

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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By Law for Palestine

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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) strongly condemns the provocative incursion led by Israeli Finance Minister Smotrich, alongside the head of the Jordan Valley Settlement Council, into the Al-Auja area north of Jericho and their explicit plans to seize the entire region. Furthermore, the Ministry condemns the assaults carried out by members of terrorist settler militias on several Palestinian civilians in Arab Rashayda. The Ministry urged for immediate international and American intervention to halt the ongoing crimes committed by the settlement enterprise. (March 31, 2024) For further details, click [here](#)**
- **The MOFAE officially revived its bid for a full member state in the United Nations. [The supporters' letter](#) to the UN security council president included the names of 140 countries that have recognized a Palestinian state, including members of the 22-nation Arab Group at the United**

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Nations, the 57-nation Organization of Islamic Cooperation, and the 120-member Non Aligned Movement. (April 3, 2024) For further details, click [here](#)

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

- **Israeli Prime Minister Benjamin Netanyahu stated, "I have approved the IDF operational plan for Rafah. The IDF is prepared for the evacuation of the civilian population and for the provision of humanitarian assistance. This is the right thing both operationally and internationally. This will take time but it will be done. We will enter Rafah and we will eliminate the Hamas battalions there for one simple reason: There is no victory without entering Rafah and there is no victory without eliminating the Hamas battalions there. This is a fundamental part of the goals of the war, which also include returning all of our hostages."** (March 31, 2024) For further details, click [here](#)
- **[The Israeli Occupation Forces \(IOF\) Chief of Staff](#) expressed his regret over the killing of seven World Central Kitchen (WCK) employees in an Israeli air strike in the Gaza Strip. He claimed that the attack against the employees was unintentional, attributing the unfortunate incident to a case of wrong identification in complex conditions. He stated that they will carry out an investigation, learn from the conclusions, and take action immediately. The Israeli [President](#), Isaac Herzog, also reiterated Israel's commitment to ensuring a thorough investigation of the tragedy, which occurred amidst the ongoing war. In the same context, [Prime Minister Benjamin Netanyahu](#) expressed Israel's deep regrets about the tragic incident and stressed that the IOF is conducting a swift and transparent investigation that will be published publicly. He added, "Israel is fully committed to enabling humanitarian aid to reach the civilian population in Gaza and we will do everything in our power to ensure that such tragedies do not occur in the future."** (April 2, 2024)
- **The IOF responded to the Guardian newspaper's report disclosing the use of artificial intelligence and a database named "Lavender", which is used by the IOF to cross-reference intelligence sources for identifying potential Hamas targets in the Gaza Strip. In the response, the IOF stated that they were working to dismantle Hamas' military capabilities after the October 7 attack. The IOF reaffirmed its commitment to international law, asserting that its strikes are only directed towards military targets and military operatives. The statement claimed that the IOF does not**

use an artificial intelligence system that identifies terrorist operatives, but instead relies on information management tools which assist intelligence analysts in gathering and effectively analyzing intelligence and to identify military targets. (April 3, 2024) For further details, click [here](#) / [here](#)

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- In his meeting with a delegation from the US Congress, the Israeli Prime Minister stressed the importance of the US-Israeli alliance in confronting current barbarism. He stressed that the conflict in Gaza is not just a conflict between Israel and Hamas, but rather a conflict against the Iranian terror axis and its proxies. He also rejected the idea of establishing a Palestinian state, considering it an additional threat to the security of Israel and the region. (April 4, 2024) For further details, click [here](#)
- In the wake of the deadly raid on the World Central Kitchen convoy and the tense conversation between US President Joe Biden and Prime Minister Benjamin Netanyahu, Israel announced immediate steps to improve the humanitarian situation in the Gaza Strip, as it will temporarily open the port of Ashdod to deliver humanitarian aid, and will open the Erez crossing in the northern Gaza for the first time since October 7. The Prime Minister's Office added, "The increased aid will prevent a humanitarian crisis. and is critical for ensuring the continuation of the fighting and achieving the war aims." (April 5, 2024) For further details, click [here](#)

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

- The Secretary-General of the Arab League, Ahmed Aboul Gheit, called on New Zealand to formally recognize the state of Palestine, viewing it as a step towards achieving a peaceful resolution based on the two-state solution. He emphasized the necessity of implementing the recent resolution issued by the Security Council, which calls for an immediate ceasefire in Gaza, providing relief to the population, and facilitating the entry of humanitarian aid sustainably and reliably. (March 31, 2024) For further details, click [here](#)
- France [proposed](#) a draft United Nations Security Council resolution that seeks options for possible U.N. monitoring of a ceasefire in the Gaza Strip and proposals to help the Palestinian Authority assume responsibilities. The Permanent Representative of France to the UN, Nicolas de Rivière, [requested](#) closed consultations in the Security Council, in light of the catastrophic situation in the Gaza Strip. He called for the full and immediate implementation of resolution

