

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 and Expatriates (MOFAE) stresses the imperative for global acknowledgment of the escalating humanitarian crisis and the hindrance of aid, considering them as instruments in Israel's campaign of extermination and displacement. The ministry underscores that the international community is cognizant of these harsh realities and is aware of the positions and strategies to address them. Additionally, it highlights the urgent need for imposing robust international sanctions on Tel Aviv's leadership to ensure their commitment to protecting civilians. (March 5, 2024). For further details, click [here](#).

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

- The Defense Ministry body that authorizes settlement construction advanced plans for 3,426 new Israeli homes to be built beyond the Green Line. It approved projects to build 2,402 new settlement units in Ma'ale Adumim, 694 units in Efrat and 330 units in Keidar which are established on citizens' lands south of occupied Jerusalem. (March 5, 2024). For further details, click [here](#) / [here](#)
- An investigation by Israeli newspaper Ha'aretz revealed that 27 Gazan detainees have died in custody at Israeli military facilities since the beginning of the war in October 2023. The report indicated that the Israeli Defense Forces (IDF) did not disclose information about the circumstances of their deaths, but noted that some were wounded in combat and others suffered from a complex medical condition prior to their arrest. (March 7, 2024). For further details, click [here](#)

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

- Adele Khodr, the regional director of UNICEF for the Middle East and North Africa, called for security assurances and unimpeded passage to distribute aid in Gaza, where children suffering from malnutrition are slowly perishing under the world's gaze. She emphasized the necessity of empowering humanitarian agencies and providing multiple entry points and unimpeded passage for aid distribution to overcome the humanitarian crisis and prevent famine. She added, "Now, the child deaths we feared are here and are likely to rapidly increase unless the war ends." (March 3, 2024). For further details, click [here](#)
- Dmitry Polyanskiy, the Deputy Permanent Representative of Russia to the United Nations, said, "We regret that the UN Security Council once again failed to reflect in its products a clear call for an immediate humanitarian ceasefire in Gaza." Polyanskiy added that the Security Council is obliged to return to drafting a resolution with a demand for an immediate ceasefire. (March 3, 2024). For further details, click [here](#)

- During a meeting with Sigrid Kaag, United Nations Head of Humanitarian Affairs and Reconstruction for the Gaza Strip, the Secretary-General of the Arab League, Ahmed Aboul Gheit, stated that depriving Palestinians of life-saving essential aid amounts to a death sentence and collective punishment. He stressed that the international community bears responsibility for this tragedy, emphasizing the priority of achieving an immediate ceasefire. (March 3, 2024). For further details, click [here](#)
- UN Special Rapporteur Michael Fakhri stated that, “The only way to end/prevent this famine is an immediate ceasefire. And the only way to get a ceasefire is to sanction Israel.” (March 3, 2024). For further details, click [here](#)
- The Foreign Ministers of the Gulf Cooperation Council (GCC) countries reiterated the council's unwavering position on the centrality of the Palestinian issue and the necessity of ending Israeli occupation. They urged all nations to recognize the State of Palestine and collectively undertake immediate measures to realize a lasting solution, ensuring the establishment of an independent Palestinian state with East Jerusalem as its capital. This should encompass the right of return for refugees and facilitate full Palestinian membership within the United Nations. (March 3, 2024). For further details, click [here](#)
- The President of the United Nations General Assembly, Dennis Francis, affirmed that, “the situation in Gaza is catastrophic, unconscionable, and shameful.” He reiterated that an immediate humanitarian ceasefire must be implemented and unimpeded access to humanitarian assistance by those in need must be ensured. (March 4, 2024). For further details, click [here](#)
- Germany announced its firm position in its opposition to a potential Israeli resettlement of Gaza. The spokesperson for the German Foreign Ministry emphasized that Israeli settlements are considered violations of international law and are illegal. (March 4, 2024). For further details, click [here](#)

