

## 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 (MOFAE) emphasized that Palestine's full membership in the United Nations does not require a license or permission from Netanyahu or his government. It asserted that all countries, including the United States (U.S), can recognize the State of Palestine without needing a license. The ministry highlighted Netanyahu's opposition not only to the establishment of a Palestinian state but also his consistent actions undermining its prospects, such as the displacement of the land's indigenous inhabitants on a daily basis. (February 18, 2024) For details of the news and its original source, [here](#)
- The office of the Palestinian president condemned the U.S veto used to block the issuance of a resolution condemning Israel's aggression in the Gaza Strip, holding the U.S responsible for the ongoing aggression against the Palestinians. The office also emphasized that such a policy implicates the U.S as complicit in the crimes of genocide, ethnic cleansing, and war crimes

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committed against Palestinians. (February 20, 2024) For details of the news and its original source, [here](#)

- Several [prisoner institutions](#) called for an international investigation into the crimes committed by the Israeli occupation authorities inside prisons, particularly in light of increased testimonies regarding the exposure of detainees to sexual assaults. [The Commission of Prisoners and Ex-Detainees Affairs](#) also warned of the starvation policy pursued by the Israeli occupation administration against prisoners, resulting in the significant loss of tens of thousands of kilograms among them. It also called for an end to this atrocious treatment and appealed for intervention to compel the occupying power to abide by international laws governing the treatment of prisoners.
- Prime Minister Mohammad Shtayyeh said that the Gaza Strip is facing an unprecedented humanitarian catastrophe due to the Israeli aggression, calling for a 'Marshall Plan' that encompasses relief and immediate aid, reconstruction, and revitalization of the economy. During a coordination meeting with the United Nations, the European Union, and the World Bank, he called for collaborative efforts to strategize, finance, and implement this plan. (February 21, 2024) for details of the news and its original source, [here](#)
- The Palestinian Ministry of Foreign Affairs condemned the Israeli Knesset's adoption of a resolution rejecting what it called unilateral recognitions of the Palestinian state, considering it an Israeli insistence on usurping the rights of the Palestinian people by the force of occupation and keeping the Palestinian state hostage to the occupation and its colonial racist interests. (February 21, 2024) For further details, click [here](#)
- During a hearing before the International Court of Justice (ICJ) regarding the situation in the West Bank, Palestinian Foreign Minister Riyad al-Maliki [called](#) for an end to the Israeli occupation, considering it "illegal." Al-Maliki stated that Israel has left Palestinians with "only three brutal options: displacement, detention, or death." He [pointed out](#) that the genocide inflicted upon the Palestinian people is a result of decades of impunity granted to the occupying state.

- The Ministry of Higher Education and Scientific Research condemned the abduction by a special unit of the Israeli occupation army of several students from Birzeit University in front of the university gates. It called on human rights organizations to provide protection for students and staff at higher education institutions. (February 22, 2024) For further details, click [here](#)
- The Palestinian Ministry of Foreign Affairs condemned the Israeli occupation government's colonial plan to construct more than 3,300 new settlement units in the occupied West Bank. It deemed this move an official Israeli insistence on annexing the West Bank, including East Jerusalem, undermining any opportunity for the realization of a Palestinian state on the ground. The Ministry sees it as a direct challenge to international legitimacy resolutions, particularly Resolution 2334, and as an obstacle to any efforts aimed at stopping the war and resolving the conflict through political means. (February 23, 2024) For further details, click [here](#)

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

- The Israeli Prime Minister said that "Israel does not recognize the legitimacy of the proceedings of the international court in The Hague regarding 'the legality of the occupation' - which are an effort designed to infringe on Israel's right to defend itself against existential threats." He added that this step comes as part of Palestinian attempts to impose the results of diplomatic settlement without Israeli consent, emphasizing that both the government and the Knesset are united in rejecting this course of action. (February 19, 2024) For more details, click [here](#)
- The Israeli Minister of Settlement, Orit Struck, claimed in a speech she delivered before the Knesset that there are no Palestinian people and that Palestinians have no right to establish a state for themselves. She added, There will never be a Palestinian state on our land, the land of Israel, because there are no Palestinian people, no such people. (February 20, 2024) For further details, click [here](#)
- The Israeli Knesset approved the government's statement opposing unilateral recognition of the Palestinian state. The Israeli government's statement said, "Israel utterly rejects international diktats regarding a permanent settlement with the Palestinians. A settlement, if it is to be reached, will come about solely through direct negotiations between the parties, without preconditions. Israel

will continue to oppose unilateral recognition of a Palestinian state." (February 21, 2024) For further details, click [here](#)