2728. He further added, “The two humanitarian resolutions tabled by Malta and the UAE paved the way. The E10 resolution was a turning point a week ago. This Council needs to do more. It cannot wait any longer. This is why France will introduce a comprehensive draft today.” (April 1, 2024)

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- In her independent opinion, Judge Hilary Charlesworth, an Australian judge on the UN’s International Court of Justice (ICJ), called for the suspension of Israeli military operations in the Gaza Strip to ensure the delivery of necessary humanitarian aid to Palestinian civilians. She disagreed with the ICJ order, stating that its use of “elliptical” phrasing was “drafted in such opaque terms that it fails to provide clear guidance to the parties.” (April 2, 2024) For further details, click [here](#)
- The World Bank and the United Nations issued a report clarifying that the cost of damage to vital infrastructure in the Gaza Strip is estimated at around \$18.5 billion, equivalent to 97% of the total GDP of the West Bank and Gaza Strip. The report utilized interim damage assessment for estimating the damage inflicted on physical infrastructure in vital sectors from October 2023 to January 2024. The report highlighted comprehensive damages affecting all sectors of the economy, with a negative impact on the population, including bordering on famine, food insecurity, and widespread displacement. (April 2, 2024) For more details, click [here](#)
- [Canada](#), [China](#), [the United Arab Emirates \(UAE\)](#) and [Cyprus](#), [Turkey](#), [Egypt](#), [Malaysia](#), [Saudi Arabia](#), [France](#), as well as [the Organization of Islamic Cooperation](#), [the Arab League](#), and the EU’s foreign policy chief, [Josep Borrell](#), condemned the Israeli airstrike targeting a humanitarian convoy in the Gaza Strip, which resulted in the deaths of seven humanitarian workers from the WCK organization. The UAE is pausing humanitarian aid efforts via a maritime corridor from Cyprus to Gaza, pending further safety guarantees from Israel and a full investigation into the deaths of aid workers in Gaza. Meanwhile, British Foreign Secretary [David Cameron](#) stated that the deaths of these aid workers in Gaza, including three British nationals, are completely unacceptable and that Israel must urgently explain how this happened. President [Joe Biden](#) said that he is “outraged and heartbroken” by the incident, stating that Israel pledged to conduct an investigation. [The US State Department](#) called for a swift and impartial investigation into the incident. Australian Prime Minister [Anthony Albanese](#) expressed his government’s anger and concern over the death of relief worker Zomi Frankcom in the Israeli airstrike, demanding full

transparency and accountability, as well as unimpeded and substantial aid delivery to Gaza. German Foreign Minister [Annalena Baerbock](#) stressed that the Israeli government must promptly and comprehensively investigate this horrific incident. Meanwhile, [the Polish Foreign Minister](#) stated that Israel had been asked to provide urgent clarifications.

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- **Dr. Margaret Harris, the spokesperson for the World Health Organization (WHO), stated that the destruction of Al-Shifa Hospital in Gaza, after being besieged for two weeks by the Israeli army, had “ripped the heart out of healthcare” in the enclave. Dr. Harris further stated, “We’ve had contact with the staff; the (hospital) directors told us that Al-Shifa has gone, it’s no longer able to function in any way, shape or form” as a medical center. She called for the urgent implementation of the Security Council resolution for a ceasefire and said “it must happen now.” (April 2, 2024) For further details, click [here](#)**
- **UN Secretary-General António Guterres affirmed that the devastating Israeli airstrikes resulting in the deaths of employees of the WCK were unreasonable but an inevitable outcome of the way war is conducted. Guterres pointed out that what happened once again underscores the urgent need for an immediate ceasefire for humanitarian reasons, the unconditional release of all hostages, and the expansion of humanitarian aid to Gaza. (April 2, 2024) For further details, click [here](#)**
- **The General Commissioner of UNRWA, Philippe Lazzarini, has underscored that preventing the occurrence of a man-made famine in Gaza poses an immense challenge in light of the lack of political will. Lazzarini has affirmed that the killing of relief workers in Gaza from the WCK organization, as well as the denial of access for UNRWA to participate in relief convoys destined for the northern region, including Al-Shifa Hospital, highlights the urgent need for a comprehensive shift in the policies of the Israeli government. He has emphasized the immediate necessity of a ceasefire, the opening of additional land crossings, and granting UNRWA unrestricted access to the north without any delays. (April 2, 2024) For further details, click [here](#)**
- **The Office of the Prosecutor of the International Criminal Court provided an update on the investigation in Palestine, confirming that the investigation into crimes committed within the court’s jurisdiction since June 2014 is ongoing, and applies to crimes committed in the current context. The Office considers that there are reasonable grounds to believe that Rome Statute crimes have been committed in the situation in the State of Palestine, as well as in Israel, and is**