- In a statement by the Permanent Representative of France, Nicolas de Rivière, to the General Assembly: France believes that “UNRWA is at the forefront of providing assistance to civilians in Gaza.” While welcoming the measures taken by the Secretary-General of the UN regarding Israeli accusations against 12 UNRWA employees alleged to have contributed to the events of October 7, France stressed that, “Israel must cooperate fully with the investigators, and the United Nations must have all the information it needs to document these allegations.” France also called for an immediate and lasting ceasefire, and demanded the immediate and unconditional release of all hostages. (March 4, 2024). For further details, click [here](#)
- The Spanish Foreign Minister, José Manuel Albares, announced before the Joint Committee of the European Union the start of his government's imposition of sanctions on a first group consisting of 12 violent settlers from the West Bank, where the government will prohibit these individuals from entering Spain. He reiterated the call for an immediate and permanent ceasefire, the release of hostages, and the necessity of continuing to fund UNRWA. He added, “The establishment of a realistic and viable Palestinian state, including the West Bank and Gaza, under a unified Palestinian national authority connected by a corridor, with access to the sea, a port, and its capital in East Jerusalem is the only thing that can ultimately ensure Israel's security and peace in the region.” (March 4, 2024). For further details, click [here](#)
- The United Nations High Commissioner for Human Rights, Volker Türk, warned that the war in Gaza's “powder keg” could lead to a broader conflagration in the Middle East. Türk told the Human Rights Council in Geneva: “I am deeply concerned that in this powder keg, any spark could lead to a much broader conflagration. This would have implications for every country in the Middle East, and many beyond it.” He added, “Incidents in which civilians, including children, paramedics, and journalists, have been killed in attacks must be fully investigated.” (March 4, 2024). For further details, click [here](#)

- In a statement addressed to the President of the UN General Assembly, UNRWA Commissioner-General Philippe Lazzarini issued a stark warning, stating that the agency had reached a “breaking point” with Israel’s repeated calls to dismantle it and freeze donor funding, in the face of unprecedented humanitarian needs in Gaza. He declared that the agency’s ability to fulfill its mandate under General Assembly Resolution 302 “is seriously threatened.” Lazzarini urged member states to facilitate a “political solution that will bring peace to Palestinians and Israelis,” and emphasized that the financial crisis confronting UNRWA “must be resolved so it can continue its life saving operations.” (March 4, 2024). For further details, click [here](#)
- Ambassadors in the UN General Assembly met to discuss the dire humanitarian situation in Gaza and the critical work of the UN agency for Palestine refugees, UNRWA, which is facing an existential threat, hearing a briefing by its Commissioner-General, Philippe Lazzarini, and holding a heated debate on the US veto of the latest Security Council draft resolution calling for a ceasefire in the war-torn enclave. (March 4, 2024). For further details, click [here](#)
- Australia urges Israel to provide evidence for allegations that UNRWA staff were involved in the 7th October attacks. Australia also wants details of UNRWA reform before humanitarian funding is restored. (March 5, 2024). For further details, click [here](#)
- Manu Pineda, Chair of the European Parliament delegation for relations with Palestine, strongly condemned the killing of hundreds of Palestinian civilians attempting to obtain food from a humanitarian convoy. Pineda noted: “Shooting at civilians, seeking access to essential provisions is unacceptable.” High Representative Josep Borrell also has called for “an impartial international investigation on this tragic event allowing for a clear picture of the events and responsibilities.” (March 5, 2024). For further details, click [here](#)

