

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 strongly [condemns](#) the mistreatment and torture of Palestinian prisoners by Israeli authorities, highlighting the killing of six prisoners and the injury of dozens as a result of torture, and urging international intervention to stop these crimes. The Ministry also [denounces](#) the use of live ammunition by extremist settlers against Palestinians and calls on the US administration to impose sanctions and designate them as terrorists.

- Minister Moayed Shaaban, the head of the Colonization and Wall Resistance Commission, [stated](#) that the Israeli occupation and settlers carried out 1,692 attacks during the past month of November. The Israeli army was responsible for 1,472 attacks, while settlers carried out 220 attacks. Additionally, 35 families were forcibly displaced in Ramallah and Hebron, and other communities in the eastern part of Jericho are being threatened with forced eviction at gunpoint. The [commission](#) also announced that Israeli occupation authorities seized 501 dunams of land belonging to Palestinian citizens in Jab'a, claiming it as state land.
- The Palestinian MOFAE [condemns](#) the Israeli occupation state's approval of the settlement project known as the "Lower Canal Plan," which involves the construction of approximately 1,792 settlement units in a new settlement cluster in occupied East Jerusalem. The Ministry strongly [denounces](#) the Israeli police allowing an extremist right-wing march to enter Al-Aqsa Mosque on the night of the Jewish holiday of Hanukkah, considering it a blatant assault on the Palestinian people and Jordan's custodianship over the holy sites. Furthermore, the Ministry [condemns](#) the killings carried out by the Israeli occupation forces in Qalandia refugee camp, the targeting of the house of Mohammed Mansara during his brother's arrest, and the direct shooting of Tareq Al-Ghazawi, a young man with disabilities. The Ministry calls on the international community to take immediate actions to protect Palestinian civilians.

[Judicial decrees, decisions, positions, and orders issued by official Israeli bodies](#)

- The National Security Council updated travel warnings for dozens of countries, amid rising antisemitism around the world "as Israel fights the Hamas terror group in Gaza." (December 4, 2023). For further details, click [here](#)
- Amid revelations concerning the licensing regulations enforced under Minister Itamar Ben Gvir, who has expedited thousands of civilian gun permits, claiming it enhances public security against terror attacks, the head of the gun licensing department at the National Security Ministry has resigned.(December 4, 2023). For further details, click [here](#)

- The District Court in Jerusalem has resumed the trial of Prime Minister Benjamin Netanyahu on corruption charges. The trial and all non-urgent cases were suspended for two months due to the Hamas attack in October. After the state of emergency ended, the court revisited the case. The charges against Netanyahu include bribery and fraud in multiple cases. (December 5, 2023). For further details, click [here](#)

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

- The United Nations High Commissioner for Human Rights, Volker Türk, stressed that: “The resumption of hostilities in Gaza and its terrifying impact on civilians underscore the need for the violence to end and a long-term political solution between Palestinians and Israelis to be found.” (December 3, 2023). For further details, click [here](#)
- The prosecutor of the International Criminal Court (ICC), Karim Khan, called on Israel to respect the international rules of war and said he was accelerating his investigation into violence by Israeli settlers against Palestinians in the occupied West Bank. (December 3, 2023). For further details, click [here](#)
- The Spokesman for UN Secretary-General António Guterres said that the Secretary-General is concerned about the escalation of violence in the occupied West Bank, including intensified Israeli security operations, high numbers of fatalities and arrests, and spiking settler violence, and attacks on Israelis by Palestinians. (December 4, 2023). For further details, click [here](#)
- United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) Commissioner-General, Philippe Lazzarini, issued a statement in which he called on the State of Israel to reopen Kerem Shalom and other crossings in order to facilitate the unconditional, uninterrupted and meaningful delivery of lifesaving humanitarian assistance. The failure to do so violates international humanitarian law. (December 4, 2023). For further details, click [here](#)