using all available means to ensure meaningful accountability with respect to all crimes. The Prosecutor expressed deep concern over the reported bombardment and potential ground incursion by Israeli forces in Rafah. He indicated that despite his previous statements, he had not seen any discernible change in conduct by Israel. The Prosecutor emphasized that those in breach of the law will be held accountable. (April 2, 2024) For further details, click [here](#)

- **The Arab League has issued Resolution No. 9057 concerning the Arab and international efforts to halt the Israeli aggression, in light of Israel's non-compliance with the United Nations Security Council resolutions and ICJ orders. The resolution demands the active implementation through chapter 7 of the United Nations Charter to ensure Israel's compliance with international resolutions. (April 2, 2024) For further details, click [here](#)**
- **Japan announced the lifting of the suspension of financial contributions to UNRWA due to the dire humanitarian situation in the Gaza Strip. It stressed the importance of achieving a humanitarian ceasefire immediately. Japan urged for a thorough investigation and preventive measures to avoid the recurrence of aid workers' deaths and injuries in Gaza. Additionally, Japan reiterated its stance that settlement activities violate international law. (April 3, 2024) For further details, click [here](#)**
- **UN experts Francesca Albanese and Tlaleng Mofokeng condemned what they described as "the wholesale destruction and killing at Al-Shifa hospital" in Gaza, and urged nations to do all in their power to end the ongoing "genocide" in the territory. (April 3, 2024) For further details, click [here](#)**
- **The Spanish Prime Minister Pedro Sanchez stated that the European Union should discuss whether to continue its strategic relationship with Israel if the European Commission finds that Israel violated humanitarian law in its war on Gaza. Sanchez reiterated his call for a permanent ceasefire in Gaza and international recognition of Palestine as a sovereign state with full membership in the United Nations as the only way to achieve a horizon of peace. (April 4, 2024) For further details, click [here](#)**
- **The U.S. military is on schedule to build a pier off the Gaza coast to expand humanitarian aid deliveries, the Defense Department said, even as other agencies pulled back after Israel killed several aid workers. The US Department of Defense added that the dock will be ready by the end of the month or early May. (April 4, 2024) For further details, click [here](#)**

- **The US Secretary of Defense Lloyd J. Austin III called for a rapid increase of aid to the Gaza Strip coming through all crossings in the coming days, particularly to communities in northern Gaza that are at risk of famine. He added that the United States of America plans to use joint maritime transport capabilities for more than two million humanitarian meals daily to Gaza via a sea route from the Mediterranean Sea. (April 4, 2024) For further details, click [here](#)**
- **The Jordanian Ministry of Foreign Affairs and Expatriates has condemned the Israeli occupation police's efforts to evacuate the Cow Garden, a section of the Armenian Church property in Jerusalem's Old City. They deemed these actions as invalid and unacceptable under international law, constituting a violation of the established historical and legal status quo in occupied Jerusalem. (April 4, 2024) For further details, click [here](#).**
- **The Human Rights Council adopted five resolutions, including a text in which it demanded that Israel immediately lift its blockade on the Gaza Strip and all other forms of collective punishment, calling for an immediate ceasefire in Gaza. The Council also called upon all States to take immediate action to prevent the continued forcible transfer of Palestinians within or from Gaza and to cease the sale, transfer, and diversion of arms, munitions, and other military equipment to Israel. (April 5, 2024) For further details, click [here](#)**
- **Spokespeople for several countries condemned the deadly Israeli airstrikes on aid workers in Gaza and urged immediate action to end violations of International Humanitarian Law during a Security Council session. (April 5, 2024) For further details, click [here](#)**
- **The Irish National Treasury Management Agency (NTMA) has decided to divest the Ireland Strategic Investment Fund (ISIF) from Israeli companies that "have certain activities in the Occupied Palestinian Territory." The total amount withdrawn amounts to €2.95 million (\$3.2 million) from Bank Hapoalim BM; Bank Leumi-le Israel BM; Israel Discount Bank; Mizrahi Tefahot Bank Ltd; First International Bank and Rami Levi CN Stores. (April 5, 2024) For further details, click [here/ here](#)**
- **WHO Director Tedros Adhanom Ghebreyesus expressed concern about the tragic situation in Gaza's Shifa Hospital, which "which is now an empty shell with human graves after the latest siege". He noted that " restoring minimal functionality in the short term seems implausible". He added that recent efforts by WHO and its partners to support the revival of basic services at Al-**

Shifa are now lost, and people are once again deprived of access to lifesaving health care services.

