

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: Nour Kharouf, Joman Al Khateeb, Arwa Abdel moniam

Translation: Sundus Al-Fararja and Mays Abu Atwan

Editing: Nardeen Khalid

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 MOFAE condemns the violations and crimes committed by the occupation forces and armed terrorist settlers against Palestinian citizens and their properties in the West Bank, including East Jerusalem, under the guidance and incitement of Israeli officials. The ministry views this escalation as a deliberate effort to expand the occupation's control over more Palestinian land and facilitate continuous gradual annexation of the West Bank. The ministry reiterated its call for the implementation of UN Resolution 2334 and compelled the Israeli government to halt all settlement activities, dismantle settler organizations and armed militias, withdraw their weapons, cease their funding, and hold accountable those who provide them with support and protection. (February 13, 2024) For further details, click [here](#)

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- The Palestinian Ministry of Foreign Affairs (MOFAE) **condemns** the heinous crime perpetrated by the occupation forces against 6 year old Hind Rajab, her family, and the Palestinian Red Crescent ambulance crew who responded to her rescue. It demanded the International Criminal Court (ICC) to promptly issue arrest warrants and investigate Israeli war criminals. **In a separate statement**, the ministry affirmed that Israeli Prime Minister Netanyahu exploits international weakness to persist in violating human rights and promoting forced displacement. It criticized the international community's failure to enforce and uphold laws aimed at protecting civilians. The Ministry **stressed** the need for an urgent and immediate humanitarian response commensurate with the significant humanitarian needs of Palestinian civilians, through a binding international decision issued by the Security Council to ensure their protection and secure sufficient aid delivery, necessitating an immediate ceasefire.
- The Palestinian MOFAE strongly condemns and rejects the announcement made by the President of the Republic of Argentina, Javier Milei, regarding his intention to move his country's embassy to occupied Jerusalem. The ministry affirms that this announcement contradicts the principles of international law and the resolutions of the United Nations Security Council, and demands its immediate withdrawal. (February 13, 2024) For further details, click [here](#)
- The Palestinian Ministry of Foreign Affairs and Expatriates (MOFAE) declared that Israel's rejection of recognizing the Palestinian state constitutes a formal commitment to intensifying colonization and apartheid. It called for international and U.S. sanctions against the "fascist duo" Smotrich and Ben Gvir, along with their supporters, deeming them a threat to international peace. Emphasizing that a viable political resolution to the conflict hinges on the full United Nations membership and recognition by Western nations and the United States, the ministry deems any alternative as a failure. (February 15, 2024) For further details, click [here](#)

- The Palestinian Minister of Health expressed that the Nasser Medical Complex in the Gaza Strip is facing what is considered a genocidal act by the Israeli occupation. The statement highlighted disruptions in medical services, power shortages, and a lack of oxygen supply, posing a severe threat to the lives of patients. Urgent intervention from international health organizations was called for to safeguard medical staff, patients, and displaced individuals in the complex and to put a stop to Israeli attacks. (February 16, 2024) For further details, click [here](#)

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

- Israeli Prime Minister Benjamin Netanyahu stressed the importance of the demilitarization of the Gaza Strip. He stated that this requires Israeli security control and comprehensive security responsibility over all territory west of the Jordan River, including the Gaza Strip. He also added, “There is no alternative to this in the foreseeable future”. He added that “security control will always be ours, and if this requires a presence inside, then there will be a presence inside”, referring to the West Bank and the Gaza Strip. (February 11, 2024). For further details. click [here](#)
- National Security Minister Itamar Ben Gvir emphasizes a zero-tolerance policy towards any threats posed to Israeli citizens and soldiers. He warns of using force if any Palestinian approaches the border. (February 11, 2024) For further details. click [here](#)
- The Knesset Plenum approved in first reading the bill granting power to the Minister of Communications to instruct a content provider to stop the broadcasts of a foreign channel; to instruct the closure of offices of a foreign channel located in Israeli territory; to instruct the seizure of a device serving for provision of content, and to instruct the removal of the website of such a channel. (February 12, 2024). For further details, click [here](#)
- The Israeli government announced that the Special Rapporteur for the Occupied Palestinian Territories, Francesca Albanese, will be prohibited from entering Palestine/Israel. Furthermore, the [Israeli Foreign Minister Israel Katz](#) and Interior Minister Moshe Arbel called for Albanese's dismissal from the United Nations. (February 12, 2024) For further details, click [here](#)