- The World Health Organization (WHO) has [highlighted](#) the urgent need for the medical evacuation of an estimated 8,000 patients from Gaza. Dr. Rik Peepkorn, the UN WHO Representative for the Occupied Palestinian Territory, [reported](#) that a WHO team managed to access Al-Shifa Hospital in the north, delivering fuel and essential supplies to 150 patients, treating 50 severely malnourished children, and administering vaccines. Dr. Peepkorn noted that the pediatric unit of the hospital, where 10 children reportedly died of hunger and dehydration in recent days, is 'overwhelmed with patients'. Statements from experts, including Michael Fakhri, the Special Rapporteur on the right to food, underscored Israel's denial of humanitarian aid into Gaza City and northern Gaza for over a month.
- The High Representative of the European Union for Foreign Affairs and Security Policy, Josep Borrell, said that the bloody incident in Gaza on February 29, which resulted in the death of 100 Palestinians trying to reach some food, is the direct consequence of limiting humanitarian assistance to a starving population. He called on the international community to take decisive steps to save civilians in Gaza from starvation and violence, impose an immediate cessation of fighting, and address the root cause of the current escalation. He further stated, "there is only one viable and sustainable way to achieve peace: a sovereign, secure and peaceful Palestinian state, alongside a sovereign, secure and peaceful State of Israel." (March 5, 2024). For further details, click [here](#)
- The United Nations Special Rapporteur on the right to adequate housing, Balakrishnan Rajagopal, affirmed that the scale and severity of the destruction in Gaza is "far worse" than in Aleppo, Mariupol or even Dresden and Rotterdam during the Second World War," and noted that more than 70% of the total housing stock in Gaza is damaged. He added that for damage or destruction, everything that makes housing "adequate" – access to services, jobs, culture, schools, religious places, universities, hospitals – have all been levelled." The Special Rapporteur recalled his call, along with other UN experts, to stop arms transfers to Israel, which "destroy housing and displace the people in Gaza." (March 5, 2024). For further details, click [here](#)

- UN experts condemn ‘flour massacre’, urge Israel to end campaign of starvation in Gaza. “Israel must end its campaign of starvation and targeting of civilians.” the UN experts said. The experts reiterated their earlier call for an arms embargo and sanctions on Israel. (March 5, 2024). For further details, click [here](#)
- In his meeting with Israeli Defense Minister Benny Gantz, British Foreign Secretary David Cameron called for an immediate humanitarian pause, increased capacity for aid distribution inside Gaza, increased access by land and maritime routes, and an expansion of the types of humanitarian assistance allowed into Gaza. He stressed Israel's legal responsibility as an occupying power to ensure the aforementioned, highlighting that this duty carries implications, such as the UK's evaluation of Israel's adherence to international humanitarian law. (March 6, 2024). For further details, click [here](#)
- South Africa urgently petitioned the International Court of Justice (ICJ) to impose new provisional measures on Israel in response to the large-scale famine in Gaza. The request urged the court to consider additional provisional measures or amend the ones issued on January 26, including issuing an order to cease hostilities, lifting the Gaza blockade, promptly releasing all hostages and detainees, and compelling all Parties to the Genocide Convention to refrain from any action, and in particular any armed action or support thereof, which might prejudice the right of the Palestinians in Gaza to be protected from acts of genocide and related prohibited acts. (March 6, 2024). For further details, click [here](#)
- The Organization of Islamic Cooperation (OIC) condemns the ongoing Israeli colonial settlement policy in the occupied Palestinian territory, particularly denouncing the recent approval of approximately 3,500 new settlement units. The OIC has called for an immediate cessation of all crimes and violations perpetrated by the occupation. (March 7, 2024). For further, click [here](#)

