

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 Human Rights and Civil Society Department of the Palestine Liberation Organization (PLO) warned that the Israeli occupation authorities have begun expanding their genocidal campaign against Palestinians beyond the Gaza Strip to encompass the West Bank, as part of their ethnic cleansing agenda. The department called on all human rights organizations to declare Tulkarm Governorate a disaster area and to provide necessary relief aid. (April 21, 2024) For further information, click [here](#).

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

- In response to the Biden administration's decision to impose sanctions on the Netzah Yehuda Battalion and settlers, National Security Minister Itamar Ben Gvir called on Prime Minister Benjamin Netanyahu to hold a session of the political-security cabinet. The purpose would be to discuss imposing sanctions on the Palestinian Authority (PA), confiscating Palestinian Authority funds, and drafting a series of strict sanctions against Palestinian banks. (April 21, 2024) For further details, click [here](#).
- Israeli Prime Minister Benjamin Netanyahu said that any attempt by the International Criminal Court's (ICC) to arrest Israeli soldiers and officials would be outrageous. Netanyahu added, "Under my leadership, Israel will never accept any attempt by the ICC to undermine its inherent right to self-defense." He said that although the ICC would not influence Israel's actions, "it would set a dangerous precedent that threatens the soldiers and officials of all democracies fighting savage terrorism and wanton aggression." (April 26, 2024) For further details, click [here](#).
- In light of US calls for an investigation, the Israeli military said it had already looked into reports of mass graves and found no violations on the part of its forces. Israeli army spokesman Nadav Shoshani described the reports as "fake news." He then added, "We gave answers. We don't bury people in mass graves. Not something we do." (April 26, 2024) For further, click [here](#).

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

- The Secretary-General of the Arab League, Ahmad Aboul Gheit, met with the UN Special Rapporteur on oPT in Cairo. During the meeting, the Secretary-General stressed that the crimes of the Israeli occupation can not be considered as mistakes or collateral damage of military action by any criterion. He stated that, "they are deliberate crimes aimed at collectively punishing the population and depriving them of their fundamental right to live

on their land.” Aboul Gheit also expressed his support for the UN Special Rapporteur in the face of the frenzied incitement campaigns carried out against her. (April 21, 2024) For further information, click [here](#).

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- [Israel](#) has yet to provide supporting evidence for its claims that employees of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) are members of terrorist organizations, according to an independent review led by former French foreign minister Catherine Colonna. The Colonna report, commissioned by the United Nations (UN) following Israeli allegations, found that UNRWA had regularly provided Israel with lists of its employees for vetting. Furthermore, the report states that “the Israeli government has not informed UNRWA of any concerns relating to any UNRWA staff based on these staff lists since 2011.” The report confirms that over many years, UNRWA has implemented policies, mechanisms, and procedures to ensure compliance with the principle of neutrality. Additionally, it offers further recommendations for the agency. (April 20, 2024) For further information, click [here](#).
 - UNRWA Commissioner General Philippe Lazzarini stated that UNRWA welcomes the findings and recommendations of the independent review on the Agency’s adherence to the humanitarian principle of neutrality. He further added that, “the recommendations of the report will further strengthen our efforts and response during one of the most difficult moments in the history of the Palestinian people.” (April 22, 2024) For further information, click [here](#).
 - UN Special Rapporteur for the Palestinian Territories, Francesca Albanese, commented on the arrest of university students in America and protestors in Europe demonstrating against Israel’s actions in Gaza. She stated, “This sustained, global Palestinian-driven mobilization is a bold new phase in an ongoing wave of solidarity with the Palestinian struggle against Israel's decades-old system of occupation, apartheid and settler-colonialism.” Albanese emphasized that all peoples “must stand united against all

oppression, regardless of the perpetrator and the victim, and for equal rights for all." (April 22, 2024) For further information, click [here](#).

