

## 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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Prepared by: Razwan Issa, Nour Kharouf, Arwa Abdel moniam, Joman Al Khateeb

Translation: Mai Shaheen and Sundus Al-Fararja

Editing: Umamah Begg

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 and Expatriates emphasized that the responsibility of international officials, the United Nations, and the global community goes beyond just releasing more statistics on Palestinian victims and issuing warnings about the humanitarian crisis or expressing concern. Instead, they should take up their legal and moral duties to promptly enforce a ceasefire and implement practical measures to safeguard civilians and ensure their fundamental needs are met. (January 20, 2024) For further details, click [here](#)**
- **Addressing the United Nations Security Council, Dr. Riyad al-Maliki, the Minister of Foreign Affairs, stated that the aggression on Gaza aims to inflict immense suffering**

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through the most brutal and indiscriminate bombing campaign in the post-World War II period. He called for accountability and an international peace conference to uphold international law, implement UN resolutions, and urged the recognition of Palestine with full UN membership. (January 23, 2024) For further details, click [here](#)

- **Hussein Al-Sheikh, the Secretary General of the Executive Committee of the Palestine Liberation Organization (PLO), has called on countries that suspended their support for UNRWA to swiftly reverse their decision. He stressed the considerable political and humanitarian risks associated with such a move. Al-Sheikh emphasized that, especially in the midst of the ongoing aggression against the Palestinian people, "we are in greater need of support for this international organization, not withdrawing our backing from it."** (January 27, 2024) For further details, click [here](#)

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

- **The Israeli Security Cabinet approved a plan regarding the frozen funds allocated for the Gaza Strip, with support from the United States and Norway. It stipulates that, under no circumstances, will the Palestinian Authority transfer the money or its consideration to Gaza without the approval of the Israeli Finance Minister. As a result, the frozen funds will not move to the Palestinian Authority but will be held by a third country. Any breach of this agreement will [lead](#) to an immediate freeze of all Palestinian financial payments.** (January 21, 2024) For further details, click [here](#)
- **Israeli Army weighs plan to arm west bank settlements with anti-tank missiles. The move would be aimed at arming civilian security squads in order to defend themselves from attacks like those on Oct. 7.** (January 24, 2024) For further details, click [here](#)
- **Commenting on the International Court of Justice's ruling, the Israeli Prime Minister reaffirmed Israel's commitment to international law and its inherent right to self-**

defense. He strongly rejected accusations of genocide, considering them false and outrageous. He stressed that Israel's war targets the terrorist organisation Hamas, not Palestinian civilians, while emphasizing the continued provision of humanitarian assistance and the protection of civilians. (January 26, 2024) For further details, click [here](#)

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

- **Foreign ministers of the European Union denounced the controversial remarks made by Israeli Prime Minister Benjamin Netanyahu rejecting Palestinian statehood.**(January 22, 2024) For further details, click [here](#)
- **French Foreign Minister, Stéphane Sejourné, declared that Palestinians have 'Palestinians have the right to sovereignty and a statehood,' emphasizing the commitment of France to stay faithful to the pledge of supporting Palestinians in achieving that goal. This statement followed by Netanyahu's assertion that Palestinian sovereignty in Gaza is incompatible with Israel's aim of "complete security control" over Palestinian territories.**(January 22, 2024) For further details, click [here](#)
- **During their meeting on the sidelines of the United Nations Summit, Russian Foreign Minister Sergey Lavrov and his Jordanian counterpart Ayman Safadi underscored the cruciality of a ceasefire in the Gaza Strip. They emphasized the utmost importance of halting hostilities in Gaza and shifting the situation to a political and diplomatic channel, in accordance with the resolutions of the UN Security Council and the General Assembly.**(January 23, 2024) For further details, click [here](#)
- **Norwegian Foreign Minister Espen Barth Eide reiterated his country's stance, calling for an immediate halt to hostilities in the Gaza Strip. He emphasized the critical need for establishing a sovereign Palestinian state, noting that the people of Gaza are not just fleeing bombardments and military confrontations but also grappling with escalating issues such as malnutrition, a shortage of medical facilities, and access to clean water.**

Additionally, he brought attention to the increasing violence carried out by Israeli settlers against residents of the West Bank, underscoring the heightened tragedy they face. (January 24, 2024) For further details, click [here](#)