- Israel called on UN relief agencies to assist it in its efforts to evacuate civilians from war zones in Gaza ahead of its ground incursion into the city of Rafah. “We urge U.N. agencies to cooperate,” government spokesman Elon Levy said at a press conference. (February 12, 2024) For further details, click [here](#)
- Israel’s Finance Minister, Bezalel Smotrich, said that he has decided not to transfer the flour shipments intended for UNRWA in the Gaza Strip. He plans to coordinate with the Prime Minister to find alternative distribution mechanisms that wouldn’t reach Hamas. He claimed that UNRWA is an essential part of “the war for the Nazi Hamas terrorists.” (February 13, 2024) For further details, click [here](#)
- The Israeli Prime Minister’s Office announced that Israel will not give in to Hamas's delusional demands, and pointed out that a change in Hamas's positions will allow the negotiations to advance. (February 14, 2024). For further details, click [here](#)
- The Knesset Plenum has passed the Entry into Israel Bill (Amendment—Aggravated Circumstances for Transporting, Housing, and Employing a Foreign Resident Staying in Israel Illegally who Committed an Act of Terrorism or Supported Terrorism). The amendment aims to define aggravated circumstances for offenses related to transporting, housing, and employing an illegal alien, particularly targeting Palestinians, especially those arriving from the Judea and Samaria region (the West Bank), deemed as a serious security threat. (February 14, 2024). For further details, click [here](#)
- Israeli Minister of National Security Itamar Ben Gvir confirmed his rejection of the establishment of the State of Palestine. He [wrote](#): “1,400 people were killed and the world wants to give them a state. This won’t happen!” Israeli Finance Minister Bezalel Smotrich also [stated](#) that: “the State of Palestine poses an existential threat to the State of Israel.” He added that during the meeting of the Political and Security Ministerial Council, he would demand, “a clear and unambiguous decision stating that Israel opposes the establishment of the State of Palestine.”

- Following the Israeli Ministerial Legislation Committee's [approval](#), the Israeli Knesset Plenum granted preliminary approval of a bill to halt the activities of UNRWA in occupied Jerusalem and the 1948 territories. The explanatory notes to the bill state: "The role of UNRWA is to deal with Palestinian refugees only, meaning that there is no room for it to give any services within the territory of the State of Israel, in which there are no Palestinian refugees." They said that UNRWA's institutions serve as fertile ground for committing actions and incitement against the State of Israel. (February 15, 2024) For further details, click [here](#)
- Israel responded to South Africa's request for additional proceedings under Article 75(1) of the Rules of Court before the International Court of Justice (ICJ), in the context of the current escalation in Gaza, by expressing regret and considering the request an abuse of provisional measures. Israel reiterated its stance that South Africa's original submission before the Court lacked merit, citing both factual and legal grounds. Furthermore, Israel characterized the request as an abuse of the Genocide Convention and of the Court itself, calling for the request to be rejected. (February 15, 2024) For further details, click [here](#)

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

- [Oman](#) warned of the serious repercussions of the Israeli occupation forces' plan to invade and target the city of Rafah. It called on the international community to take concrete measures towards Israel and push it to a ceasefire, and to provide humanitarian needs to all parts of the Gaza Strip. It also called for holding Israel fully responsible for the catastrophic effects resulting from its targeting of civilians and property in the Gaza Strip. [Pakistan](#) also condemned the Israeli attack on the city of Rafah City and said that Tel Aviv was "violating" the ICJ provisional measures. [The Organization of Islamic Cooperation](#) (OIC) said that expanding the scope of indiscriminate attacks constitutes an extension of the crime of genocide and defies the ruling of the ICJ.

- **Tedros Adhanom Ghebreyesus, Director-General of the World Health Organization (WHO), said:** “Reports of Israel's plans to evacuate Palestinians from Rafah, in southern Gaza, to expand its ground offensive are extremely worrying. Proceeding with the plans could have gravely devastating consequences for the 1.4 million people who have nowhere else left to go, and who have almost no place left to seek health care.” He added, “All hospitals in Rafah are overwhelmed and overflowing. In the rest of the strip, a majority of hospitals are either minimally or non-functional. WHO appeals to the parties to work towards an immediate ceasefire, including the release of hostages.” (February 11, 2024) For further details, click [here](#)
- **ICC Prosecutor Karim Khan expressed concern over the reported bombardment and potential ground incursion by Israeli forces in Rafah.** Khan stated, “my office is actively investigating any crimes allegedly committed. Those who are in breach of the law will be held accountable.” He further pointed out, “Since my visit to Ramallah last year, I have not seen any discernible change in conduct by Israel. As I have repeatedly emphasized, those who do not comply with the law should not complain later when my office takes action pursuant to its mandate.” He also called for the immediate release of all hostages. (February 12, 2024) For further details, click [here](#)
- **King Abdullah II of Jordan met with US President Joe Biden at the White House and stressed that the war on Gaza is “one of the most devastating wars in recent history”, further emphasizing that “we cannot stand by and let this continue.”** He emphasized the need for a lasting ceasefire. He reaffirmed that, “It is imperative that UNRWA continues to receive the support it needs to carry out its mandate”. (February 12, 2024) For further details, click [here](#)
- **South Africa submitted an “urgent request for additional measures under Article 75 (1)” of the Rules of Court in connection with the “developing circumstances in Rafah” in the case concerning *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*.** (February 12, 2024) For further details, click [here/ here](#)

