

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 President of the Palestinian National Council, Rawhi Fattouh, condemns the racist statements by the Dutch parliamentarian [Geert Wilders](#), who advocated for the displacement of the Palestinian people and solving their problem at the expense of Jordan. He stressed that these statements align with the Israeli war of annihilation against the Palestinians and violate international legitimacy. (November 26, 2023). For further details, click [here](#).

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- The Palestinian Ministry of Foreign Affairs (MOFAE) [condemns](#) the proposal put forward by the far-right Israeli Finance Minister Bezalel Smotrich, which aims to allocate hundreds of millions of shekels to promote settlement expansion in the occupied Palestinian territory. The Ministry considers it a violation of international law and a threat to the two-state solution. It also [condemns](#) the statements of Israeli Prime Minister Netanyahu, in which he boasted of his ability to prevent the establishment of a Palestinian state in the West Bank and Gaza Strip. The Ministry demanded international action to prevent the resumption of the genocidal war against the Palestinian people in the Gaza Strip.
- The Palestinian MOFAE [condemns](#) the execution of the children, Adam Samer al-Ghoul (8 years old) and Basil Suleiman Abu al-Wafa (15 years old), during the Israeli Occupation Forces' storming of the Jenin camp. The Ministry also condemned the Israeli occupation's seizure of 1,500 dunams of land in Bethlehem city's villages. It also condemned the demolition of three inhabited homes, East and South of Hebron, which displaced 30 Palestinian citizens. The Ministry calls for international boldness to implement United Nations resolutions and end the Israeli occupation.

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

- Israeli Finance Minister Bezalel Smotrich proposed amendments to the government budget, whereby NIS 900 million (\$240 million) of funds would be reserved for settlement development and Haredi (ultra-Orthodox) projects. Smotrich justified this suggestion by saying that these funds had been promised to the parties within the framework of coalition agreements to achieve their preferred goals, including the development of settlements and projects related to "Jewish identity," and also ultra-Orthodox educational and cultural projects. (November 26, 2023). For further details, click [here](#)
- During the laying of the cornerstone for the Ofir settlement in the Gaza Strip, the Israeli Prime Minister stated: "We will return the settlements, expand the settlements, and add more settlements." (November 29, 2023). For further details, click [here](#)

- Israeli Minister of National Security Itamar Ben Gvir: “For the sake of the children who have not yet returned, for the dead who will no longer return, and so that the horrors of October 7 will never return, we must return and crush Gaza with all our might, destroy Hamas and return to Gaza, without concessions, without deals and with maximum force.” (December 1, 2023). For further details, click [here](#)
- In his tweet on the X platform, Israeli Finance Minister Bezalel Smotrich, called on the Prime Minister to officially announce the end of the truce and the severing of all deals with Hamas. Smotrich stressed that a “half-war” situation should not be allowed, and stressed the importance of continuing the war until Hamas is eliminated, hostages are returned, and insisted on refraining from returning to a ceasefire. (December 1, 2023). For further details, click [here](#)
- The Israeli Minister of National Security, Itamar Ben Gvir, has asked for “clarifications” from the Israeli Board of Grievances regarding “an alternative location for the family of terrorists.” He criticized the Board’s decision to delay the closure of the homes of terrorists in Jerusalem suggesting that the Board is “concerned with housing the families of terrorists rather than the security of the citizens of Israel.” (December 1, 2023). For further details, click [here](#)
- The Israel Defense Forces (IDF) published an interactive map dividing the Gaza Strip into hundreds of small areas to notify civilians of areas active in combat. He asked the Palestinians to follow their area number and IDF updates through various media outlets. The IDF may use the map to call on Palestinians to evacuate when the ground operation expands south. (December 1, 2023). For further details, click [here/here](#)

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

- UN human rights experts called for independent investigations into “allegations of war crimes and crimes against humanity” committed in Israel and the Occupied Palestinian Territory. They urged the international community to ensure that those responsible for violations are brought to justice as quickly as possible, stressing that there is “no statute of

limitation” for war crimes and crimes against humanity. (November 27, 2023). For further details, click [here](#)

