

Palestine's Legal Scene

Your weekly survey of the most important publications and activities related to Palestine, from local and international sources

Page | 1

Issue.221 | 24 - 30 March 2024

Issued every Sunday

By Law for Palestine

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

Translation: Mays Abu Atwan and Asma Louzon

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 Ministry of Foreign Affairs and Expatriates (MOFAE) strongly condemns Israel's decision to block UNRWA from delivering aid to northern Gaza. This dangerous move worsens famine and starvation in the region. MOFAE accuses Israel of targeting and seeking to dismantle UNRWA, part of a broader strategy to alter Gaza's identity and eliminate the Palestinian cause.** (March 24, 2024) For further details, click [here](#)
- **Palestinian MOFAE strongly condemns Israeli authorities for blocking West Bank Christian citizens from entering Jerusalem for Palm Sunday, labeling it a crime against humanity. This reflects Israel's policy of segregating Jerusalem and perpetuating racist colonization. The Ministry also denounces extremist settlers' provocations at Al-Aqsa Mosque and calls for full implementation of UNSC Resolution 2334, demanding international protection for Palestinians and sanctions on the occupying power.** (March 24, 2024) For further details, click [here](#)

SUBSCRIBE NOW TO RECEIVE
OUR WEEKLY REPORTS

SUBSCRIBE

CHECK OUT THE PREVIOUS
WEEKLY REPORTS

MORE

- **The Palestinian MOFAE emphasized that the primary responsibility for achieving a ceasefire, protecting civilians, and bringing in aid falls upon the countries supporting Israel. The ministry added that recognizing Palestine as a state is crucial for preserving the idea of a two-state solution and ultimately achieving peace. (March 25, 2024) For further details, click [here](#)**

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

- **Israeli Prime Minister Benjamin Netanyahu canceled the Washington Delegation after the U.S. abstained from using its veto power on a resolution calling for an immediate ceasefire in the Gaza Strip. Netanyahu stressed that this position is considered a retreat from the previous American stance, which negatively impacts the Israeli war effort in the Gaza Strip. (March 25, 2024) For further information, click [here](#).**
- **After the UN Security Council voted in favor of an 'immediate ceasefire,' Israeli Defense Minister Yoav Gallant announced that Israel would not stop its war in Gaza until Hamas releases the hostages. He stated, "We have no moral right to stop the war while there are still hostages being held in Gaza," noting that failure to achieve a decisive victory in Gaza may bring them closer to war in the north. (March 25, 2024) For further information, click [here](#).**

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

- **[The European Union](#) strongly condemned the Israeli Finance Minister Bezalel Smotrich's announcement regarding the confiscation of more than 800 hectares of land in the occupied Palestinian territories, labeling it a severe violation of international humanitarian law. Reaffirming the stance of EU leaders, the Union criticized Israel's ongoing expansion of illegal settlements in the occupied West Bank and urged for the reversal of these decisions. Furthermore, the EU affirmed its stance of not recognizing any alterations to the 1967 borders unless mutually agreed upon by both parties. The [Spanish](#) and [German](#) foreign ministries also condemned the announcement of confiscation.**
- **The Organization of Islamic Cooperation (OIC) condemned the Israeli occupation's decision to seize 8,000 dunams in the northern Jordan Valley of the West Bank, stating that it represents an escalation in the commission of more crimes, illegal measures, and a flagrant violation of international law. (March 24, 2024) For further details, click [here](#).**