- UN High Commissioner for Human Rights Volker Türk on Israeli operation into Rafah: “a potential full-fledged military incursion into Rafah – where some 1.5 million Palestinians are packed against the Egyptian border with nowhere further to flee – is terrifying, given the prospect that an extremely high number of civilians, again mostly children and women, will likely be killed and injured.” Türk called on Israel to comply with the legally binding order of the ICJ, and with the full span of international humanitarian law. He added, “Those with influence must restrain rather than enable. There must be an immediate ceasefire. All remaining hostages must be released. And there must be renewed collective resolve to reach a political solution.” (February 12, 2024) For further details, click [here](#)
- A Dutch appeals court ordered its government to ban all exports of the F-35 spare parts to Israel within 7 days. The court said, “There is a clear risk that serious violations of humanitarian law of war are committed in the Gaza Strip with Israel's F-35 fighter planes.” (February 12, 2024) For further details, click [here/here](#)
- UNRWA Commissioner-General Philippe Lazzarini [stressed](#) that: “The temporary suspension of funds to the agency by 16 States could impact UNRWA life-saving services in Gaza and the region in the absence of new contributions in the coming weeks.” On the other hand, Lazarini [warned](#) of the consequences of a possible large military operation in Rafah, stressing that, “there is absolutely no safe place in Rafah anymore. The fear is that the number of people killed and injured might again significantly increase in a conflict where, I reminded, already more than 100,000 people have been either killed or injured or are missing”.
- In an interview with FAO Newsroom, Deputy Director-General Beth Bechdol, responsible for overseeing the organization’s work in emergencies, emphasized the dire situation in Gaza: “There are unprecedented levels of acute food insecurity, hunger, and near famine-like conditions in Gaza.” Using the IPC phase classifications—IPC 3, 4, and 5, ranging from emergency to crisis to catastrophe—Bechdol noted that all 2.2 million people in Gaza fall within these three categories. (February 12, 2024) For further details, click [here](#)

- The UK Foreign Secretary has [announced](#) sanctions on 4 extremist Israeli settlers who have committed human rights abuses against Palestinian communities in the West Bank. He stated that the UK government has continued to call for Israel to take action against those responsible for settler violence, release frozen funds to the Palestinian Authority and halt settlement expansion. Similarly, [France](#) is adopting sanctions against extremist Israeli settlers who have been guilty of violence against Palestinian civilians in the West Bank. In this regard, 28 individuals have been targeted by an administrative ban on entering French territory.
- UN relief chief, Martin Griffiths, cautions that military operations in Rafah could result in a massacre in Gaza, jeopardizing an already fragile humanitarian operation where people have little to eat, limited access to medical care, nowhere to sleep, and nowhere safe to go. (February 13, 2024) For further details, click [here](#)
- A number of United Nations experts warned of what they described as “unjustified” restrictions imposed by states on peaceful protests and civilians defending human rights in the context of the war on Gaza, stressing the importance of respecting the rights of peaceful assembly and expression. The experts also called on Western countries to reverse the suspension of funding for civil society organizations in Palestine and Israel. (February 13, 2024) For further details, click [here](#)
- The South African Government stated that it had submitted an urgent request to the ICJ to consider Israel’s decision to expand its military operations in Rafah. It explained that through the request it asked the court to determine whether this requires the use of its authority to prevent further violations of the rights of Palestinians in the Gaza Strip. (February 13, 2024) For further details, click [here](#)
- The Secretary-General of the United Nations, António Guterres, expressed concern about the deteriorating conditions and security related to the delivery of humanitarian aid in Gaza. The Secretary-General pointed to the collapse of public order in Gaza and spoke about the restrictions imposed by Israel that limit the distribution of aid. He said that a potential large-scale military

operation in Rafah would have devastating consequences. (February 13, 2024) For further details, click [here](#)