- Chinese Foreign Minister Wang Yi stressed the urgency for the international community to swiftly prioritize achieving an immediate ceasefire and ending hostilities. He emphasized the moral obligation to ensure humanitarian relief and expressed China's support for Palestine's accession as an official member of the United Nations, stressing that the historical injustice suffered by the Palestinian people must be corrected. (March 7, 2024). For further details, click [here](#) / [here](#)
- On International Women's Day, the League of Arab States issued a statement condemning the Israeli escalation in the Palestinian territories and highlighted the challenges faced by women and girls in accessing fundamental services. The League called for the protection of women and girls and urged an end to all forms of violence against them (March 7, 2024). For further details, click [here](#)
- [United Nations Human Rights Chief Volker Türk](#) condemned the Israeli plan to build about 3,476 new settlement units in the West Bank, noting that it contravenes international law. He stressed that the drastic acceleration in settlement building is exacerbating long-standing patterns of oppression, violence and discrimination against Palestinians. In addition, the United Nations Coordinator for the Middle East Peace Process, Tor Wennesland, [said](#) that settlement expansion is still a driver of the conflict in the occupied West Bank, further entrenching the occupation and undermining the Palestinians' right to self-determination and establishing their independent state.
- In his speech at the Human Rights Council, UN Special Rapporteur on the right to food, Michael Fakhri, said that Israel's actions extend beyond restricting the flow of humanitarian aid to Gaza. He asserted that Israel is destroying the food system in Gaza which includes targeting small-scale fishermen by denying them access to the sea as well as destroying boats and shacks. (March 7, 2024). For further details, click [here](#)

- US President Joe Biden called for an immediate, temporary ceasefire in the Gaza Strip for a period of six weeks. He said that Israel cannot use aid as a bargaining chip. Biden added that he had instructed the US army to lead an emergency mission to establish a temporary pier in the Mediterranean Sea on the coast of Gaza, to receive large ships carrying food, water, medicine, and temporary shelters, stressing that there would be no American boots on the ground. He urged Israel to do its part by allowing more aid into the Gaza Strip, and to ensure that humanitarian workers are not caught in the crossfire. He reiterated that the only real solution is the two-state solution. (March 7, 2024). For further, click [here](#)
- UN experts urge the international community to step up pressure to end crimes, uphold international law and save lives in Gaza. The experts urge states “to use all available legal means under international law, including the jurisdiction of national courts over international crimes, to investigate and bring to justice those responsible for war crimes and crimes against humanity”. (March 7, 2024). For further, click [here](#)
- The European Commission, Germany, Greece, Italy, the Netherlands, the Republic of Cyprus, the United Arab Emirates, the United Kingdom, and the United States jointly announced support for the activation of a Maritime corridor to deliver humanitarian assistance to the Gaza Strip. The announcement was prompted by Cyprus’ leadership declaration of the establishment of the “Amalthea” initiative, which outlines a safe mechanism for transporting aid by sea from Cyprus to Gaza. (March 8, 2024). For further details, click [here](#)
- The spokesperson for the United Nations High Commissioner for Human Rights, Jeremy Lawrence, warned that the already catastrophic situation may deteriorate further if Israel launches a military offensive into Rafah. He expressed his concern over Israeli restrictions on Palestinian access to East Jerusalem and Al-Aqsa Mosque during Ramadan. He further stressed the necessity to stop the conflict and release the hostages. (March 8, 2024). For further details, click [here](#)

- [Saudi Arabia, the UAE, Kuwait](#), and [Qatar](#) all condemned the Israeli government's approval to build thousands of new settlement units in the West Bank, warning that the decision hinders peace and stability in the region. (March 6/7, 2024).
- Sweden and Canada have declared the resumption of funding for the UN agency for Palestinian refugees (UNRWA). (March 9, 2024). For further details, click [here](#)

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Publications of human rights NGOs

- The Australian Center for International Justice (ACIJ) and the Palestinian Center for Human Rights (PCHR) have presented the Australian government with a detailed dossier showing the involvement of former Israeli army Major General Doron Almog in war crimes in Gaza between 2001 and 2003, which included the killing of children and the demolition of homes. The organizations urged for the cancellation of any visa issued to him. They further stated that if the Australian government allowed Almog to enter, it must refer him for criminal investigation and prosecution. (March 3, 2024). For further details, click [here](#)
- Actionaid warns of a catastrophic humanitarian situation in northern Gaza, with one-quarter of Gaza's population being one step away from famine and more than a dozen children dying from malnutrition in the north of the enclave. The organization confirmed that the increasing attacks on aid distribution along with the reduction in funding provided to major aid agencies such as UNRWA, complicate the humanitarian situation. The organization emphasized that the immediate priority in Gaza is to end the war. (March 6, 2024). For further details, click [here](#)
- A Wall Street Journal investigation found that since October 7, Israeli settlers have rapidly built roads and illegal outposts throughout the West Bank. The newspaper pointed out that some of these works are partially funded by the Israeli government, and are carried out under the protection of the Israeli army. (March 7, 2024). For further details, click [here](#)