- In a recent statement on "Arab Expatriate Day," the Arab League strongly denounced Israel's practice of forced displacement in Gaza, the West Bank, and East Jerusalem. The Arab League categorically rejected these actions, emphasizing that they constitute a clear violation of international law and are deemed as international crimes. (December 4, 2023). For further details, click [here](#)
- France's Permanent Representative to the United Nations, Nicolas de Rivière, has called on the Security Council to take more effective measures regarding the situation in Gaza. He emphasized the urgent need for an immediate ceasefire, along with full humanitarian access and respect for international humanitarian law. He also highlighted the importance of releasing hostages as part of resolving the crisis. (December 4, 2023). For further details, click [here](#)
- German MP and Human Rights Commissioner, Louise Arbour, has described the attack carried out by Hamas on 7 October 2023, as a turning point in the history of the conflict and emphasized the importance of maintaining dialogue and specifically highlighted the need to ensure access to humanitarian assistance in Gaza. (December 5, 2023). For further details, click [here](#)
- During the 18th session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage, a subsidiary body of the United Nations Educational, Scientific and Cultural Organization (UNESCO), Palestinian Dabke dance was inscribed on the Representative List of the Intangible Cultural Heritage of Humanity. (December 5, 2023). For further details, click [here](#)
- A government delegation from Nicaragua has arrived in Palestine on an official visit to express their solidarity and support for the Palestinian people in the face of the 'brutal aggression' by Israel. (December 5, 2023). For further details, click [here](#)

- **Richard Peeperkorn, the World Health Organization's (WHO) representative in the occupied Palestinian territories, said from Rafah that the number of people on the move from central and southern Gaza was "vastly increasing." "The situation is getting worse by the hour. There is intensified bombing going on all around, including here in the southern areas,". He added that "a lot of people are desperate and almost in a permanent state of shock." (December 5, 2023). For further details, click [here](#)**
- **James Elder, the spokesperson for UNICEF, emphasized that a ceasefire alone is sufficient to save the children of Gaza at the moment. He stressed that the war on children in Gaza has far surpassed any previous experience in its severity. Elder also commented on the Israeli military's "designation of so-called safe zones" for civilians in Gaza, pointing out that there is no safe place in the strip. (December 5, 2023). For further details, click [here](#)**
- **The Supreme Council of the Gulf Cooperation Council (GCC) condemned the Israeli aggression on the Gaza Strip and affirmed the GCC's standing with the Palestinian people during the current situation in the region. The Council called for an immediate cessation of hostilities, and urged an end to the illegal Israeli blockade. (December 5, 2023). For further details, click [here](#)**
- **In the context of its opposition to Israeli settler attacks against Palestinians and Palestinian attacks against Israelis, the U.S. Department of State has announced a new policy to restrict visas for individuals believed to be involved in undermining peace, security, or stability in the West Bank, including through acts of violence, and their family members. (December 5, 2023). For further details, click [here](#)**
- **Amir Sheikh Tamim bin Hamad Al Thani, in his message on the occasion of the International Day of Solidarity with the Palestinian People, affirmed Qatar's support for the Palestinians and its solidarity with them in the face of Israeli aggression, considering the ongoing attacks on Gaza as a war crime. (December 5, 2023). For further details, click [here](#)**

- The United Nations High Commissioner for Human Rights, Volker Türk, warned of catastrophic developments in the Gaza Strip, condemning the ongoing attacks on Palestinian civilians and highlighting the danger of heinous crimes occurring in this context. (December 6, 2023). For further details, click [here](#)
- The WHO has confirmed the deteriorating humanitarian conditions in Gaza, with an increase in the number of displaced individuals, as well as injuries and fatalities. Reports from UNRWA indicate that more than 85% of Gaza's population has been displaced since October 7. (December 6, 2023). For further details, click [here](#)
- The Prime Minister of Belgium, Alexander De Croo, announced that his country will ban the entry of "Israeli extremist settlers in the West Bank" into Belgium. He emphasized that violence against civilians will have consequences, declaring future cooperation with the United States to impose sanctions on individuals involved in undermining peace and security in the West Bank. (December 6, 2023). For further details, click [here](#)
- For the first time since taking office in 2017, United Nations Secretary-General Antonio Guterres [invoked Article 99 of the UN Charter](#) in a letter sent to the President of the UN Security Council regarding the situation in Gaza. In the letter, Guterres expressed his concern about the significant human losses in Gaza and Israel as a result of the current conflict, urging Security Council members to press for avoiding a humanitarian catastrophe. He also called for the declaration of a humanitarian ceasefire. (December 6, 2023). For further details, click [here](#)
- In the context of Israel's approval of a plan to build approximately 1800 settlement units on 186 acres in East Jerusalem, the Turkish Ministry of Foreign Affairs issued a statement strongly condemning the Israeli authority's expansion of illegal settlements in the occupied Palestinian territories. (December 6, 2023). For further details, click [here](#)