- **[The Commissioner-General of UNRWA](#), Philippe Lazzarini, criticized Israel's decision to prevent UNRWA from sending aid to the northern Gaza Strip, describing it as “outrageous” and intentional as it obstructs lifesaving assistance during a man-made famine. In the same context, **[the Director-General of the World Health Organization \(WHO\)](#), Tedros Adhanom Ghebreyesus, criticized the Israeli decision, emphasizing the urgent need to reverse it. He added that, “All efforts to deliver food should not only be permitted but there should be an immediate acceleration of food deliveries.” (March 24, 2024)****
- **In a statement, the German Foreign Ministry emphasized the necessity of opening additional border crossings between Israel and Gaza to stop the famine, while reaffirming Israel's right to defend itself against “ Hamas terror ” and emphasizing the need for the Israeli army to respect international humanitarian law. The ministry stressed that it is seeking, in cooperation with its partners such as the United States and Qatar, to achieve a humanitarian pause to prevent even more people from dying in Gaza and to release the Israeli hostages. It also emphasized that there can only be a long-term prospect of peace for people in the region if Palestinians also have their state. (March 24, 2024) For further details, click [here](#)**
- **The United Nations Special Rapporteur on Violence against Women and Girls, Reem Al-Salem, expressed her concern about the increasing cases of rape committed by the Israeli occupation forces against women in Gaza. She clarified that, “it is abhorrent that such reports of sexual violence continue unabated - not to mention that this is but one of multiple forms of violence that Palestinian women are subjected to on the basis of being Palestinian and being women.” She emphasized that rape and other forms of sexual violence can be considered war crimes or crimes against humanity or a constitutive act with respect to genocide. (March 24, 2024) For further details, click [here](#)**
- **In response to the decision by the U.S. Congress to suspend funding for UNRWA for one year, the Secretary-General of the United Nations expressed deep regret over the decision and emphasized the importance of maintaining funding for the organization. He emphasized the ongoing efforts to strengthen and improve UNRWA, alongside the necessity of implementing a humanitarian ceasefire in Gaza to effectively address the humanitarian crisis and adhere to the principles of the United Nations and international law, without employing double standards. (March 25, 2024) For further details, click [here](#)**

- **Irish Minister for Foreign Affairs and Minister for Defence, Micheál Martin, confirmed that the Israeli use of starvation in Gaza as a weapon of war is a blatant violation of international humanitarian law. He added that Israel's prevention of UNRWA aid into north Gaza is completely unacceptable and a 'moral outrage'. (March 25, 2024) For further details, click [here](#)**
- **[The United Nations Security Council adopted Resolution 2728 \(2024\)](#), calling for an immediate ceasefire in the Gaza Strip during the month of Ramadan. It emphasized the need for the immediate and unconditional release of hostages and ensuring humanitarian access to meet medical and humanitarian needs. It also called for the expansion of humanitarian aid flow and the protection of civilians in the Gaza Strip, while reaffirming the necessity of lifting all barriers hindering aid delivery. Following the resolution, both [the Secretary-General of the United Nations, António Guterres](#), and the [EU High Representative for Foreign Affairs, Josep Borrell](#), emphasized the need for its implementation.**
- **In a recent [report](#) to the United Nations Human Rights Council, United Nations Special Rapporteur Francesca Albanese emphasized the existence of credible evidence suggesting that genocide may have occurred against Palestinians in Gaza. Francesca urged states to ensure that Israel and third parties fulfill their obligations under the Convention on the Prevention and Punishment of the Crime of Genocide. (March 25, 2024) For further details, click [here](#)**
- **James Elder, spokesperson for the United Nations International Children's Emergency Fund (UNICEF), highlighted two critical concerns crucial for the survival of people in Gaza: the safety of those in Rafah and aid delivery. Describing Rafah and Khan Yunis as 'unrecognizable,' he underscored the catastrophic impact of the war in Gaza on the population, stating that the devastation witnessed there "has shattered humanity's records for its darkest chapters." Stressing the urgency for swift action, Elder emphasized the imperative for humanity to "urgently write a different chapter." (March 26, 2024) For further information, click [here](#).**
- **The German government has made a new contribution of 45 EUR million to support UNRWA's operations in Jordan, Lebanon, Syria, and the West Bank. UNRWA Commissioner-General Philippe Lazzarini said that, "With these new contributions, Germany is now our top donor." (March 26, 2024) For further information, click [here](#)**