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- The Israeli Minister of Finance, Tzachi Hanegbi, [urged](#) Prime Minister Smotrich to immediately approve the convening of the Higher Planning Council to approve plans to build thousands of housing units in Ma'ale Adumim and the entire area, in response to the shooting incident near the Ma'ale Adumim settlement in Jerusalem. He emphasized that "the serious attack on Ma'ale Adumim must have a decisive security response but also a settlement response." [Smotrich](#) announced that Israel will submit plans to build more than 3000 settlement homes in response to the shooting near Jerusalem.
- The Israeli Minister of National Security, Itamar Ben Gvir, reiterated his statements that the right of Israelis to life is more important than the freedom of movement of Palestinians, in response to the shooting incident near the Ma'ale Adumim settlement in Jerusalem. He added that we must place more barriers and close off routes on Palestinian Authority roads. (February 22, 2024) For further details, click [here](#)

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

- The Global Nutrition Cluster has released a report detailing the worsening nutrition conditions in the Gaza Strip over the 120 days of war. The report underscores the rise in malnutrition levels among children, pregnant women, and breastfeeding women. This deterioration is attributed to factors such as food insecurity, inadequate dietary diversity, worsening practices in infant and young child feeding, limited access to safe water and sanitation, the prevalence of diseases, and the collapse of the healthcare system. (February 18, 2024) For further details, click [here](#) / [here](#)
- Director-General of the World Health Organization (WHO), Tedros Adhanom, said: "Nasser hospital in Gaza is not functional anymore, after a weeklong siege followed by the ongoing raid". He further added that the WHO team was not permitted by Israel to enter the hospital to assess the conditions of the patients and critical medical needs, despite reaching the hospital compound to deliver fuel alongside partners. (February 18, 2024). For further details, click [here](#)

- The Brazilian President, Luiz Inacio Lula da Silva, accused Israel of committing “genocide” against Palestinian civilians in the Gaza Strip, stating that: “What is happening in the Gaza Strip with the Palestinian people hasn’t happened at any other moment in history. Actually it has happened: when Hitler decided to kill the Jews.” He added that Brazil will increase its funding to UNRWA and also urged other countries to increase their funding to it as well. (February 18, 2024). For further details, click [here](#) / [here](#)
- The African Summit condemned Israel for its brutal war and excessive use of force against 2.2 million isolated civilians and demanded it comply with the International Court of Justice's (ICJ) ruling to prevent genocide in Gaza. The statement denounced collective punishment against civilians in Gaza and attempts to forcibly transfer them to the Sinai Peninsula, calling for an independent international investigation into Israel's use of internationally banned weapons and its targeting of hospitals and media institutions. (February 19, 2024) For further details, click [here](#)
- The ICJ started holding public hearings in the advisory proceedings on the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem. (February 19, 2024). For further details, click [here](#)
- UN experts expressed alarm over credible allegations of egregious human rights violations to which Palestinian women and girls continue to be subjected in the Gaza Strip and the West Bank. They called for an independent, impartial, prompt, thorough and effective investigation into the allegations and for Israel to cooperate with such investigations. Experts added: “Those responsible for these apparent crimes must be held accountable and victims as well as their families are entitled to full redress and justice.” (February 19, 2024). For further details, click [here](#)
- UNICEF, the World Food Programme, and the World Health Organization called for providing safe, unimpeded, and sustained access to urgently deliver multi-sectoral humanitarian assistance throughout the Gaza Strip. They emphasized the necessity of protecting hospitals and healthcare workers and affirmed that an immediate humanitarian ceasefire provides the best chance to save lives and end suffering. “The Gaza Strip is poised to witness an explosion in preventable child deaths which would compound the already unbearable level of child deaths in Gaza,” said UNICEF Deputy



Executive Director for Humanitarian Action and Supply Operations, Ted Chaiban. (February 19, 2024)

For further details, click [here](#)

