the case filed by South Africa in its application to the International Court of Justice (ICJ) related to committing a genocide in Gaza. It states that South Africa's claim lacks both a factual and a legal basis and constitutes a despicable and contemptuous exploitation of the Court. Israel accused South Africa of cooperating with a terrorist organization and called on the ICJ and international

community to completely reject South Africa's baseless claims. (Dec. 29, 2023). For further details, click [here](#)

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

- **[The Director-General of the World Health Organization](#), Tedros Adhanom Ghebreyesus, said that the decimation of the Gaza health system is a tragedy, praising the resilience of medical staff in the face of constant insecurity. He emphasized the call for an immediate ceasefire. [In another statement, he urgently appealed to the international community](#) to address the grave peril facing the people of Gaza, adding that “The recent United Nations Security Council resolution appeared to provide hope of an improvement in humanitarian aid distribution within Gaza. However, based on WHO eyewitness accounts on the ground, the resolution is tragically yet to have an impact”.**
- **United Nations Secretary-General António Guterres announced the appointment of Ms. Sigrid Kaag of the Netherlands as Senior Humanitarian and Reconstruction Coordinator for Gaza pursuant to Security Council Resolution 2720 (2023). In this role, she will facilitate, coordinate, monitor, and verify humanitarian relief consignments to Gaza** (Dec 26, 2023). For further details, click [here](#)
- **The UN Human Rights Office spokesperson Seif Magango expressed deep concern on continued bombardment launched by Israeli forces in the central Gaza Strip, including more than 50 strikes across Middle Gaza on 24-25 December, particularly concerning that this latest intense bombardment comes after Israeli forces ordered residents from the south of Wadi Gaza to move to Middle Gaza and Tal al-Sultan in Rafah, which increases the threat to civilian lives** (Dec 26, 2023). For further details, click [here](#)
- **France is gravely concerned by the Israeli authorities' announcement of an intensification and continuation of fighting in Gaza, at a time when systematic**

bombardment has again caused a very large number of civilian casualties in recent days. It strongly reiterates its call for an immediate truce leading to a ceasefire. It further called on Israel to take practical measures to protect the lives of Gaza's civilians (Dec 26, 2023). For further details, click [here](#)

- **Francesca Albanese, UN Special Rapporteur on Palestinian human rights, condemned Israeli attacks on the UN as "moral cowardice." She urged the UN to hold Israel accountable for violating international law to preserve its reputation and purpose. (December 26, 2023) For further details, click [here](#)**
- **The Organization of Islamic Cooperation denounced Israeli military aggression, genocide, forced displacement, and destruction against Palestinians. It called on the international community to intervene, halt Israeli aggression, and ensure humanitarian aid delivery. (December 27, 2023) For further details, click [here](#)**
- **North Carolina' State Treasurer Dale Folwell banned state investments and contracts with the country's leading ice cream brand Ben & Jerry's for its boycott of Israeli settlements. (December 27, 2023) For further details, click [here](#)**
- **Turkish President Recep Tayyip Erdoğan stated that There is "no difference" between what Israeli Premier Benjamin Netanyahu is doing in the months-long attacks on Gaza and what Nazi leader Adolf Hitler did decades ago. He pointed to the failure of international institutions and Western universities to address Israeli attacks on Gaza. (December 27, 2023) For further details, click [here/here](#)**
- **[The Arab Parliament issued a concluding statement](#) from the special session on the situation in Palestine under the theme "Support for Palestine and Gaza." [It emphasized](#) the necessity of a ceasefire, the implementation of Security Council resolutions, and providing relief to the Palestinian people. The Parliament's president stressed the importance of Arab solidarity in confronting Israeli occupation policies aimed at settling the Palestinian cause and forcibly displacing the Palestinian people.**