- **Ireland has announced that it will intervene in the case initiated by South Africa against Israel under the Genocide Convention at the ICJ.** (March 27, 2024) For further information, click [here/here](#)
- **The ICJ issued additional provisional measures in the case concerning the application of the Convention on the Prevention and Punishment of the Crime of Genocide in Gaza (South Africa v. Israel), recognizing the exacerbation of the situation in Gaza, including famine. The court affirmed previous measures and ordered Israel to ensure the provision of humanitarian assistance without obstacles and refrain from committing acts that violate the rights of Palestinians under the Genocide Convention. It added that Israel must provide a report on the measures taken within one month.** (March 28, 2024) For further details, click [here](#)
- **In a recent statement, the Executive Director of the United Nations Population Fund warned of an imminent famine in the Gaza Strip, highlighting the worsening catastrophic humanitarian situation in the region. She explained that hunger and malnutrition have spread through Gaza at frightening speed, causing catastrophic rates of disease, death, and despair. She added that for pregnant women and newborns, every day has become a fight for survival. Furthermore, she emphasized the decimation of the healthcare system, and the obstruction of humanitarian aid access, stressing the urgent need for immediate action to save lives.** (March 28, 2024) For further details, click [here](#)
- **Politico reported that Biden administration officials are in preliminary “conversations” about options for stabilizing post-war Gaza, including a proposal for the Pentagon to help fund either a multinational force or a Palestinian peacekeeping team. The report emphasized that the options being considered would not involve U.S. troops on the ground, and it also indicated the possibility of using aid for reconstruction, infrastructure, humanitarian assistance and other needs to the Gaza Strip. However, it was added that Israel “is not looking to signal an end because they have not achieved the aims they are pursuing”.** (March 28, 2024) For further details, click [here](#)
- **The French Foreign Ministry quietly announced its intention to pursue legal action against any French-Israeli soldiers implicated in alleged war crimes within the Gaza Strip.** (March 28, 2024) For further details, click [here](#)
- **The Ministry of Foreign Affairs of Saudi Arabia expresses Saudi Arabia’s welcoming to the provisional measures issued by the ICJ calling for increasing the entry of humanitarian and relief**

aid into the Gaza Strip. It further renewed its demand for the international community to take more immediate measures to stop the Israeli Occupation's violations and to implement the Security Council Resolution calling for a ceasefire. (March 29, 2024) For further details, click [here](#).

- Page | 6
- **The Organization of Islamic Cooperation (OIC) has demanded an immediate cessation of the genocidal crimes being committed by the Israeli occupation against the Palestinian people in the Gaza Strip. The organization stressed the urgent need for the immediate execution of the provisional measures ordered by the ICJ. Additionally, it called upon all member states of the Genocide Convention to exert pressure on the Israeli occupation to comply with the court's directives, as well as to implement UN Security Council Resolution 2728, which unequivocally calls for an immediate ceasefire. (March 29, 2024) For further information, click [here](#)**
 - **The Biden administration quietly authorized the transfer of billions of dollars in bombs and fighter jets to Israel, despite Washington's concerns about an anticipated military offensive in southern Gaza (Rafah) that could threaten the lives of hundreds of thousands of Palestinian civilians. (March 29, 2024) For further details, click [here](#)**
 - **The Arab Parliament (AP) said that the continued aggression and unjust siege on the Gaza Strip aims to destroy the identity and entity of an entire people. The AP condemned all settlement policies and called for the application of international justice standards in order to reach a final, just, and sustainable solution to the Palestinian cause. (March 30, 2024) For further details, click [here](#)**
 - **Tedros Adhanom Ghebreyesus, Director-General of the World Health Organization (WHO), stressed the urgent need to evacuate about 9,000 patients abroad to receive life-saving health services, including treatment for cancer and injuries from the bombardments. This is with only 10 hospitals operating at a minimum across the sector in Gaza. He urged Israel to expedite evacuation approvals to ensure timely treatment for critically ill patients. (March 30, 2024) For further details, click [here](#)**

Publications of human rights NGOs:

- **The American Jewish Committee (AJC) expressed its outrage over the UN Security Council's adoption of Resolution 2728, which demands an immediate ceasefire in Gaza without unequivocally linking that action to its further demand for "the immediate and unconditional**

release of all hostages.” The committee affirmed Israel's right and obligation - based on the principle of self-defense enshrined in the UN Charter - to continue its military campaign in Gaza. (March 25, 2024) For further information, click [here](#)