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- The European Union High Representative for Foreign Affairs and Security Policy, Josep Borrell, said that he is appalled at the Israeli government's allocation of new funds to build illegal settlements in the West Bank in the middle of the war. He stressed that, "this is not self-defense... The settlements are grave IHL breach, and they are Israel's greatest security liability." [He also called for extending the humanitarian truce in the Gaza Strip and turning it into a sustainable truce](#) to allow work on a political solution, indicating that there will be no peace or security for Israel without a Palestinian state. (November 27, 2023). For further details, click [here](#)
- In his message on the International Day of Solidarity with the Palestinian People, the Secretary-General of the United Nations, António Guterres, expressed his concern about the current situation of the Palestinians, while at the same time condemning the terrorist attacks launched by Hamas. He stressed that these attacks do not justify the collective punishments to which the Palestinian people are subjected, calling for long-term humanitarian ceasefire, unrestricted access for life-saving aid, the release of all hostages, the protection of civilians and an end to violations of international humanitarian law. (November 28, 2023). For further details, click [here](#)
- The G7 foreign ministers, in cooperation with the European Union, issued a statement welcoming the release of some hostages who were kidnapped on October 7. Demanding the immediate release of all hostages, they supported the efforts of the United States, Qatar, and Egypt. They also stressed the importance of protecting civilians and complying with international law, and expressed their commitment to a two-state solution for Palestinians and Israelis, which would achieve a just and lasting peace. (November 28, 2023). For further details, click [here](#)

- The United Nations World Food Program has warned that Gazans, especially women and children, are at risk of starvation if food supplies stop. The program director said that they have delivered food supplies to more than 120,000 people in Gaza since the beginning of the truce, but 6 days are not enough to provide the required assistance, calling for ensuring the arrival of regular and continuous supplies to the Strip. (November 28, 2023). For further details, click [here](#)
- King Abdullah II sent a message to the Chairman of the Committee on the Inalienable Rights of the Palestinian People, on the occasion of the International Day of Solidarity with the Palestinian People. In it, he pointed out the need to stop the war on Gaza, protect civilians, support the lifting of the siege, and provide humanitarian and medical aid. He also expressed Jordan's rejection of any scenario that includes reoccupying parts of Gaza or establishing buffer zones. In the same context, [Moroccan King Mohammed VI also sent a message to the Chairman of the Committee](#). (November 28, 2023). For further details, click [here](#)
- The Maldivian President, Dr Mohamed Muizzu, sent a message on the International Day of Solidarity with the Palestinian People firmly reasserting the unwavering support of the people and the Government of the Maldives to the people and the Government of the State of Palestine in their legitimate right for full sovereignty and to live in peace with safety and security. The President condemned, in the strongest terms, Israel's war against Palestine, the brutal occupation and collective punishment being committed by Israel against the innocent civilians of Palestine. He further reiterated his call for an immediate ceasefire in the Gaza Strip. (Nov 29, 2023). For further details, click [here](#)
- In their meeting with the Secretary-General of the United Nations, António Guterres, members of the Ministerial Committee of the Extraordinary Joint Arab-Islamic Summit, headed by the Saudi Foreign Minister, discussed developments in the situation in Gaza and the importance of a ceasefire and civil protection. They stressed the importance of implementing United Nations resolutions to protect the Palestinians, return to the path of

peace, and achieve a Palestinian state. They also stressed their rejection of settlements and forced displacement, demanding that relief corridors be provided to Gaza. (November 29, 2023). For further details, click [here](#)