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- [The Organization of Islamic Cooperation](#) (OIC) condemned the horrific massacres being committed by the Israeli occupation army in the occupied Palestinian territory and the recent reports documenting the discovery of mass graves in the courtyard of the Nasser Medical complex in the city of Khan Yunis, southern Gaza Strip. The organization considered these actions to be a war crime, crime against humanity, and state-sponsored terrorism that requires investigation, accountability, and punishment under international criminal law. [The spokesperson of the Egyptian Ministry of Foreign Affairs](#) stated that it is regrettable and disgraceful that the violation of international law and humanitarian values continues in plain sight of all countries, international organizations, and the Security Council. The Ministry emphasized the urgent need for immediate intervention by the international community to halt these violations. [The Kingdom of Saudi Arabia](#) also condemned these crimes. (April 23, 2024).
- A UN expert warned that there was a risk that mental illnesses could manifest themselves years from now among the people of Gaza due to the current conflict. "Of course, we see the physical injury, and because it's physical, one can appreciate the severity of it," said Tlaleng Mofokeng, U.N. special rapporteur on the right to health. (April 22-23, 2024) For further information, click [here](#).
- In a meeting between the European Union and the Gulf Cooperation Council, Belgium's Minister of Foreign Affairs, Sophie Wilmes, demanded an immediate ceasefire, the unconditional liberation of all hostages and full, rapid, safe and unhindered humanitarian access in Gaza and the West Bank. Additionally, she urged collective action to establish a political framework that would lead to the recognition of Palestine, the security of Israel, and the right to exist and to live in peace for both countries. (April 23, 2024) For further information, click [here](#).

- The UN High Commissioner for Human Rights, Volker Türk, condemned the Israeli strikes against Rafah in recent days that mainly killed women and children. He reiterated his warning against a full-scale Israeli incursion of Rafah, where an estimated 1.2 million Gazans “have been forcibly cornered.” Mr. Türk decried the “unspeakable suffering” caused by months of warfare and appealed once again for “the resulting misery and destruction, starvation and disease and the risk of wider conflict” to end. (April 23, 2024) For further information, click [here](#).
- In response to the release of the expert report on UNRWA's neutrality, the European Union's High Representative for Foreign Affairs and Security Policy, Josep Borrell, expressed support while “strongly encouraging the international community to stand by the agency, so that it can carry out its mission with adequate funding.” Borrell underscored the European Union's commitment to assisting UNRWA in promptly implementing the recommendations to address neutrality-related issues. (April 24, 2024) For further information, click [here](#).
- Following the discovery of mass graves at the Nasser Hospital in Gaza, South Africa called on the international community to act to bring the perpetrators to justice and ensure accountability for the victims and their families. It noted that the evidence of mass killings of civilians points to the perpetration of war crimes, crimes against humanity, including murder and extermination, and genocide. South Africa stated that the ICC has jurisdiction over the situation in Palestine and therefore called on the Office of the Prosecutor of the ICC to “urgently lead a thorough and impartial investigation into this matter, that complies with international legal standards, to establish the facts and bring those responsible to justice.” (April 24, 2024) For further information, click [here](#).
- Norwegian Foreign Minister Espen Barth Eide [welcomed](#) the report of the Independent Commission of Inquiry, chaired by Catherine Colonna, on UNRWA's handling of neutrality issues. He urged countries that have halted their financial contributions to UNRWA to resume their contributions. Additionally, he [expressed](#) concern about settler violence in the

West Bank and reiterated his country's position that Israel's policy of building settlements on occupied land is a violation of international law and must cease. (April 23-24, 2024).

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- During a hearing at the High Court in the UK, it has come to light that the British government has suspended legal assessments over whether Israel is breaching International Humanitarian Law (IHL). The hearing was part of legal proceedings initiated in December by Palestinian human rights organization Al-Haq and UK-based Global Legal Action Network (GLAN) against the UK after repeated written requests to suspend arms sales to Israel due to grave breaches of international law and UK rules. According to the Campaign Against Arms Trade (CAAT), Trade Government lawyer James Eadie admitted to a "hiatus" in legal assessments of Israel's compliance with IHL for reasons he "couldn't go into," stating that "decisions of some importance have been delayed for some time." Court documents [reveal](#) that on April 8, a week after the three Israeli airstrikes on the World Central Kitchen (WCK) aid workers, the UK made a new decision to continue arms exports to Israel. This followed an assessment by Foreign Secretary, Lord Cameron. (April 24, 2024) For further information, click [here](#).
- The Arab League Secretary-General, Ahmed Aboul Gheit, welcomed the report of the Independent Review Group on Israeli allegations regarding 12 UNRWA personnel. The spokesman for the League's Secretary-General, Jamal Rushdi, stated that Aboul Gheit considered the report of the Independent Review Group, led by Catherine Colonna, proves beyond a doubt that the Israeli allegations that 12 UNRWA personnel are members of groups that attacked Israel on 7 October are spurious and not supported by any concrete evidence. (April 24, 2024) For further information, click [here](#).
- The Arab League Council called on the UN Security Council to adopt a resolution, under Chapter VII of the United Nations Charter, that forces Israel to cease fire and stop its aggression on the Gaza Strip and provides protection for the Palestinian people. The Council denounced the United States' use of the veto to prevent a ceasefire resolution, which it said

contradicts the responsibility of the UN towards the Palestinian issue. (April 24, 2024) For further information, click [here](#).