- The Minister for Europe and Foreign Affairs, Catherine Colonna, chaired a meeting to follow up on the International Humanitarian Conference for Civilian Population in Gaza, with representatives from more than 50 countries and international organizations. The meeting aimed to review progress in fulfilling funding commitments and enhance coordination for providing humanitarian aid. The minister emphasized the importance of respecting international law and called for a permanent ceasefire. France announced an increase in its humanitarian aid to the strip and the provision of medical and food support worth one billion euros, along with sending a new food shipment weighing 600 tons. (December 6, 2023). For further details, click [here](#)
- The leaders of the Group of Seven (G7) called for urgent action to address the humanitarian crisis in the Gaza Strip, expressing their support for further humanitarian pauses and reiterating their backing for the establishment of a Palestinian state. The G7 leaders affirmed that “Palestinians and Israelis have an equal right to live in security, dignity, and peace.” The group condemned the escalating violence perpetrated by extremist settlers against Palestinians, undermining security and stability in the West Bank, and threatening the prospects for lasting peace. They emphasized the necessity of holding the perpetrators of crimes accountable. (December 6, 2023). For further details, click [here](#)
- During a meeting between the Saudi Crown Prince and the Russian President, the Kingdom of Saudi Arabia and Russia affirmed that there is no way to achieve security and stability in Palestine except through the implementation of international resolutions related to the two-state solution. (December 7, 2023). For further details, click [here](#)
- The Pakistani Ministry of Foreign Affairs condemned the continued Israeli aggression on the Gaza Strip, considering it a blatant violation of international humanitarian law. It emphasized the necessity of an immediate cessation of the aggression to avoid worsening the humanitarian situation and to ensure peace and security in the region. The ministry stressed the role of the Security Council in enforcing an immediate ceasefire and protecting

the people of Gaza from a potential genocide. (December 7, 2023). For further details, click [here](#)

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- Both the Qatari Ministry of Foreign Affairs and [the Organization of Islamic Cooperation](#) condemned the Israeli occupation for allowing settlers to organize a march in occupied Jerusalem under the slogan of imposing control over the Al-Aqsa Mosque. They considered it a blatant assault on the rights of the Palestinian people and the historical Hashemite custodianship. (December 7, 2023). For details, click [here](#)
- The Commissioner-General of UNRWA sent a letter to the President of the General Assembly expressing his concern about the significant restrictions facing the Agency's ability to implement its mandate in Gaza. He pointed out that about 1.2 million civilians are currently taking refuge in UNRWA facilities due to the Israeli military operation, in addition to the killing of a number of UNRWA employees, which threatens the collapse of the agency as a main platform for providing humanitarian assistance in Gaza. (December 7, 2023). For further details, click [here](#)
- UN experts have urged member states to "unite for peace" and press for a ceasefire in Gaza, in order to preserve the UN's raison d'être. (December 8, 2023) For further details, click [here](#)
- At the Twenty-Second Session of the Assembly of States Parties of the ICC, South Africa's Minister of Justice, Ronald Lamola, expressed his country's concern about the great human losses and suffering in Gaza. He pointed out that the situation in Palestine was referred to the Office of the Prosecutor on November 17, 2023, noting concern about the lack of clear prospects for investigating other violations in occupied Palestine that have been pending since 2018. (December 8, 2023). For further details, click [here](#)
- The Security Council failed to adopt a resolution requesting an immediate humanitarian Ceasefire in Gaza, which was presented by the United Arab Emirates, due to the United States veto. The remaining 13 permanent and temporary members supported the resolution, and Britain abstained from voting. (December 9, 2023). For further details, click [here](#)

- The UN Office of the High Commissioner for Human Rights in the occupied Palestinian territories (OHCHR) expressed its concern about the ground battles in northern Gaza, in addition to the attacks on schools and hospitals sheltering displaced civilians. It also stressed the need for Israel to adhere to international humanitarian law and protect civilians. (December 8, 2023). For further details, click [here](#)
- The European Union announced the provision of 125 million euros in initial humanitarian aid to the Palestinians in 2024, as this funding will support humanitarian agencies in both the Gaza Strip and the West Bank. (December 8, 2023). For further details, click [here](#)

Publications of human rights NGOs

- The Committee to Protect Journalists (CPJ) has published a comprehensive report on the number of journalists killed in the war on Gaza. They stated that November 7th and 18th were the deadliest days in terms of the number of journalists killed. (December 4, 2023). For further details, click [here](#)
- Mirjana Spoljaric, the president of the International Committee of the Red Cross (ICRC), visited Gaza to advance efforts that alleviate the devastating humanitarian toll the ongoing conflict is taking on civilians. She called for the protection of civilians and respect for the laws of war, emphasizing the urgent need for the immediate release of hostages. (December 4, 2023). For further details, click [here](#)
- The Medical Aid for Palestinians (MAP) has warned that the indiscriminate shelling and the Israeli blockade have made life in Gaza nearly impossible. They have stated that Israel intensified its attacks after the temporary ceasefire ended, resulting in the deaths of hundreds of people and injuring thousands. MAP has called on world leaders to demand serious protection for civilians in accordance with international law. (December 4, 2023). For further details, click [here](#)