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- **China rejects Israel’s “declaratory decision” to reject any recognition of Palestinian statehood by the UN or other countries. It reaffirms that a two-state solution is the universal consensus of the international community to address the Palestinian question. (February 19, 2024). For further details, click [here](#)**
- **The United Nations Children’s Fund (UNICEF) said that the people of the city of Rafah must be protected as it is one of the most densely populated places on earth and now shelters half of Gaza’s population, many of whom have been displaced multiple times by war. (February 19, 2024). For further details, click [here](#)**
- **Following his visit to the Gaza Strip, the UN Senior Humanitarian Coordinator for Gaza, Sigrid Kaag, described the situation in the region as disastrous for innocent civilians, saying, “There are more than a million people crammed in Rafah. It’s not intended for a million people in shelters, in random sort of plastic sheeted constructions. Health conditions are very worrisome.” (February 19, 2024) For further details, click [here](#)**
- **The US utilized its veto power in the United Nations Security Council against a draft resolution presented by Algeria calling for an immediate ceasefire in Gaza for humanitarian reasons. The draft resolution received support from 13 members out of the fifteen Council members, while the United States opposed it, and the United Kingdom abstained from voting. (February 20, 2024) For further details, click [here](#)**
- **The Egyptian Ministry of Foreign Affairs expressed deep regret at the Security Council’s failure, once again, to issue a resolution calling for an immediate ceasefire in the Gaza Strip. This comes as the United States exercised its veto power for the third time, blocking a draft resolution presented by Algeria on behalf of the Arab Group. Egypt strongly condemned the international scene for its selectivity and double standards in dealing with wars in different regions of the world. (February 20, 2024) For further details, click [here](#)**

- The UN World Food Programme (WFP) issued a press release announcing it is pausing deliveries of life-saving food aid to northern Gaza until conditions are in place that allow for safe distributions. (February 20, 2024). For further details, click [here](#)
- United Nations experts have emphasized that Israel must immediately implement a ceasefire and concrete humanitarian measures that prioritize the needs of Palestinian women and girls in Gaza and the West Bank. The experts also stressed the urgent need to address severe disruptions in education, housing destruction, lack of access to basic healthcare, and the increasing risks faced by women and girls, including gender-based violence. They called on Israel to immediately implement a ceasefire, establish a field hospital, and prioritize sufficient supplies of women's hygiene products, in addition to healthcare services and psychosocial support services. (February 21, 2024) For further details, click [here](#)
- WHO Director-General, Tedros Adhanom, warns of an “inhumane” health and humanitarian situation in Gaza describing it as a “death zone”. He underscored the need for an immediate ceasefire, for hostages to be released, the guns to fall silent, and unfettered humanitarian access. (February 21, 2024). For further details, click [here](#)
- The World Bank Group announced a [grant of \\$30 million](#) to cover the salaries of teachers in government schools in the West Bank. In [its latest analysis of the economic impact of the conflict on the Palestinian economy](#), which covers both the West Bank and Gaza, the Bank reported one of the largest shocks in recent history. Gaza's GDP plummeted by over 80% in Q4 2023, while the West Bank's dropped by 22% during the same period. (February 21, 2024)
- In a joint statement issued by the Inter-Agency Standing Committee (IASC), the heads of 19 UN and international agencies stated that civilians in Gaza are in extreme peril while the world watches on. They emphasized ten requirements to avoid a worse catastrophe, including the immediate cessation of hostilities, protecting civilians and essential infrastructure, securing reliable entry points for aid from all possible crossings, including into northern Gaza, ensuring passage without denials, delays, and access impediments, and providing an effective humanitarian notification system to facilitate

the movement of humanitarian workers and supplies within Gaza for safe aid delivery. (February 21, 2024) For further details, click [here](#)