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- **The World Health Organization (WHO) Director-General Dr. Tedros Adhanom Ghebreyesus announced that the health system in Gaza is suffering from paralysis due to the ongoing situation. He pointed out that only 15 hospitals out of 36 in Gaza are operating at full capacity, and these hospitals are completely crowded. (Nov 29, 2023). For further details, click [here](#)**
 - **In his briefing to the Security Council on the Israeli-Palestinian conflict, UN Special Coordinator Tor Wennesland stressed the release of hostages from Gaza and a ceasefire. He expressed concern about the escalation of violence in the West Bank, including Israeli operations, settler violence and Palestinian attacks. He stressed that the worsening financial liquidity crisis of the Palestinian Authority has affected vital services. (November 29, 2023). For further details, click [here](#)**
 - **United Nations Secretary-General António Guterres briefed the Security Council on the implementation of Resolution 2712. He addressed the fighting that took place in the Gaza Strip and Israel, noting the brutal events that occurred and affected civilians and humanitarian facilities. Guterres called for the protection of civilians and civilian objects and stressed the importance of adhering to international humanitarian law. (November 29, 2023). For further details, click [here](#)**
 - **UNRWA issued a press release noting that on 27 November, humanitarian aid was able to reach UNRWA shelters in northern Gaza for the first time since the start of the war. (November 29, 2023). For further details, click [here](#)**

- In a tweet on the X platform, the United Nations Special Rapporteur on the right to adequate housing criticized the interactive map published by the Israeli occupation army. He added that this map confirms the transition from indiscriminate killing of civilians to organized killing, questioning the possibility of residents checking SMS messages about upcoming attacks in light of the internet and electricity outages in the south of the Gaza Strip. (December 2, 2023). For further details, click [here](#)
- [After it announced](#) the opening of an investigation into crimes against Israelis, Scotland Yard decided to expand its investigation into war crimes to include Palestine, in addition to Israel. The investigation covers alleged crimes in the region since 2014, as mandated by the International Criminal Court (ICC) investigation. The International Center for Justice for Palestinians (ICJP) announced that individuals with evidence of war crimes can contact them for assistance in providing their evidence to police or contact directly the Scotland Yard War Crimes Team. (December 2, 2023). For further details, click [here](#)
- [The ICC announced](#) that its Prosecutor Karim Khan is visiting Israel at the request and invitation of survivors and families of victims of the October 7 attacks. Two days later, [the court announced](#) that the Prosecutor had arrived in Ramallah, and would meet with the President of the State of Palestine, the Prime Minister, and the Minister of Justice, and would also meet with the survivors and families of the victims. [The court noted](#) that this visit “is not investigative in nature,” but it represents an important opportunity to express sympathy with all victims and engage in dialogue. (December 2, 2023).
- Commenting on the visit of the Prosecutor of the ICC to Palestine and Israel, the UN Special Rapporteur on the right to adequate housing [said](#) that “This visit is utterly pointless unless he visits Gaza as well, and announces a time bound commitment to announce results of his office’s investigations.”

Publications of human rights NGOs

- Human Rights Watch [reported](#) that its investigation shows that the explosion at the Arab Al-Ahli Hospital (Baptist) in Gaza on October 17 was mostly resulted from an apparent rocket-propelled munition, such as those commonly used by Palestinian armed groups, that hit the hospital grounds. Meanwhile, the Independent Commission for Human Rights (ICHR) and Palestinian human rights organizations [rejected](#) the results of this investigation, considering it a “grave error”, and said that, “Given the lack of evidence, this can only be seen as supporting Israeli propaganda and justification for the ongoing genocide.”
- Law for Palestine Organization, in collaboration with the Arab Renaissance for Democracy and Development and other human rights groups, issued a press release expressing deep concern over the continued forced displacement of Palestinians in Gaza. This displacement is viewed as part of Israel's stated intention to commit genocide. The organizations called on the international community, particularly truce mediators, to facilitate the safe return of refugees and internally displaced persons, especially to the north. They also emphasized the importance of allowing Palestinians to move freely within the Gaza Strip, including towards their homes in the northern region, during truce periods. (November 27, 2023). For details of the news and its original source click [here](#)
- Save the Children highlighted the repeated diplomatic failures to agree on a ceasefire to put an end to the Palestinian-Israeli war which is costing the lives of more than 6000 children during the last escalation. It also stressed that the UNSC has been unable to reach consensus on the protection of civilians in Israel and Palestine 36 times, since 1945 (November 28, 2023). For further details, click [here](#)
- Following the announcements by a number of European countries— including Austria, Denmark, and Germany— to restrict funding to Palestinian human rights organizations, Amnesty International and 95 other organizations have published a letter to the EU and member states expressing concern about the impact of such measures on human rights. Amnesty added that this would further hurdle the work of human rights organizations and

contradict the EU principles. They also affirmed that such measures are grave violations and represent increasing discrimination against Palestinians, thus impacting the critical work of human rights organizations. (November 29, 2023). For further details, click [here](#)