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- **The Director-General of the World Health Organization, Dr. Tedros Adhanom Ghebreyesus, called for an end to the harrowing conditions endured by civilians and healthcare workers in Gaza. The United Nations official described the lives of 1.7 million displaced individuals in Gaza, who don't have a safe place to live in , as an absolute tragedy. He highlighted the extensive damage on roads leading to Al-Shifa hospital and urged for an immediate ceasefire. (January 23, 2024) For further details, click [here](#)**
- **The Security Council convened a ministerial-level open discussion on the situation in the Middle East, including the Palestinian question. During the session, United Nations Secretary-General, [António Guterres](#), emphasized the importance of acknowledging the right of the Palestinian people to establish an independent state. He stressed the urgency of an immediate ceasefire in Gaza, calling on Israel to embrace the two-state solution, to avoid the ongoing war that threatens global stability. In a statement made by the Committee on the Exercise of the Inalienable Rights of the Palestinian People ([CEIRPP](#)), the need for an immediate cessation of humanitarian hostilities in Gaza was highlighted. It condemned Israel's indiscriminate and disproportionate attacks, and demanded the release of hostages. The Committee also condemned the forced displacement of 1.9 million Palestinians in Gaza and called for immediate humanitarian assistance. Throughout the session, several countries stressed the need to make further efforts to end the war in Gaza and recognize the State of Palestine. (January 23, 2024) For further details, click [here](#)**
- **German parliamentarian Sevim Dağdelen and American congresswoman Ilhan Omar, launched a global call for a ceasefire in Gaza, with 524 parliamentarians from various countries of the world signing this call. The call stressed the need for an immediate and**

**sustainable ceasefire in Israel and Palestine, the release of hostages and the facilitation of humanitarian aid into Gaza.** (January 23, 2024) For further details, click [here](#)

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- **On the occasion of World Education Day, UNRWA issued a statement highlighting the detrimental effects of the ongoing conflict on schools in Gaza. The statement emphasizes that a majority of these educational institutions have been repurposed as shelters, while all UNRWA schools in the Gaza Strip remain closed.** (January 24, 2024) For further details, click [here](#)
- **UNRWA Commissioner-General, Philippe Lazzarini, strongly condemned the Israeli bombing of the agency's shelter in Khan Yunis, located in the southern Gaza Strip. This facility, one of UNRWA's largest, serves as a crucial refuge for Palestine refugees. Lazzarini characterized the attack as a "blatant disregard of basic rules of war."** (January 24, 2024) For further details, click [here](#)
- **British Foreign Secretary David Cameron has urged Israel to permit additional aid trucks to enter the Gaza Strip, emphasizing the need for an immediate humanitarian ceasefire given the tragic circumstances. He expressed deep concern, stating, "The scale of suffering in Gaza is unimaginable. More must be done, faster, to help people trapped in this desperate situation."** (January 25, 2024) For further details, click [here](#)
- **Finland's Foreign Minister said that "Israel of course has the right to self-defense under international law, but the time for self-defense is over." She emphasized that the civilians in Gaza need humanitarian assistance as quickly as possible, because many are in dire need.** (January 25, 2024) For further details, click [here](#)
- **Many American cities, including [San Francisco](#), [Minneapolis](#), [Detroit](#), [Oakland](#), [Bridgeport](#), [Atlanta](#), [Seattle](#), [Dearborn \(Michigan\)](#), [Albany \(New York\)](#), [Akron \(Ohio\)](#), and [Providence \(Rhode Island\)](#), individually passed resolutions during their local council meetings. These resolutions collectively called for an immediate ceasefire in the Gaza Strip to safeguard civilians. The cities further urged President Biden to take action within the ongoing four-month escalation between Israel and Hamas.**