(April 6, 2024) For further details, click [here](#)

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- **The Humanitarian Coordinator for the Occupied Palestinian Territory, announced a set of measures that Israel has pledged to improve the humanitarian situation in the Gaza Strip. These measures include establishing a better-functioning coordination cell that links humanitarian workers directly with the IDF Southern Command, plans to temporarily open the Erez crossing to facilitate the transfer of aid, increasing the number of trucks allowed through the Allenby Bridge crossing towards Gaza daily, and expanding operating hours at the Kerem Shalom and Nitsana crossings, increasing capacity at the Kerem Shalom crossing to speed up the transfer of aid to Gaza, securing approvals to activate 20 bakeries in North Gaza, and approving the restart of a water line in northern Gaza.** (April 6, 2024) For further details, click [here](#)

Publications of human rights NGOs:

- **The Maryland office of the Council on American-Islamic Relations (CAIR), the nation's largest Muslim civil rights and advocacy organization, Jewish Voice for Peace Baltimore (JVP Baltimore) and American Muslims for Palestine (AMP) called on federal authorities to investigate whether an Israeli-based real estate company is planning to encourage or facilitate the purchase of stolen Palestinian land at an event taking place at a Baltimore-area synagogue, and whether the company is refusing access to potential clients based on their religious identity in violation of federal anti-discrimination laws.** (April 1, 2024) For further details, click [here](#)
- **World Central Kitchen is devastated to confirm seven members of their team have been killed in an IOF strike in Gaza. The seven killed are from Australia, Poland, United Kingdom, a dual citizen of the U.S. and Canada, and Palestine. The organization has decided to suspend its operations in the area. "This is not only an attack against WCK, this is an attack on humanitarian organizations showing up in the most dire of situations where food is being used as a weapon of war. This is unforgivable," said WCK CEO Erin Gore.** (April 2, 2024) For further details, click [here](#)
- **The Lemkin Institute for Genocide Prevention issues an urgent SOS warning for the imminent genocide of Palestinians in Rafah. On Wednesday, 27 March, Israel launched several bombing strikes on the city where nearly 1.4 million people are sheltering. These attacks could be the opening salvo to Israel's promised ground invasion of the town, which is home to the critical**

crossing to Egypt. This bombing is a genocidal act conducted by Israel against a trapped civilian population. (April 2, 2024) For further details, click [here](#)

- **The Euro-Mediterranean Human Rights Monitor published a report on the horrific massacre at the Shifa Medical Complex in Gaza, describing it as one of the largest massacres in Palestinian history.** (April 1, 2024) For further details, click [here](#)
- **Fifteen human rights organizations warned that time is running out for international action to protect civilians and prevent atrocity crimes in Rafah. The organizations called on states to take urgent measures to ensure the implementation of the Security Council resolution and prevent atrocity crimes in the city of Rafah. This includes immediately halting the transfer of weapons and ammunition where there is a risk they are used to commit or facilitate serious violations of international humanitarian or human rights law.** (April 3, 2024) For further details, click [here](#)
- **The Guardian has released a report revealing that the Israeli military is using an artificial intelligence-powered database, called Lavender, to identify potential Hamas targets in the Gaza Strip. Israeli intelligence sources confirmed that around 37,000 targets were identified based on their apparent links to Hamas.** (April 3, 2024) For further details, click [here](#)
- **Human Rights Watch has confirmed that Israel's deadly attack on aid workers in Gaza shows the characteristics of a precision air strike, indicating the Israeli military's intentional targeting of these vehicles. The organization stressed the need for an immediate investigation into this attack in the ICC's Palestine investigation.** (April 3, 2024) For further details, click [here](#)
- **The Euro-Mediterranean Human Rights Monitor issued a report, titled: "Killing starving Palestinians, targeting aid trucks is a deliberate Israeli policy to reinforce famine in the Gaza Strip">** (April 3, 2024) For further details, click [here](#)
- **Human Rights Watch renewed its call on Israel's allies to suspend military assistance and arms sales to Israel so long as its forces commit systematic and widespread laws-of-war violations against Palestinian civilians with impunity. The organization stressed that governments that continue to provide arms to the Israeli government risk complicity in war crimes, and they should also use their leverage, including through targeted sanctions, to press Israeli authorities to cease committing grave abuses.** (April 4, 2024) For further information, click [here](#)
- **The Israeli newspaper "Haaretz" revealed atrocities committed against Palestinian prisoners from the Gaza Strip, who were arrested during the current war and transferred to various**