- The Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) strongly condemns the threats of an Israeli invasion into the city of Rafah, the last refuge of about 1.5 million forcibly displaced Palestinians in the Gaza Strip who are staring death in the face without access to food, medical care, and safe shelter. The CEIRPP Bureau reiterates its calls for an immediate ceasefire and a halt to any plans for a military incursion into Rafah. (February 14, 2024) For further details, click [here](#)
- The World Food Program (WFP) warned that the escalation of Israeli arrests and restrictions in the West Bank is increasing the rate of hunger among Palestinians. It pointed to the loss of hundreds of thousands of work permits in Israel and the impact of restrictions on movement, which poses a threat to the economic and humanitarian situation. The Deputy Country Director of the program stressed that, “there is an urgent need for more funding to help these people in need and who are really suffering due to the impact of the Gaza war on the West Bank.” (February 14, 2024) For further details, click [here](#)
- [The US State Department](#) condemned the Israeli occupation’s demolition of the home of Fakhri Abu Diab, an activist who defends Jerusalemites and opposes settlements, in the town of Silwan in occupied Jerusalem. It emphasized that, “These acts obstruct efforts to advance a durable and lasting peace and security that would benefit not just Palestinians, but Israelis; they damage Israel’s standing in the world.” [The Organization of Islamic Cooperation](#) also condemned the demolition of Abu Diab’s house for settlement purposes, and called for international protection for the Palestinian people and an end to the occupation.
- The United Nations Special Rapporteur on the situation of human rights in the occupied Palestinian territory, Francesca Albanese, described Israel’s decision to ban her from entering the country as nothing new and must not distract from atrocities being committed in Gaza. Albanese said, “Since Israel’s 2008 detention and deportation of the UN Special Rapporteur Richard Falk, the State of

Israel has prevented the entry of all UN Special Rapporteurs on the situation of human rights in the Palestinian territories occupied since 1967." Despite condemning the attack on October 7th, Albanese said that she "also felt compelled to challenge a persistent misinterpretation of the root causes...particularly in Western countries", namely that the attack was primarily motivated by antisemitism. (February 15, 2024) For further details, click [here](#)

- [Canada](#), Australia, and New Zealand issued a joint statement calling for an immediate humanitarian ceasefire in the Gaza Strip. The Prime Ministers of the three countries stated, "We are gravely concerned by indications that Israel is planning a ground offensive into Rafah. A military operation into Rafah would be catastrophic." The statement called for the immediate release of hostages while emphasizing the urgent need for humanitarian assistance. (February 15, 2024) For further details, click [here](#)
- [The European Union](#) expressed its concern about the Israeli government's plans for a ground operation in Rafah and called on the Israeli government not to take military action in Rafah. It emphasized the importance of protecting civilians and adhering to the ruling of the ICJ. It also reiterated its call for Hamas to release the hostages. [The Korean Foreign Ministry](#) issued a similar statement in this regard.
- The ICJ issued a decision regarding South Africa's request for additional provisional measures in the Gaza genocide case (South Africa v. Israel). The court stated that "this perilous situation demands immediate and effective implementation of the provisional measures indicated by the Court in its Order of 26 January 2024, which are applicable throughout the Gaza Strip, including in Rafah, and does not demand the indication of additional provisional measures." It emphasized Israel's duty to comply with the Genocide Convention and the court's ruling. (February 16, 2024) For further details, click [here](#)

- The Commissioner-General of UNRWA, Philippe Lazzarini, believes that Israel is conducting a concerted campaign aimed at destroying his agency, and emphasized that Israel's demand for his resignation would not improve the situation at UNRWA. He added: "It is a long-term political goal because it is believed that if the aid agency is abolished, the status of the Palestinian refugees will be resolved once and for all -- and with it, the right of return." (February 17, 2024) For further details, click [here](#)
- UNRWA stated that 84% of healthcare facilities in the Gaza Strip were affected as a result of the war. It published footage showing the destruction of civilian infrastructure in the sector, including some health centers. It indicated that more than 70% of all civilian infrastructure had been "destroyed or suffered severe damage." (February 16, 2024) For further details, click [here](#)

Publications of human rights NGOs

- The Arab Center for the Advancement of Social Media "7amleh" and other civil society organizations sent a message to Meta's CEO, Mark Zuckerberg, urging the company to recognize its crucial role and responsibility, to adhere to business and human rights principles as well as international human rights law in safeguarding freedom of expression. They call on Meta to not treat "Zionist" as a proxy in their hate speech policy but instead implement policy changes that will actually create a safer digital space for all. (February 11, 2024) For further details, click [here](#)
- Amnesty International published a report showing new evidence of deadly unlawful attacks in the occupied Gaza Strip. The evidence demonstrates how Israeli forces continue to flout international humanitarian law, obliterating entire families with total impunity. (February 12, 2024) For further details, click [here](#)
- A group of international humanitarian and human rights organizations have sent a letter to the Prime Minister of the United Kingdom regarding Rafah. The letter emphasizes the necessity for the UK to demand that Israel immediately cease its offensive into Rafah and call for an immediate ceasefire. (February 12, 2024) For further details, click [here](#)