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- **The United Nations Development Programme (UNDP) recognizes the gravity of the solid waste crisis as one reflection of the broader humanitarian crisis in Gaza. Before the war, UNDP had outlined a comprehensive roadmap for sustainable waste management in Gaza, emphasizing the transition to a circular economy model. However, with the start of the war, priorities have shifted towards urgent humanitarian assistance. (April 25, 2024) For further information, click [here](#).**
- **[The White House](#) said it wanted “answers” from the Israeli authorities after the discovery of mass graves in Gaza hospitals. “We want to see this thoroughly and transparently investigated,” National Security Advisor Jake Sullivan told reporters. [The French Ministry of Foreign Affairs](#) also called for an independent investigation into the mass graves. It said that the condition of civilians had long become unacceptable, calling for an immediate and sustainable ceasefire. (April 25, 2024)**
- **UN Spokesperson Stéphane Dujarric said a ground operation would be “a humanitarian catastrophe.” “We’re operating in a conflict zone...we will not be a party to any forced displacement of people,” he added. UN aid teams reported that no humanitarian missions were possible to northern Gaza on Wednesday (24 April, 2024) “as the Israeli army closed its checkpoints on two roads due to troop movements”. (April 25, 2024) For further information, click [here](#).**
- **The UN Senior Humanitarian and Reconstruction Coordinator for Gaza, Sigrid Kaag, said that a new mechanism for getting life-saving aid into Gaza will start in the coming days. She underlined “the importance of a paradigm shift” to continue to meet the immense needs of the civilian population in a safe and secure manner. That means a further scale up in the quality and quantity of assistance and distribution alongside irreversible steps to enable safe, secure and unhindered delivery inside Gaza as well as planning and timely preparations for early recovery and reconstruction. Regarding the Israeli operation in Rafah,**

she stated that, “such action would compound an ongoing humanitarian catastrophe, with consequences for people already displaced and enduring severe hardships and suffering.” (April 25, 2024). For further details, click [here](#) / [here](#).

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- **The UN Office of the High Commissioner for Human Rights (OHCHR) issued a press release on testimonies from the occupied Palestinian territory showing new depths of the atrocities committed by Israel. The document includes statements made by the United Nations Special Rapporteur on the Occupied Palestinian Territory, Francesca Albanese, who was once again denied entry to the Occupied Palestinian Territory. She collected testimonies from Palestinians in neighboring countries, declaring that the situation in Gaza is worse than previously assessed, and has serious and multi-layered long-term effects. (April 25, 2024) For further details, click [here](#).**
 - **The UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan said that, across the United States, “heads are rolling” at the top of some Ivy League universities amid a campus-wide crackdown on students protesting Israel’s war in Gaza, shining a spotlight on the question of freedom of expression worldwide. She added “The Gaza crisis is truly becoming a global crisis of the freedom of expression,” asserting that “the way academic freedom in the United States is being restricted is infringing on people’s rights to protest over the on-going war and occupation.” (April 25, 2024) For further details, click [here](#).**
 - **After an Israeli Minister threatened to revoke a protection waiver issued annually to two banks in Israel that maintain connections to Palestinian financial institutions, two UN experts warned that “unilaterally cutting off Palestinian banks from the global banking system would be a violation of the fundamental principles of international law,”. They added that “Cutting off Palestinian banks from the global banking system unilaterally also violates the principle of sovereign equality of states, the principle of non-intervention into the domestic affairs of states, the principle of cooperation in good faith,”. (April 25, 2024) For further details, click [here](#).**