detention centers, including field ones. The report revealed that many of the detainees who come to the prison have no connection to terrorism, and that many of them suffer from injuries they suffered during their arrest, which were exacerbated by the handcuffs. It further revealed a letter written by an Israeli doctor working in the field hospital inside a prison, addressed to the Minister of Defense, the Minister of Health, and the legal advisor to the Israeli government, in which he expressed his serious concerns about violations of Israeli law and medical standards. The doctor noted that in just the last week, two detainees had their legs amputated due to an injury that started from being handcuffed, and unfortunately this became a routine occurrence. He pointed out that inside the field hospital, feeding is done in abusive ways, detainees are forced to defecate in diapers, and their hands continue to be handcuffed all the time, which contradict medical and legal standards. (April 4, 2024) For further details, click [here](#) / [here](#)

- In response to the tragic killing of seven WCK team members, six non-governmental organizations operating in Gaza have issued an open letter to President Biden and the National Security Council. The organizations stressed the imperative of upholding international humanitarian law, the United States' responsibility to condemn these deplorable actions and hold the Israeli government accountable, withhold offensive arms transfers to the Israeli government, establish and maintain unhindered access and operations for humanitarian organizations, and urging for an immediate and permanent ceasefire in the region. (April 4, 2024) For further details, click [here](#)
- Human rights lawyers, with the support of several organizations, including Law for Palestine, said they had filed an urgent appeal against Germany's government to stop exports of war weapons to Israel, citing reasons to believe they were being used in ways violating international humanitarian law in Gaza. (April 5, 2024) For further details, click [here](#)
- Heba Morayef, Amnesty International's Regional Director for the Middle East and North Africa, stated that, "Opening additional routes to facilitate delivery of aid into Gaza is something that humanitarian organizations and human rights groups, including Amnesty International, have repeatedly been calling for, for months. But while opening routes for humanitarian aid to enter northern Gaza is absolutely necessary, Israel's announcement is long overdue and remains woefully insufficient given the catastrophic levels of hunger in Gaza." She said that opening additional crossings "sooner could have stopped hundreds of thousands of people from enduring

appalling levels of hunger.” Amnesty called for an immediate ceasefire and a complete lifting of Israel’s illegal blockade of Gaza to truly alleviate mass suffering. It urged the United States to use its influence to halt the suffering and bloodshed in Gaza. (April 5, 2024) For further information, click [here](#)

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- **The Center for Monitoring Racist Behavior in Poland (‘Ośrodek Monitorowania Zachowań Rasistowskich) has filed a report with the District Prosecutor’s Office in Warsaw against the Israeli Ambassador in Poland, Yacov Livne, alleging the publication of racist content. The Center cited statements made by the ambassador in the media, where he accused Polish politicians of anti-Semitism and insulted Palestinians by referring to them as barbarians. These remarks sparked condemnation in Poland and led to the ambassador being summoned for investigation. (April 5, 2024) For further information, click [here](#)**
- **A joint statement, addressed by over 400 Canadian organizations, was sent to Canadian Prime Minister Trudeau, calling for immediate action in response to the recent atrocities in Palestine. The statement urged the Canadian government to impose sanctions on the Netanyahu war cabinet, recognize Palestinian statehood, officially recognize the anti-Palestinian racism, and recruitment by the IDF on Canadian soil must end. (April 5, 2024) For further information, click [here](#)\[here](#)**

Opinion Pieces and features:

- **The Critical Legal Thinking (CLT) blog published an article by researcher Marina Velickovic, entitled: “International Law and Failure in the Context of Gaza.” (April 2, 2024) For further details, click [here](#)**
- **Opinio Juris published an article by Mohsen al Attar, entitled: "Of Palestinian Liars and Israeli Saints: Confronting Anti-Palestinian Racism in International Law". (April 2, 2024) For further details, click [here](#)**

Human rights conferences and events:

- **Over one thousand UK-based qualified lawyers, legal academics, and former members of the judiciary have written an open letter urging the UK Government to take decisive action on the crisis in Gaza. The letter warns the UK Government against violating international law by continuing to provide weapons and weapon systems to Israel. The letter called on the government to secure a permanent ceasefire, ensure humanitarian access, impose sanctions on those inciting genocide, suspend arms sales to Israel, and review bilateral trade agreements. (April 3, 2024) For further details, click [here](#)**