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- B'tselem organization issued a statement saying that “the International community has to clarify red lines Israel must not cross again”. (November 29, 2023). For further details, click [here](#)
 - The ICHR issued a press release on the intensification of the occupation measures in Hebron, south of the West Bank, in light of the ongoing war on Gaza. It called on international organizations to pressure the occupation government and its forces to lift the curfew on the old town of Hebron, remove the barriers and allow citizens to move freely, and provide them with protection. (November 30, 2023). For further details, click [here](#)
 - +972 Magazine published the findings of an investigation conducted with Local Call, which revealed the Israeli army’s use of an AI system to select its deadliest targets in Gaza. The Israeli army’s bombing of non-military targets, loosening of constraints regarding expected civilian casualties, and use of AI, played a role in producing what has been one of the deadliest military campaigns against Palestinians since the Nakba of 1948. (November 30, 2023). For further details, click [here](#)
 - The Guardians published a report by its correspondents Harry Davies, Bethan McKernan, and the Guardian's defense and security editor Dan Sabbagh, entitled: “The Gospel’ (an AI platform for selecting targets): how Israel uses AI to select bombing targets in Gaza.” (December 1, 2023). For further details, click [here](#)

Opinion Pieces and features

- The Financial Times published an article for the High Representative of the European Union for Foreign Affairs and Security Policy, Josep Borrel, entitled: “Why a Palestinian state is the best security guarantee for Israel”. (Nov 26, 2023). For further details, click [here](#)
- The Los Angeles Times published an opinion piece for the Israel and Palestine Director at Human Rights Watch, Omar Shakir, entitled: “Why does Israel have so many Palestinians in detention and available to swap?” (Nov 29, 2023). For further details, click [here](#)
- Democracy for the Arab World Now (DAWN) published an article by Professor Frederic C. Hof entitled: “Biden Should Heed the State Department’s Dissent Over Gaza”. (November 30, 2023). For further details, click [here](#)
- The Institute for Palestine Studies published a policy paper by Nur Masalha entitled: “The Concept of “Transfer” in Zionist Thinking and Practice: Historical Roots and Contemporary Challenges.” For further details, click [here](#)

Human rights conferences and events

- The Tunisian Cultural Club, Ali Belhouane, in partnership with the Regional Youth Delegation in Ariana (Ariana Youth House) and in coordination with the Embassy of the State of Palestine in Tunisia, organized the first edition of the Legal Cultural Café on the Palestinian issue under the slogan “The Right to Land and Life.” (November 26, 2023). For further details, click [here](#)
- The United Nations commemorated the International Day of Solidarity with the Palestinian People, which takes place November 29 of each year, noting the necessity of a humanitarian ceasefire in the Gaza Strip. (November 29, 2023). For further details, click [here](#)
- The Carnegie Endowment for International Peace organized a virtual event titled: “Navigating Discourses on Israel and Palestine: Civic Space, Expression, and Dialogue in Challenging Times.” (November 30, 2023). For further details, click [here](#)

- Friends of Sabeel North America (FONSA) held a virtual event titled: “The War in Gaza: Where Are We? Why Are We Here? And Where in God’s Name Can We Go?” (December 1, 2023). For further details, click [here](#)

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Upcoming human rights opportunities and events

- Law for Palestine, in partnership with DAWN and others, announced their intention to hold a hybrid event titled: “The Case of Genocide in Gaza and Palestine,” on December 4, 2023 in New York from 2 pm to 4:00 pm (9:00 pm - 11:00 pm Jerusalem time). The event includes expert presentations followed by discussion, with the possibility of attending in person or watching the live broadcast on DAWN’s social media channels. For further details, click [here](#)

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