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- During a hearing held by the International Court of Justice on the legality of Israel's occupation of Palestinian territories, [Guyana](#) accused Israel of military conquest and annexation of Palestinian land. Meanwhile, [China's](#) representative argued that Palestinians' use of force to resist Israeli occupation is "legally justified" according to international law. He added that "Israel's practices and policies of "oppression have severely undermined and impeded the exercise and full realization of the Palestinian people's right to self-determination." [Egypt](#) called during the hearings for a two-state solution and the immediate cessation of Israeli occupation of Palestinian territories. [Kuwait's](#) delegate stated that the current violence stems from decades of illegal occupation.
- The report from the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) revealed the displacement of more than 4000 Palestinians in the West Bank during the year 2023. The report clarified that the reason for this displacement is the policies and practices followed by Israeli authorities or Israeli settlers, which create a coercive environment. (February 21, 2024) For further details, click [here](#)
- [The Organization of Islamic Cooperation](#) expressed deep regret over the failure of the United Nations Security Council to adopt a draft resolution to halt the Israeli military aggression on the Gaza Strip. In the same context, [the Secretary-General of the Arab League](#) condemned the United States' use of veto power to thwart the resolution project. He added that the US positions detract from the credibility of the United Nations system and exacerbate the paralysis currently experienced by the United Nations. (February 21, 2024)
- During a session held by the United Nations Security Council on the situation in Gaza, the United Nations Special Coordinator for the Middle East Peace Process, Tor Wennesland, reiterated his deep concern about the possibility of a widespread Israeli military operation in the densely populated city of Rafah. He warned that there is still no end in sight" as the war approaches its 140-day mark." No end to the trauma of those impacted by the horrors unleashed on 7 October. No end to the suffering and desperation of the people in Gaza." (February 22, 2024) For further details, click [here](#)



- The Commissioner-General of UNRWA warned that the dismantling of UNRWA would be a 'disaster' after the organization faced pressure following the Israeli army's announcement of the discovery of a tunnel belonging to Hamas beneath the agency's headquarters in Gaza. He stated that calls for dismantling the agency, in the short term, would undermine UN efforts to address Gaza's humanitarian crisis. (February 22, 2024) For further details, click [here](#)
- A UN Human Rights Office report calls for accountability and justice for serious violations of the law of armed conflict and other grave human rights violations committed by all parties in Gaza, the West Bank, including East Jerusalem, and Israel. The report raises a broad range of concerns, including unlawful killings, hostage-taking, wanton destruction of civilian property, collective punishment, deprivation of essential services, strikes on civilian infrastructure, forced displacement, incitement to hatred and violence, and cases of sexual assault and torture. (February 23, 2024). For further details, click [here](#)
- UN experts said that arms exports to Israel must stop immediately. They warned that any transfer of weapons or ammunition to Israel that would be used in Gaza is likely to violate international humanitarian law and must cease immediately. "All States must 'ensure respect' for international humanitarian law by parties to an armed conflict, as required by 1949 Geneva Conventions and customary international law," the experts said. (February 23, 2024). For further details, click [here](#)
- [U.S. Secretary of State Antony Blinken](#) expressed his disappointment at Israel's announcement of new settlement construction, stating, "New settlements are counterproductive to reaching an enduring peace. They're also inconsistent with international law. Our administration maintains a firm opposition to settlement expansion." Similarly, [UK Ambassador to Israel Simon Walters](#) expressed deep concern over the announcement of plans to build over 3000 new settlement homes in the occupied West Bank, affirming that "settlements are illegal under international law and make it harder still to progress towards a solution of this conflict." (February 24/23, 2024)
- [Brazilian President Luiz Inacio Lula da Silva](#) said, "I support the establishment of a free and sovereign Palestinian state. I hope that this Palestinian state will live in harmony with the state of Israel. The Israeli military is committing genocide. Thousands of children are dead and thousands are missing.

**Soldiers are not dying. Women and children are dying at the hospital.**" (February 24, 2024) For further details, click [here](#)

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

- **Hamoked - Center for the Defense of the Individual** stated that the Israeli Supreme Court rejected its petition to disclose the whereabouts of 62 Gaza residents detained in Israeli prisons, allowing their continued isolation from the outside world. (February 18, 2024) For further details, click [here](#)
- **Chief Executives of several humanitarian agencies and human rights organizations, including Amnesty International**, issued an urgent statement condemning the harrowing developments in Rafah and warned that the consequences will be catastrophic if this military plan is not stopped immediately. (February 18, 2024). For further details, click [here](#)
- **Amnesty International** called on Israel to end its brutal occupation of Gaza and the West Bank, including East Jerusalem, which it has maintained since 1967 as public hearings begin at the International Court of Justice (ICJ) to examine the legal consequences of Israel's prolonged occupation. It also stressed that ending Israel's illegal occupation is a prerequisite to stopping the recurrent human rights violations in Israel and the OPT. Amnesty International described the systematic apartheid regime imposed by Israel against Palestinians as a crime against humanity. (February 19, 2024). For further details, click [here](#)
- **The CEO of Save the Children International, Janti Soeripto**, expressed deep disappointment that the United States is purposefully obstructing humanitarian progress. She added: "The US veto of the UNSC Resolution on Gaza is unconscionable." (February 20, 2024) For further details, click [here](#)
- **Adalah, HaMoked, and other human rights organizations in Israel** jointly submitted a [plea](#) to the UN Special Rapporteur on torture, urging her to take immediate action to halt the systematic abuse, torture, and ill-treatment of Palestinian prisoners and detainees in Israeli prisons and detention facilities. This month, Physicians for Human Rights in Israel published an [investigation](#) into the incarceration conditions of Palestinians in Israel since October 7, highlighting the systematic violations of human rights.