- [The Jordanian Ministry of Foreign Affairs and Expatriate Affairs](#) and [the Kingdom of Morocco](#) condemned the intrusion of extremist settlers into the courtyards of Al-Aqsa Mosque, and the performance of provocative Talmudic rituals. They also condemned the imposition of restrictions by the Israeli occupation police on the entry of worshippers. These actions were deemed as a violation of the sanctity of the holy sites and a disregard for the established legal and historical status quo of Al-Aqsa Mosque. (April 25, 2024)
- UN experts have demanded a safe passage for the Freedom Flotilla Coalition, set to depart from Turkey to Gaza. The experts stated that “as the Freedom Flotilla approaches Palestinian territorial waters off Gaza, Israel must adhere to international law, including recent orders from the International Court of Justice to ensure unimpeded access for humanitarian aid.” The experts further noted that Israel, as the occupying power, has not fulfilled its humanitarian obligations. They highlighted that Israel is actively impeding humanitarian assistance, intentionally targeting humanitarian aid convoys, and targeting relief workers and civilians seeking assistance. (April 26, 2024) For further details, click [here](#).
- The United States has decided to postpone plans to impose sanctions on an Israeli army unit involved in alleged human rights violations, Haaretz said, as it reviews information recently provided by Israel regarding incidents of suspected violations. (April 26, 2024) For further, [here](#).
- The International Court of Justice (ICJ) announced that it will issue a decision on Tuesday, April 30, 2024, in the application filed by Nicaragua against Germany, “concerning alleged violations by Germany of its obligations deriving from the Convention on the Prevention and Punishment of the Crime of Genocide, the Geneva Conventions of 1949 and their Additional Protocols, “intransgressible principles of international humanitarian law” and other norms of general international law in relation to the Occupied Palestinian Territory, particularly the Gaza Strip.” Nicaragua demanded five provisional measures, the most prominent of which

is that Germany suspend aid to Israel, especially military assistance. For further details, click [here](#).

- Pehr Lodhammar, a senior officer from the United Nations Mine Action Service (UNMAS), said that the war has left an estimated 37 million tonnes of debris. He added that at least 10 percent of the ammunition that is being fired potentially fails to function and that making Gaza safe again from unexploded bombs could take 14 years. “Every square metre in Gaza impacted by the conflict contains some 200 kilogrammes of rubble” Lodhammar added. (April 26, 2024) For further, click [here](#).

Publications of human rights NGOs

- Addameer published a summary of the total number of arrests in the occupied West Bank, including East Jerusalem, since October 7, 2023, which exceeded 8,425. Nearly 540 of these were children; 66 journalists were also arrested during this period. The figures do not include the arrests in Gaza, as the Israeli authorities have not disclosed them. (April 22, 2024) For further details, click [here](#).
- The Palestinian Center for Human Rights (PCHR) issued [a press statement](#) condemning the ongoing violence and deliberate killings perpetrated by settlers, under the protection of Israeli forces, in the West Bank. It highlighted recent incidents, including the killing of 14 Palestinians, including 3 children, during an Israeli military operation in Tulkarm on April 18 and 19, as well as the killing of an ambulance driver in Nablus. PCHR called on the international community and the UN to abide by their moral and legal obligations and to provide protection for the Palestinians. The Center, in partnership with Al-Haq and Al-Mezan Center, [expressed deep concern about the escalating](#) Israeli air strikes in Rafah, and called for urgent international intervention to put an end to the ongoing Nakba and genocide in Gaza.
- In a statement, the Australian Council of Trade Unions welcomed the Australian Government reinstating funding to (UNRWA), appointing a special advisor to assess the

Israeli Defense Forces (IDF) investigation of the killing of Zomi Frankcom (Australian aid worker killed in Gaza), and calling for a two-state solution. The statement added that Australia has obligations to deny exports that could or would be used to violate humanitarian law and must employ all means to prevent genocide by another state. (April 22, 2024) For further information, click [here](#).

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- EuroMed Rights issued a statement titled: “The Al Jazeera law in Israel – One more step in silencing dissent.” The EU and Member States must pressure Israel to end its campaign against journalists and its pattern of criminalizing dissenting opinion. (April 23, 2024). For further details, click [here](#).
- Amnesty International issued a statement on the “harrowing discovery” of the mass graves in the Gaza Strip. It called for an independent and transparent investigation, considering the sites of mass graves as crime scenes offering vital and time-sensitive forensic evidence. Amnesty stressed that there can be no truth and justice without proper, transparent independent investigations into these deaths. Amnesty warned that, “the lack of access for human rights investigators to Gaza has hampered effective investigations into the full scale of the human rights violations and crimes under international law committed over the past six months, allowing for the documentation of just a tiny fraction of these abuses.” (April 24, 2024) For further information, click [here](#).
- As the crisis in Gaza passes its 200th day, ActionAid warned that Gaza is becoming a graveyard for women and girls. At least 70% of those killed in Gaza are women and children. Furthermore, the organization reiterated that aid workers and infrastructure have protected status under international humanitarian law, and stressed the need to restore funding to UNRWA (April 24, 2024). For further details, click [here](#).
- The Belgo-Palestinienne Association published a memorandum (in French) putting forth concrete measures addressed to Belgium in order to contribute meaningfully to dismantling the regime of oppression imposed on the Palestinian people and achieving a just and lasting peace in the region. These measures consist of three dimensions: ensuring