- The "No Tech For Apartheid Campaign" highlighted that Google fired a Google Cloud engineer after he spoke out against the company's complicity in Israel's genocide against the Palestinian people, in a video that went viral. The campaign said that Google is trying to silence workers to hide its moral failings, as it is enabling the world's first AI-powered genocide through Project Nimbus. (March 7, 2024). For further details, click [here](#)

Opinion Pieces and features

- DeMorgen Magazine published an article by the deputy prime ministers of Belgium and Spain, Petra De Sutter and Yolanda Diaz, entitled: "Europe must put its words into action: peace is a verb". The ministers called for suspending the EU Association Treaty with Israel, imposing a general arms embargo, or even imposing sanctions. (March 4, 2024). For further details, click [here](#)
- Arab Center Washington DC published a report by Jonathan Kuttab, entitled: "The ICJ case on the Israeli occupation". (March 4, 2024). For further details, click [here](#)
- Al Majalla published an article by the scholar Nikolaos Van Dam, entitled: "It's time to force Israel into a meaningful peace". (March 6, 2024). For further details, click [here](#)
- The International Bar Association published an article by Anne McMillan, entitled: "Israel-Gaza: the International Court of Justice wields soft power." (March 7, 2024). For further details, click [here](#)

Legal Achievements/Impacts for Palestine

- The Chilean Ministry of National Defense announced that, by decision of the government, Israeli companies will not be allowed to participate in the 2024 edition of the International Air and Space Exhibition (FIDAE), scheduled to take place from April 9 to 14. (March 5, 2024). For further details, click [here](#)

- The Norwegian government issued a formal advice to Norwegian companies against any trade and business activities with Israeli illegal settlements in the occupied territories. (March 7, 2024). For further details, click [here](#)

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- The European Legal Support Center (ELSC) announced that the UK has fully withdrawn false allegations against academic members of the newly established UK Research and Innovation (UKRI) Advisory Board on Equality, Diversity and Inclusion. The academics had been publicly attacked for their views on the situation in Palestine and were accused of espousing “extremist” views. The allegations were withdrawn after legal measures were initiated. (March 7, 2024). For further details, click [here](#).

Human rights conferences and events

- A group of 28 former Dutch diplomats has urged the Dutch government to cease its support for Israel, stating that the Netherlands' backing of Israel is "utterly objectionable" and represents a significant undermining of the international legal order and peace. They are calling on both the Senate and the government to abstain from ratifying the existing defense treaty. (March 4, 2024). For further details, click [here](#)
- Birchgrove Legal, a law firm, announced that it has referred a file regarding Australian Prime Minister Anthony Albanese to the International Criminal Court (ICC) as an accessory to the genocide in Gaza, under Article 15 of the Rome Statute. A team of Australian lawyers accused him of complicity through actions such as freezing funds to UNRWA, providing military aid to Israel, ambiguously deploying an Australian military contingent to the region and permitting Australians to travel to Israel to join the IDF. (March 5, 2024). For further details, click [here](#)
- A group of Canadians and Palestinians have filed a lawsuit against the Canadian government in federal court to stop arms exports to Israel. The lawsuit held the Canadian government responsible for promoting military exports to Israel despite credible reports of serious violations of international law during the conflict in Gaza. (March 5, 2024). For further details, click [here](#)

Upcoming human rights opportunities and events

Call for Papers: Exploring International Law, the Global South, and the Question of Palestine in the South African Journal on Human Rights. For further details, click [here](#)