- The Israeli organization "Gisha" issued a [statement](#) expressing serious concern about further ramp up military operations in Rafah and the potential commission of further atrocities and threats to entry and distribution of vitally-needed aid. The Cairo Institute for Human Rights Studies also issued a [statement](#) regarding the military operation on Rafah, and calls upon the international community to uphold its obligation to prevent genocide in Gaza and refrain from supporting Israel's genocidal acts.
- Federation Of Arab Journalists strongly condemns the barbaric attacks by the Israeli occupation forces on journalists, as they have resulted in the killing of 120 journalists since October 7th of last year. (February 13, 2024) For further details, click [here](#)
- The BADIL Resource Center for Palestinian Residency and Refugee Rights presented a written statement to the Human Rights Council, emphasizing that the decision to cut funds to UNRWA severely hampers its ability to deliver life-saving assistance in Gaza and essential services to Palestinian refugees in other areas of operation. The statement highlights that these actions not only align with Israel's objective of eliminating UNRWA and the Palestinian refugee issue but also contradict the ICJ's provisional measures. (February 13, 2024) For further details, click [here](#)
- J Street sent a message to President Biden urging him to boldly state America's readiness to recognize a demilitarized state of Palestine as the centerpiece of a comprehensive regional diplomatic initiative. (February 13, 2024) For further details, click [here](#)
- Agence Média Palestine published a statement in French titled, "Gaza: Israel has killed 116 Palestinian journalists since October 7, 2023." (February 13, 2024) For further details, click [here](#)
- Jewish Voice for Peace published a statement entitled, "Rafah: The penultimate step in Israel's march of genocide." (February 14, 2024) For further details, click [here](#)
- Al Mezan, Al-Haq, and Palestinian Centre for Human Rights (PCHR) welcome the recent statement made by the Prosecutor of the ICC, Karim A. A. Khan KC, concerning the reported impending expansion of the ground offensive by Israeli forces in Rafah and the recurrent bombardments of the area. The organizations emphasize that while this statement is significant, the catastrophic

conditions faced by 2.3 million Palestinians in Gaza demand concrete action. (February 14, 2024) For further details, click [here](#)

- Peace Now published a list of tenders, issued by the Israeli Ministry of Housing, for the construction of 523 units in eight settlements in the West Bank. (February 14, 2024) For further details, click [here](#)
- Palestinian Return Centre published a report, in Arabic, titled, “Defunding UNRWA - Dissolving the Agency and Perpetuating the Crisis in Gaza” which highlights some of the facts on targeting the UNRWA in Gaza. (February 14, 2024) For further details, click [here](#)
- Médecins Sans Frontières (MSF) strongly condemns the decision by Israeli Forces to issue an evacuation order to thousands of displaced people sheltering inside Nasser hospital, in Khan Younis, the largest medical facility in southern Gaza, Palestine. (February 15, 2024) For further details, click [here](#)

Opinion Pieces and features

- The Guardian published an opinion piece by Nesrine Malik titled: “Israel’s assault on Gaza is exposing the holes in everything liberal politicians claim to believe.” (February 11, 2024) For further details, click [here](#)
- The Middle East Institute published an expert opinion article by Ahmad Awad titled: “Suspending UNRWA funding is collective punishment for Palestinians.” (February 12, 2024) For further details, click [here](#)
- Counter Punch published an article by Daniel Falcone titled: “Attempts to Discredit UNRWA Threatens Its Funding.” (February 12, 2024) For further details, click [here](#)
- Counter Punch published an article by Jamal Kanj titled: “Defunding UNRWA: The Last Phase of Israeli Genocide.” (February 12, 2024) For further details, click [here](#)

Human rights conferences and events

- Over 3,900 academics across the United States have signed a letter addressed to President Joe Biden, expressing their disapproval of his administration's ongoing policy in Israel-Palestine, particularly regarding the Gaza Strip, and offering advice for a better way forward. They also reject the use of antisemitism as a means to silence legitimate criticism of Israeli state policies and those advocating for Palestinian human rights. The letter highlights that not only is the United States at risk of being complicit in the commission of genocide, but it would also be violating its obligation to prevent genocide if it does not take every measure at its disposal to ensure the implementation of the ICJ ruling. (February 14, 2024) For further details, click [here](#)