- B'Tselem organization published an article indicating that Israeli plans to establish a buffer zone or 'security zone' within the Gaza Strip are unlawful and constitute war crimes. This is especially concerning as Israel is destroying structures and land within the designated area. Additionally, Palestinian owners who lived in the area or cultivated farmlands before the war will be denied access to their properties under these plans. (February 21, 2024) For further details, click [here](#)
- The Palestinian Red Crescent Society [warned](#) of the catastrophic situation at Al-Amal Hospital in Khan Younis due to the continued siege by the Israeli occupation and its targeting of Al-Amal Hospital in Khan Younis for the 30th consecutive day. The society reiterated its call to the international community to take immediate action to protect the hospital and break the siege. (February 21, 2024) For further details, click [here](#)
- Officials from several international humanitarian relief organizations condemned the US veto against the ceasefire resolution in Gaza. They warned that Israel's planned attack on the city of Rafah in the Gaza Strip could turn it into a "graveyard" and increase the risk of famine. They called on the United States and other countries to exert pressure for an immediate ceasefire to prevent further deaths and suffering in Gaza. They pointed out that the Israeli war has made it impossible for humanitarian organizations to work safely in Gaza, increasing the risk of famine and humanitarian suffering. (February 21, 2024) For further details, click [here/here](#)
- The Palestinian Center for Human Rights (PCHR) issued a press statement condemning the killing of the center's lawyer, Nour Naser Abu al-Nour, along with seven members of her family, including her two-year-old daughter, in an Israeli airstrike on their home in Rafah. (February 21, 2024) For further details, click [here](#)
- The organization "Insecurity Insight" identified at least 348 violent incidents that occurred in refugee camps in the occupied Palestinian territories between October 7th and December 31st, 2023. Approximately 90% of the incidents were attributed to Israeli forces. They called for independent investigations and support for international humanitarian law. (February 22, 2024) For further details, click [here](#)

- Médecins Sans Frontières stated that evacuation orders and forced displacement threaten the continuity of care for the wounded in Gaza amid evacuation orders and attacks on Nasser Hospital in the city of Khan Yunis in the southern Gaza Strip, where patients undergoing treatment were forced to leave the hospital. Lisa Macheiner, the coordinator of the Médecins Sans Frontières project, said, "Rafah and the whole of Gaza need a safe humanitarian response at a much larger scale, which is only possible with a sustained and immediate ceasefire." (February 22, 2024) For further details, click [here](#)

### **Opinion Pieces and features**

- The Washington Post published an article by Kelsey Ables, Niha Masih, and Bryan Pietsch titled: "ICJ Hearings on Israel's Occupation: What to Know." (February 21, 2024) For further details, click [here](#)

### **Human rights conferences and events**

- The Palestinian Return Center organized a panel discussion titled "Anti-apartheid Solidarity: South Africa and Palestine," featuring speakers from civil society and academia. (February 20, 2024) For further details, click [here](#).

### **Upcoming human rights opportunities and events**

- The Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP) has announced its intention to host a conference for civil society organizations addressing the question of Palestine. Titled "Building Bridges with International Civil Society to Address the Ongoing Nakba," the conference is scheduled to take place in Geneva on 3 and 4 April. The event will focus on various issues, including the role of civil society in advocating for a permanent ceasefire, ensuring accountability for crimes in the occupied Palestinian territories, and enhancing collaboration between the Committee and civil society organizations to achieve shared objectives and support their initiatives. For further details, click [here](#)