- **Diakonia International Humanitarian Law Centre released their detailed international humanitarian law (IHL) report on the conduct of armed groups from Gaza led by Hamas (Hamas forces) and Israel, covering the time period from the 7th of October to the 8th of November 2023. (December 5, 2023). For further details, click [here](#)**
- **Amnesty International has published the results of an investigation it conducted into two airstrikes carried out by Israeli forces in the Gaza Strip. The investigation reveals that US-made Joint Direct Attack Munitions (JDAM) were used by the Israeli military in two deadly, unlawful air strikes on homes full of civilians in the occupied Gaza Strip, killing a total of 43 civilians – 19 children, 14 women and 10 men. In both cases, survivors told Amnesty International there had been no warning of an imminent strike. (December 5, 2023). For further details, click [here](#)**
- **B'Tselem has published a report titled: "Israel is not fighting against Hamas but against civilians, implementing a criminal policy of bombings" (December 5, 2023). For further details, click [here](#)**
- **Physicians for Human Rights - Israel has published an article highlighting that six Palestinians died in custody in recent weeks, including two in Megiddo Prison, one in Ktzi'ot, one in Ofer, and two others who were being illegally held by the military after their work permits were revoked. (December 5, 2023). For further details, click [here](#)**
- **Jan Egeland, the Secretary-General of the Norwegian Refugee Council, condemned the severe attacks on Gaza, stating that they are among the most devastating assaults on civilians in recent history. Egeland emphasized that the killing of thousands of innocent civilians, the siege on the population, and the confinement of people behind closed borders in Gaza are all clear violations of international law. He called for accountability not only for political and military leaders but also for those who provided arms and support. (December 5, 2023). For further details, click [here](#)**

- According to a report by the ["Peace Now"](#) movement, the Israeli occupation government has approved the construction of 1,738 housing units within the Israeli plan for building the "Lower Givat Hamatos" neighborhood. The report highlights that this plan poses a significant challenge to the possibility of establishing a contiguous Palestinian urban chain in East Jerusalem and obstructs almost all urban connections between Bethlehem and East Jerusalem. A similar report was also published by the organization [Ir Amim](#) on December 4th. (December 5, 2023).
- Al-Haq and the Global Legal Action Network (Glan) have applied to the High Court in London for a judicial review of the government's export licenses for the sale of British arms that could be used in Israel's attacks on Gaza. (December 6, 2023). For further details, click [here](#)
- A group of more than 200 scholars and practitioners of law, international relations, and politics have written an open letter to the Assembly of States Parties to the ICC regarding the approach taken by ICC prosecutor, Karim Khan, in addressing the situation in Palestine, and his visit to Israel/Palestine. (December 6, 2023). For further details, click [here](#)
- [Amnesty International](#) and [Human Rights Watch](#), along with [Reuters](#) and [Agence France-Presse \(AFP\)](#), conducted separate investigations into the Israeli strikes in southern Lebanon on October 13, 2023, which resulted in the killing of journalist Essam Abdullah from Reuters and the injury of six other journalists. The investigations revealed that the targeting was a "deliberate attack" on civilians, indicating it as a "war crime." Reuters stated that an Israeli tank crew was responsible for the targeting. All investigations emphasized the need for accountability and the importance of treating these incidents as potential war crimes. [CPI](#) also called for an immediate, independent, and transparent investigation to hold the perpetrators accountable. (December 7, 2023).
- The Independent Commission for Human Rights (ICHR) urgently appeals to international institutions and bodies to promptly verify information about purported extrajudicial executions of unarmed civilians by the Israeli occupation army in northern Gaza. The appeal underscores reported arbitrary arrests of an unspecified number of civilians, their

mistreatment after being disrobed, and their relocation to undisclosed locations. The ICHR calls for swift investigation and intervention to address these serious human rights violations. (December 7, 2023). For further details, click [here](#)

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- [Amnesty International](#) said that the US veto of the UNSC ceasefire resolution displays callous disregard for civilian suffering in face of staggering death toll. It further stressed that by using its veto, the United States had undermined the Council's redibility and ability to live up to its mandate to maintain international peace and security. The Norwegian Refugee Council, [OXFAM](#), [Doctors Without Borders](#), along with other human rights organizations, share the same stance.