support and protection for the Palestinian people, ending Israel's impunity, and stopping any form of complicity in their crimes. (April 25, 2024) For further details, click [here](#).

- 7amleh published a position paper entitled: "Youtube's Impact on Palestinian Digital Rights during the War on Gaza." The paper concluded that YouTube's community guidelines do not protect freedom of expression and hinder the sharing of information about the lives of Palestinians. (April 25, 2024) For further information, click [here](#).
- Human Rights Watch said that U.S Universities should respect the right to protest, in response to the harsh crackdowns of pro-Palestine protests at some institutions, including Columbia University, the University of Texas, and Emory University. It stressed that university administrations must be careful not to classify criticism of Israeli government policies or defense of Palestinian rights as anti-Semitic in nature. (April 26, 2024) For further details, click [here](#).
- A joint statement by a group of 25 international civil society organizations called on the US government to block unconditional military aid to Israel. The statement called on Congress to exercise its oversight authority and withhold any lethal military aid that can contribute to violations of international humanitarian law and international human rights law. (April 26, 2024) For further details, click [here](#).
- Defense for Children International - Palestine (DCI-P) said that the Israeli occupation forces are carrying out enforced disappearances of Palestinian children, detaining children from Gaza and refusing to reveal their whereabouts or their numbers. DCI-P added that enforced disappearance amounts to crimes against humanity and constitutes a flagrant violation of international law. (April 26, 2024) For further details, click [here](#).

Research and academic studies (in Arabic and English):

- Researcher Dr. Ralph Wilde publishes a legal paper entitled "Legal Consequences for third States of Israel's potential breaches of the Genocide Convention in the light of the ICJ's Provisional Measures Orders in the South Africa v Israel case." (April 22, 2024) For further information, click [here](#).

Opinion Pieces and features

- Amnesty International published an article by Melissa Hendrickse, legal adviser on racial justice and international criminal law, entitled: “A chance for Africa to counter the pitfalls of international criminal justice?” (April 22, 2024). For further details, click [here](#).
- The Boston Globe published an opinion by Kenneth Roth, entitled: “A case can be made that Israel has genocidal intent.” (April 22, 2024) For further information, click [here](#).
- Critical Legal Thinking published an article by Darcy Leigh & Bal Sokhi-Bulley, University of Sussex, entitled: “Workers Against Imperialism: Resistance in Palestine, Britain and Beyond.” (April 22, 2024) For further information, click [here](#).
- Arab Center Washington DC published an article by Susan Akram and John Quigley, entitled: “Is International Law Still Relevant after the Carnage in Gaza?” (April 23, 2024). For further details, click [here](#).
- Völkerrechtsblog published an article by Moritz Rhades, entitled: “Settler Violence Through the Lens of State Responsibility.” (April 24, 2024). For further details, click [here](#).
- Just Security published an article by Noura Erekat and Josh Powell, entitled: “Report of the Independent Task Force on National Security Memorandum-20 Regarding Israel” For further details, click [here](#).
- The European Journal of International Law blog published an article by Eirik Bjorge, entitled: “Resolution 2728 (2024) is a Binding Council Resolution.” For further details, click [here](#).

Human rights conferences and events

- The Foundation for Middle East Peace (FMEP) organized a webinar entitled: “Dead, Disabled, Displaced, Detained, Orphaned: The Toll of Israel’s War on Palestinian Children.” The webinar featured Miranda Cleland, Defense for Children International-Palestine & Hamdi Shaqqura, Palestinian Center for Human Rights in conversation with Dr Yara Asi, FMEP Fellow. The symposium addressed the effects of the Israeli war in the Gaza Strip on Palestinian children in particular. For further details, click [here](#).

Upcoming human rights opportunities and events

- Institute of Social Studies announced a four-part webinar series: 'October 7, 2023: Terrorism or National Liberation Movement?' For further details, click [here](#).