- **The French Ministry of Foreign Affairs unequivocally denounced the bombing incident targeting the UN shelter in Khan Yunis, which tragically resulted in numerous casualties. Emphasizing the absolute duty to protect United Nations sites and humanitarian workers, France called for strict adherence to international humanitarian law. France further echoed the call for immediate ceasefire measures to address the escalating situation. (January 25, 2024) For further details, click [here](#)**
- **The International Court of Justice (ICJ) ruled that there is plausibility in allegations made by South Africa against Israel for the commission of genocide. The court has mandated that Israel must urgently implement most of South Africa's requests, excluding an order to cease the fight on Gaza. The ruling dictates that Israel must take immediate action to prevent acts prohibited under the Genocide Convention, ensure the prompt provision of humanitarian needs in the Gaza Strip, and take measures to preserve evidence related to the genocide. The court has further demanded that Israel submit a comprehensive report on these measures within one month of the decision. Additionally, the court has called for the immediate release of hostages who were reportedly kidnapped during an attack in Israel on October 7, 2023. (January 26, 2024) For further details, click [here](#)**
- **South Africa has praised the recent ruling by the International Court of Justice on the matter of the genocide in Gaza. Characterizing it as a "decisive victory for the international rule of law", South African officials have hailed this development as a significant milestone in the pursuit of justice for the Palestinian people. South Africa also added that "third States are now on notice of the existence of a serious risk of genocide against the Palestinian people in Gaza. They must, therefore, also act independently and immediately to prevent genocide by Israel." (January 26, 2024) For further details, click [here](#)**
- **A joint statement by European Union foreign policy chief Josep Borrell and the European Commission, commenting on the ruling of the International Court of Justice on South Africa's request for the indication of provisional measures, stated that the "orders of the**

**International Court of Justice are binding on the Parties and they must comply with them. The European Union expects their full, immediate and effective implementation.”**  
(January 26, 2024) For further details, click [here](#)

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- **The Bureau of the General Assembly’s Committee on Palestine welcomed the ICJ ruling to prevent acts of genocide in Gaza, stressing the cessation of any practices and statements aimed at genocide against the Palestinian people in the Gaza Strip. The Bureau calls on the UN Security Council to ensure the implementation of the Court’s Order** (January 26, 2024) For further details, click [here](#)
- **UNRWA Commissioner-General Philippe Lazzarini said that the Israeli authorities have provided UNRWA with information about the alleged involvement of a number of UNRWA employees in the attacks on Israel on 7 October. He added: "I have taken the decision to immediately terminate the contracts of these staff members and launch an investigation in order to establish the truth without delay. Any UNRWA employee who was involved in acts of terror will be held accountable, including through criminal prosecution."** (January 26, 2024) For further details, click [here](#)
- **The European Union expressed deep concern about the allegations regarding the involvement of UNRWA employees in the attacks that occurred on 7 October in Israel. The European Union reiterated its strong condemnation of the attacks launched by Hamas against Israel, which the European Union believes have no justification.** (January 26, 2024) For further details, click [here](#)
- **The [Organization of Islamic Cooperation](#), the [Arab League](#), the [Arab Parliament](#), as well as [Saudi Arabia](#), [Qatar](#), [Spain](#), [Jordan](#), [Egypt](#), [Kuwait](#), [Tunisia](#), [Oman](#), [Turkey](#), [Pakistan](#), [Iraq](#), [Iran](#), [Slovenia](#), welcomed the International Court of Justice's decision requiring Israel to take all measures to prevent acts prohibited under the Genocide Convention. In the same context, the [Gulf Cooperation Council](#) affirmed that the ICJ's decision against Israeli occupation confirms its monstrous crimes in Gaza. [Algeria](#) called for a Security Council meeting to give binding force to the court’s decision, and [Namibia](#) urged the**

Security Council to ensure the full implementation of the provisional measures ordered by the International Court of Justice, while [France](#) reaffirmed its commitment to respecting international law and expressed its confidence in and support for the ICJ. (January 26/27, 2024)

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- [Italy](#), [Canada](#), the [United States of America](#), and [Australia](#) decided to temporarily suspend funding for UNRWA; Following allegations that some UNRWA staff were involved in the October 7 attacks in Israel carried out by Hamas. Estonia and Japan join nine other nations in suspending UNRWA funds (January 26/27, 2024)
- Amid the suspension of funding from various states for UNRWA, Norway has emphasized the dire situation in Gaza, recognizing UNRWA as the most important humanitarian organization there. Norway has declared it will continue its support for the Palestinian people through UNRWA, stressing that the assistance is 'needed now more than ever.' (January 28, 2024) For further details, click [here](#)

### **Publications of human rights NGOs**

- The organization “Yesh Din” published a data sheet containing an analysis of settler violence in the West Bank from 2005 to 2023, which indicates “a system of ideological crime that is designed to dispossess Palestinians of their lands and expand Israeli control in the West Bank.” The analysis also finds that the Israeli law enforcement system is failing in its duty to protect Palestinians from Israeli violence. (January 21, 2024) For further details, click [here](#)
- The Association for Civil Rights in Israel published a statement drawing attention to videos documenting the use of Palestinian residents as “human shields” by Israeli soldiers in Hebron. The Association sent legal correspondence to the Military General