Opinion Pieces and features

- “Just Security” published an article by Udit Mahalingam titled: “License to Kill: The Israel-Gaza Conflict and the UK’s Arms Exports Regime”. (December 5, 2023). For further details, click [here](#)
- The Guardian newspaper published an article by Paul Rogers titled: “Israel’s use of disproportionate force is a long-established tactic – with a clear aim”. (December 5, 2023). For further details, click [here](#)
- The “Articles of War” blog published an article by Michael N. Schmitt titled: “Israel – Hamas 2023 Symposium – Attacking Hamas – Part II, The Rules”. (December 7, 2023). For further details, click [here](#)
- The Guardian newspaper published an analytical article by Patrick Wintour entitled: “Widespread destruction in Gaza puts concept of ‘democide’ in focus” (December 7, 2023). For further details, click [here](#).
- The Modern Diplomacy published an article by Louis René Beres entitled: “Israel and Hamas: A Legal Assessment of the Gaza War” (December 9, 2023). For further details, click [here](#)
- The Institute for Palestine Studies issued a policy paper by Nazmi Al-Jubeh entitled: “Will the Current Unprecedented Assault on the West Bank Affect the Status quo in Jerusalem?” (December 2023). For further details, click [here](#)

- The Guardian newspaper published an article by Husam Zomlot, the Palestinian ambassador to the United Kingdom, entitled: “There is mass murder being carried out in Gaza and the world is just watching. This can’t go on.” (December 9, 2023). For further details, click [here](#)
- The Los Angeles Times published an article by Philippe Lazzarini, Commissioner-General of UNRWA, entitled: “We must prevent humanitarian aid from being used as an instrument of war.” (December 9, 2023). For further details, click [here](#)
- The New York Times published an opinion piece by Megan Stack entitled: “For Palestinians, the Future is Being Bulldozed.” (December 9, 2023). For further details, click [here](#)

Human rights conferences and events

- Human rights lawyers in the Netherlands seek a court order to halt the export of fighter jet parts to Israel that could be used in strikes on the Gaza Strip. (December 3, 2023). For further details, click [here](#)
- The Independent Commission for Human Rights and the Network of Non-Governmental Organizations held a press conference on the crimes of genocide against the civilian population in the Gaza Strip and attempts to displace them. They called for the international community to bear the responsibility of standing against the aggression and achieving justice. (December 7, 2023). For further, click [here](#)

Upcoming human rights opportunities and events

- The Committee on the Exercise of the Inalienable Rights of the Palestinian People announces its intention to hold a dialogue symposium at the United Nations Headquarters in New York in conjunction with its online broadcast entitled: “2023 War on Gaza: The Responsibility to Prevent Genocide.” This will take place December 12 from 10:00 am to 1:00 pm EST in Conference Room 7 at the United Nations Headquarters in New York. The event will also be broadcast on UN Web TV. The symposium includes a number of prominent speakers in the fields of Holocaust and genocide studies, legal advisors and human rights activists. For further details, click [here](#)

- **Defense for Children International - DCI Palestine announces its intention to hold a symposium on December 12 via the Zoom platform to discuss the effectiveness of the: “No Way To Treat a Child campaign in 2023.” The symposium reviews human rights violations against Palestinian children in 2023, and advocacy efforts to hold the Israeli authorities accountable for their actions. For further details, click [here](#)**
- **The Scientists for Palestine organization announced its intention to hold a webinar with Professor Etienne Balibar (Université Ouest Paris) entitled: “Palestine, Ukraine and other wars of extermination: the local and the global,” on December 13, 2023, at 7 pm Palestine time. The lecture will address common problems related to local challenges and other problems with a global dimension in the context of the Ukraine and Palestine wars. For further details, click [here](#)**
- **The ASSER Institute announced its intention to hold an online lecture entitled: “Navigating the international legal landscape of the Israel-Palestine conflict” on December 19, 2023, which will be held at 6:00 p.m. The lecture will focus on three main axes: examining the scope of the right to self-defense; law of armed conflict; And justice after conflict. The lecture will be addressed by Professor Terry Gill, Professor Helen Duffy, and Yousuf Sayed Khan, with Dr. Christoph Paulussen as Moderator. For further details, click [here](#)**
- **The International Institute of Social Studies announced that it will hold a legal briefing entitled: “Immunity or Impunity?” The symposium provides the press and the public with an opportunity to understand the international case of Dutch-Palestinian Ismail Ziadeh against the Netherlands. The event will take place on Monday, December 18, 2023, from 10:00 am to 12:00 pm, in Hall B. The event can be attended either in person or online. For further details, click [here](#)**