- Page | 7
- **The Palestinian Return Center issued a report on the situation of the Israeli war on Gaza for the month of February 2024. The report sheds light on the political and humanitarian aftermaths along with the material and human loss inflicted on the besieged enclave as a result of the unabated strikes and Israeli siege, impeding Gazans’ access to humanitarian assistance.** (March 26, 2024) For further information, click [here](#)
 - **Amnesty International welcomes the new report by the UN Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967, which concludes that there are, “reasonable grounds to believe the threshold indicating Israel's commission of genocide has been met.” The organization also calls for an immediate ceasefire as it remains the most effective means to enforce the International Court of Justice's (ICJ) provisional measures aimed at preventing genocide and minimizing further crimes and civilian suffering.** (March 26, 2024) For further information, click [here](#)
 - **J Street calls on the Biden Administration to fully and impartially follow its own procedures under NSM-20, and to initiate immediate steps to evaluate and address potential violations. Credible reporting regarding Israeli conduct during the war in Gaza is sufficient to trigger the 45-day assessment and remediation procedure, and must be addressed in congressional reports.** (March 26, 2024) For further information, click [here](#)
 - **The “Peace Now” movement criticized the Israeli Civil Administration's intention to include the Ahiya outpost within the jurisdiction of the Shilo settlement in the occupied West Bank, allowing planning for the regularization of the outpost to begin. The implication is the recognition of the outpost as legal under Israeli law. PeaceNow added that the Israeli government, under Finance Minister Smotrich's leadership, continues to “evade a political solution and imposes facts on the ground that will escalate violence and deepen the dispossession and oppression of Palestinians in the West Bank.”** (March 27, 2024) For further information, click [here](#)
 - **Physicians for Human Rights issued a report entitled, “The Consequences of Settler Violence and Forced Displacement on the Health and Wellbeing of Palestinian Communities in Area C.” It explained how constant exposure to such routine violence is detrimental to the health of**

Palestinians, highlighting the social and psychological repercussions. (March 28, 2024) For further information, click [here](#)

Page | 8

- **The Committee to Protect Journalists (CPJ) has urged the United Nations Working Group on Arbitrary Detention to open an investigation into Israel's detention of Palestinian journalists, in particular the disturbing use of administrative detention against them. CPJ's director of communications and advocacy stated that this administrative detention constitutes a disturbing indicator of Israel's efforts to restrict the public's right to know what is happening in Gaza.** (March 29, 2024) For further details, click [here](#)
- **According to an article published by Middle East Eye, both Human Rights Watch and Amnesty International have questioned the credibility of a video published by the Israeli occupation forces showing an alleged member of Islamic Jihad confess to raping an Israeli woman during an attack on southern Israel. The two organizations indicated the possibility of obtaining the confession under torture.** (March 29, 2024) For further details, click [here](#)

Opinion Pieces and features:

- **EJIL: Talk!** published an article by researcher Rodolfo Ribeiro, entitled: **"On UNRWA, Palestine Refugees, and International Law."** (March 28, 2024) For further details, here [click](#)
- **The Guardian** published an article by Kaamil Ahmed, Damien Gayle, and Aseel Mousa, entitled: **"'Ecocide in Gaza': does scale of environmental destruction amount to a war crime?"** (March 29, 2024) For further details, click [here](#)
- **The Financial Times** published an article by editor Roula Khalaf, entitled: **"Coming out as Palestinian."** In this article, she addressed the phenomenon of Anti Palestinian Racism and its effects. (March 30, 2024) For further details, click [here](#)
- **Opinio Juris** published an article by researcher Jinan Bastaki, entitled: **"The 'Capacity to Influence', State Responsibility, and the Obligation to Prevent Genocide."** (March 30, 2024) For further details, click [here](#)

Human rights conferences and events:

- **The Palestinian Journalists' Syndicate (PJS), in collaboration with the International Federation of Journalists (IFJ) and the League of Arab States, organized a side event at the UN Human Rights Council in Geneva. The purpose of the event was to denounce the targeting and killing of Palestinian journalists in Gaza. (March 25, 2024) For further information, click [here](#)**