- **The Indian government provided a financial contribution of 2.5 million US dollars to support the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) as part of its annual commitment of 5 million US dollars for the years 2023-2024. (December 28, 2023) For further details, click [here](#)**
- **UNICEF Regional Director for the Middle East and North Africa stated that the number of children killed in the West Bank, including East Jerusalem, has reached unprecedented levels, with 83 children killed in the past twelve weeks—more than double the number of children killed in the entire year of 2022. (December 28, 2023) For further details, click [here](#)**
- **The Secretary-General of the United Nations is concerned about the further spillover of the conflict, which could have devastating consequences for the entire region. Emphasizing the urgent need for an immediate humanitarian ceasefire in Gaza and the immediate and unconditional release of all hostages. (December 29, 2023) For further details, click [here](#)**
- **The Commissioner-General of the United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) expressed concern about the accusations leveled against UNRWA by Israeli officials, holding UNRWA responsible for gaps in aid deliveries in the Gaza Strip. Lazareni emphasized that “these statements were amplified by Israeli and other mainstream and social media, creating a stream of baseless misinformation”. He pointed out the logistical challenges and restrictions imposed by Israeli authorities on the entry of aid, in addition to the continuous bombardment and regular interruptions of communications. He affirmed that “despite some increase in the trucks mostly from Egypt and through the Rafah crossing, it has remained derisory in the face of immense humanitarian needs.” (December 29, 2023) For further details, click [here](#)**
- **South Africa has filed a case against Israel at the International Court of Justice (ICJ), accusing it of crime of genocide against Palestinians in Gaza and violating its obligations under the Genocide Convention. The court has been urged to take urgent provisional measures to protect the rights of the Palestinian people and ensure Israeli compliance**

with its commitments to refrain from committing genocide and punish its perpetrators.

(December 29, 2023) For further details, click [here](#)

- **The Security Council holds a session to discuss the crisis in the Middle East; The Secretary-General of the United Nations warns of a "further spillover" of the conflict.** (December 29, 2023) For further details, click [here](#)
- **The Italian government indicates its concern with Israel's choice of Benny Kashriel as its ambassador to Italy, due to his close ties to the settlement movement. Kashriel has been appointed mayor of the Ma'ale Adumim settlement in the West Bank for the last 31 years, and served as head of the Yesha Council of the settlement movement. Italy sent informal messages to Israel expressing its concern about the appointment.** (December 29, 2023) For further details, click [here](#)
- **The US Secretary of State has approved a possible Foreign Military Sale to the Government of Israel of M107 155mm projectiles and related military equipment for an estimated cost of \$147.5 million, bypassing congressional approval for the second time this month. Secretary of State Antony Blinken mentioned Israel's urgent defense needs as a reason for this resolution.** (December 29, 2023). For further details, click [here](#)

Publications of human rights NGOs

- **The Council on American-Islamic Relations (CAIR), the nation's largest Muslim civil rights and advocacy organization, called for an international probe of online images showing hundreds of Palestinians civilians including the disabled, women, the elderly, and even a baby, most stripped to their underwear and paraded in a captured Gaza stadium.** (December 25, 2023) For further details, click [here](#)
- **In a primary report submitted to UN special rapporteurs and the Prosecutor of the International Criminal Court (ICC), Euro-Med Human Rights Monitor has documented dozens of cases of field executions carried out by the Israeli army in the Gaza Strip. The**

human rights group requested an immediate investigation into these crimes, calling for the perpetrators to be held accountable, and for justice for all victims. (December 25, 2023) For further details, click [here](#)

- **The Norwegian Refugee Council (NRC) warns that any attempts by Israel to deport and permanently displace Palestinians within and from Gaza would constitute a serious breach of international law and an atrocity crime. It emphasizes establishing a sustained ceasefire and mutually agreed-upon armistice conditions are essential to ending the suffering.** (December 26, 2023) For further details, click [here](#)
- **The Independent Commission for Human Rights issued a statement on the eighty-first day of the ongoing genocide in the Gaza Strip, monitoring the Israeli army's execution of unarmed civilians in various areas of the Gaza Strip and attacks on displacement centers. The ICHR also documented that medical personnel were subjected to arrest and torture, which resulted in deaths, severe food shortages, and health neglect** (Dec 26, 2023). For further details, click [here](#)
- **Guillemette Thomas, Médecins Sans Frontières (MSF) medical coordinator for Palestine, based in Jerusalem, said: "At the moment, we cannot distribute humanitarian aid... It's impossible." "People should have access to food and water without fear of being bombed, killed or shot at any moment." She affirmed that "the only thing that might be useful now is a ceasefire."** (December 26, 2023). For further details, click [here](#)
- **In reply to the IDF's explanation regarding the "tragic erroneous shooting" of three Israeli hostages, where the IDF attributed the incident to soldiers deviating from rules of engagement, Breaking the Silence Organization asserted that the real issue lies not in the deviations but in the rules themselves. Citing the testimony of a former soldier who served in Gaza in 2014, the instruction was described as "If it's a man 15 years or older, like anyone who looks like he could be a combatant, shoot him."** (December 26, 2023). For further details, click [here](#)