**demanding an investigation into the events.** (January 21, 2024) For further details, click [here](#)

- **J Street published a statement titled “Time for Diplomacy,” stressing the need to shift from military operations to diplomacy in the Israeli-Palestinian conflict.** (January 22, 2024) For further details, click [here](#)
- **Ahead of the EU Foreign Affairs Council meeting on January 22nd, Amnesty International reached out to High Representative/Vice-President Josep Borrell and the European Union foreign ministers, calling for their support in issuing an urgent appeal for an immediate ceasefire.**(January 22, 2024) For further details, click [here](#)
- **Amnesty International has issued a formal appeal calling for the immediate and unconditional release of Munther Amira, a prominent Palestinian human rights defender and social worker currently held in detention by the Israeli army since December 18, 2023.** (January 22, 2024) For further details, click [here](#)
- **Addameer Association for Prisoner Support and Human Rights published a report entitled: “Escalating Oppression: Israel’s Systematic Violations Intensify in Palestine post October 7, 2023.” The report provides - among other things - a comprehensive picture of the escalation in arrests and detention since October 7 and the excessive use of force during arrests.** (January 23, 2024) For further details, click [here](#)
- **The International Committee of the Red Cross said that the Israeli authorities have suspended visits to Palestinian detainees in their prisons since October 7, 2023, and that Hamas has not allowed visits to its hostages yet, stressing that this situation is unacceptable. The Regional Director of the Red Cross described the situation in Gaza as “catastrophic.” He also added that civilians who are killed, injured and displaced in Gaza, and all deliberate and active violence targeting civilians, whether in Gaza or Israel,**

everywhere is unacceptable, and we expect all necessary precautions to be taken to avoid civilian casualties.” (January 23, 2024) For further details, click [here](#)

- **Amnesty International published a joint open appeal with 16 other humanitarian and human rights organizations, urging UN member states to stop arms transfers to Israel and Palestinian armed groups. The signatories demanded an immediate ceasefire and a halt to the transfer of weapons, stressing the role of the United Nations Security Council in preventing the supply of weapons that may lead to international crimes.** (January 24, 2024) For further details, click [here](#)
- **The International Committee of the Red Cross warned of the risk of a complete shutdown of the medical system in the Gaza Strip, and called for the need to take concrete actions to preserve the access to life-saving and emergency medical care.** (January 25, 2024) ) For further details, click [here](#)

### **Opinion Pieces and features**

- **Open Global Rights platform published an article By Susan M. Akram entitled: “The failures of the UN in the Israel-Palestine conflict”** (January 22, 2024). For further details, click [here](#)
- **Justice in conflict published an article by Mark Kersten entitled: “Let the International Court of Justice Decide: It is Law, not History, that holds the Promise of Protecting Life in Gaza.”** (January 22, 2024) For further details, click [here](#)
- **Third World Approaches to International Law (TWAIL) published an article by Jeena Shah entitled: “The Global Push for U.S. Accountability for Complicity in Genocide”** (January 23, 2024). For further details, click [here](#)
- **Al-Jazeera published an opinion article by Rami G Khouri entitled: “Watching the watchdogs: Law, Propaganda, and the Media walk into a bar” or “what happens when**

**legal proceedings at the ICJ expose Western media bias and Israeli state propaganda”** (January 23, 2024). For further details, click [here](#)

- **Opinio Juris published an article by Professor Luciano Pezzano entitled: “Legal Consequences of Peremptory Norms: A Missing Part in the South Africa v. Israel Case and an Opportunity to Reinforce Jus Cogens”** (January 24, 2024). For further details, click [here](#)
- **The EjiTalk! published an analytical article by Marko Milanovic entitled: “ICJ Indicates Provisional Measures in South Africa v. Israel”** (January 26, 2024) For further details, click [here](#)
- **The Just Security issued a blog outlining the opinions of leading experts on the International Court’s ruling in the case of Israel’s operations in Gaza. (January 26, 2024) For further details, click [here](#)**
- **The Intercept published an article by Alice Speri entitled: “ ‘I Have Lost Everything’: In Federal Court, Palestinians Accuse Biden of Complicity in Genocide.”** (January 26, 2024) For further details, click [here](#)
- **Sari Bashi published an article at The New York Review entitled “Gaza: Two Rights of Return - Most Palestinians in Gaza are now displaced at least twice over. They have a right to choose where to return.”** (January 27, 2024) For further details, click [here](#)