- **The Islamabad Policy Research Institute (IPRI) has issued a policy brief entitled: “International Courts and the Israel-Palestine Conflict: Issues of Jurisdiction in a Consent Based Legal Order.”** (December 27, 2023) For further details, click [here](#)
- **The organisation DAWN has submitted to the Prosecutor of the International Criminal Court a list containing 40 Israeli military commanders who have taken part in, or who have direct command responsibility over operations that likely comprise indiscriminate and deliberate attacks on civilians in Gaza. The organization provided this information in response to the Prosecutor’s call on November 17th for parties to present to his office information relevant to its investigation team's ongoing probe into violations of the Rome Statute in Palestine, including the current war in Gaza.** (December 27, 2023) For further details, click [here](#)
- **Al-Mezan Center for Human Rights published a press release entitled: “15 Years Since ‘Operation Cast Lead’: Israel's Perpetual Impunity Persists in the Face of Ongoing Genocide in Gaza”.** It discussed the enduring consequences arising from the lack of accountability for Israeli crimes against the Palestinian people. (December 27, 2023). For further details, click [here](#)
- **Al-Haq, Al Mezan and the Palestinian Centre for Human Rights (PCHR) warmly welcomed the decision by South Africa to initiate, in accordance with Article IX of the Genocide Convention, proceedings before the International Court of Justice on the responsibility of Israel for genocide against Palestinians in the Gaza Strip. This move serves as a beacon of hope for the restoration of the international legal order – an order deliberately undermined for political expediency throughout the past 75 years.** (Dec. 29, 2023). For further details, click [here](#)
- **The Lemkin Institute for Genocide Prevention issued a statement titled “Why We Call the Israeli Attack on Gaza Genocide.”** (December 29, 2023) For further details, click [here](#)

Opinion Pieces and features

- **The Guardian published an analytical article by Patrick Wintour titled "Why US double standards on Israel and Russia play into a dangerous game"** (December 26, 2023) For further details, click [here](#)
- **The Jerusalem Post published an article by IDF lawyer Yonah Jeremy Bob entitled: "Why the Israel-Hamas war is like no other."** (December 25, 2023) For further details, click [here](#)
- **The Guardian published an article by Harry Davies and Manisha Ganguly entitled: "Gaza war puts US's extensive weapons stockpile in Israel under scrutiny"** (Dec 27, 2023). For further details, click [here](#)
- **Mara Tignino and Tadesse Kebebew published an article in Opinio Juris entitled "Access to Freshwater and Accountability Issues in the Israel-Hamas Armed Conflict."** (December 27, 2023) For further details, click [here](#)
- **L'Humanite published an article in French by Rafaëlle Maison entitled: "Gaza: preventing genocide is a responsibility for all states"** (Dec 27, 2023). For further details, click [here](#)
- **The Institute for Palestine Studies published an article by Sari Hanafi entitled: "From "Spacio-cide" to Genocide: The War on Gaza and Western Indifference."** (December 30, 2023) For further details, click [here](#)

Human rights conferences and events

- **A complaint has been filed with the International Criminal Court by 3,061 Turkish lawyers, presenting evidence of Israel's alleged crimes against humanity, genocide, and war crimes in the Gaza Strip. Yassin Shamli, the head of Turkey's Second Bar Association,**



emphasized that without political pressure, the case could result in the unequivocal condemnation of Israel. (December 28, 2023) For further details, click [here](#)

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