

## 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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Prepared by: Razwan Issa, Nour Kharouf, Joman Al Khateeb, Arwa Abdel Moniam

Translation: Mai Shaheen and Asma Louzon

Editing: Umamah Begg

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**

- **Riyad Mansour, Permanent Observer of the State of Palestine to the United Nations, said “The atrocities and discovery of mass graves in the vicinity of hospitals that were besieged and attacked by Israel is a new dark chapter in this never-ending tragedy.” He added, “Israel is still trying to push the Palestinian people out of geography and out of history.” (May 1, 2024) For further details, click [here](#).**

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

- **In the context of discussing the possibility of arrest warrants issued by the International Criminal Court in The Hague against Israeli officials, Israeli Prime Minister Benjamin Netanyahu said: “No ICC action will impact Israel’s icrom-clad determination to achieve the goals of our war.” He added that the possibility of the International Criminal**

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**Court issuing arrest warrants against Israeli military and political leaders would be an “outrage of historic proportion,” claiming that “this is an attempt to paralyze Israel’s very ability to defend itself.”** (April 30, 2024) For further details, click [here](#).

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- **Israeli Prime Minister Benjamin Netanyahu reiterated his complete rejection of the idea of stopping the war before achieving all its goals. He added, “We will enter Rafah and we will eliminate the Hamas battalions there - with or without a deal, in order to achieve the total victory”** (April 30, 2024). For further details, click [here](#)
- **The Israeli government warned the Biden administration that if the International Criminal Court issues arrest warrants against Israeli leaders, it will hold the Palestinian Authority responsible and take retaliatory steps against it that could lead to its collapse. Among the possible measures is freezing the transfer of tax revenues collected by Israel for the Palestinian Authority, which would lead to its bankruptcy.** (May 1, 2024) For further details, click [here](#).
- **Israeli Ambassador Gilad Erdan said that granting the Palestinians full membership in the United Nations would only lead to two “destructive results”: furthering terrorism and sending a clear message to the Palestinians that they never have to sit at the negotiating table, let alone make compromises. He [claimed](#) that “Palestinians rejected any peace plan and continue to support terrorism and boycott any negotiations. And now they know that their refusal is paying off!.”** (1-2 May 2024) For further details, click [here](#)

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

- **During her visit to the Gaza Strip, Louise Wateridge, the UNRWA Communications Officer, described the level of destruction as incomprehensible, stating, “everything around you just completely flattened.. Everywhere I was looking there was destruction.” She noted that homes had been flattened to the ground, giving the impression that they**

were uninhabited or had never been lived in before. (April 29, 2024) For further details, click [here](#).

- **[UN Secretary-General António Guterres stated in a press release](#) that it is imperative to allow independent international forensic investigators immediate access to the mass grave sites to determine the exact circumstances under which hundreds of Palestinians lost their lives and were buried or reburied. He emphasized the need to prevent escalation, avert human-made famine, protect the health system, health workers and all civilians, reaffirming the two-state solution as the only sustainable path to peace in the region. In another statement, Guterres [said](#) that “the violence of settlers has been one of the most serious aggravating factors of the very dramatic situation that we have now in the West Bank. And obviously, this should also be a matter that would deserve full accountability.”**

- **Commissioner-General of UNRWA Philippe Lazzarini said that the agency is in a race against the clock to address the widespread hunger and looming famine, especially in the northern areas of the Gaza Strip. Regarding the Colonna report issued last week on the neutrality of UNRWA, he said that UNRWA informed member states of its intention to follow up on the recommendations of that report, and by mid-May it will have an initial action plan to share with the countries (April 30, 2024). For further details, click [here](#).**

- **The ministerial committee appointed by the extraordinary joint Arab-Islamic summit on developments in the Gaza Strip, along with foreign ministers and representatives of European countries met to discuss the urgent need to end the war in Gaza and take the necessary steps to implement the two-state solution. They expressed their support for efforts to achieve an immediate ceasefire, release prisoners and hostages, and end the war in Gaza and all unilateral actions and illegal violations in the occupied Palestinian territory, stressing the importance and necessity of implementing the two-state solution in accordance with international law and agreed upon standards. (April 29, 2024) For further details, click [here](#).**

**The Secretary-General of the League of Arab States, Ahmed Aboul Gheit, stated that Israel seeks to liquidate the Palestinian cause at the expense of neighboring countries through a scenario of forced displacement that is rejected by the Arabs, Islamic countries and the world. It also aims to distract global public opinion from its crimes in Gaza by opening new fronts that may lead to a regional war. He called for an immediate ceasefire in Gaza to put an end to one of the most serious crimes against humanity in the twenty-first century. (April 30, 2024) For further details, click [here](#).**

- **The International Court of Justice (ICJ) has decided not to order provisional measures in the case brought by Nicaragua against Germany over its “participation in the ongoing plausible genocide and serious breaches of international humanitarian law and other peremptory norms of general international law occurring in the Gaza Strip.” In its decision, the Court stated that “Based on the factual information and legal arguments presented by the Parties, the Court concludes that, at present, the circumstances are not such as to require the exercise of its power under Article 41 of the Statute to indicate provisional measures.” The Court rejected Germany's request to remove the case from the List of cases pending in court, due to “there being no manifest lack of jurisdiction.” The Court also affirmed the continuing catastrophic living conditions of Palestinians in the Gaza Strip, particularly in light of the prolonged and widespread deprivation of food and other basic necessities to which they have been subjected. The ICJ affirmed the duty of all states, whether or not they are party to the conflict, “to employ all means reasonably available to them to prevent genocide so far as possible”, including the obligations on “Germany as a State party to the said Conventions in its supply of arms to Israel.” (April 30, 2024). For further details, click [here](#).**
- **US Secretary of State Anthony Blinken said that his country is working tirelessly to get more aid to people in Gaza and secure an immediate ceasefire and release of hostages. He added: “I met with families from Gaza. I heard the suffering that they and**

**their loved ones continue to endure. Some killed or wounded, others displaced.”** (April 30, 2024) For further details, click [here](#).

- **[The UN Humanitarian Coordinator, Martin Griffiths](#), stated that a ground operation in Rafah would be an unspeakable tragedy, and warned that "for agencies struggling to provide humanitarian aid despite the active hostilities, impassable roads, unexploded ordnance, fuel shortages, delays at checkpoints, and Israeli restrictions, a ground invasion would strike a disastrous blow." [In the same context, OCHA issued a statement](#) warning against an invasion of Rafah and described it as leading to a "massacre."**

- **Türkiye announced its intention to formally intervene in the genocide case filed by South Africa against Israel before the International Court of Justice.** (May 1, 2024) For further details, click [here](#).

- **The Jordanian Ministry of Foreign Affairs condemned the attack by extremist settlers on two Jordanian aid convoys carrying food, flour, and other supplies to the Gaza Strip. They considered the failure of the Israeli government to protect the Jordanian aid convoys from settlers, who caused damage to the trucks and scattered some of the supplies on the roadway, representing a violation of its legal obligations, as the occupying power, and of its duty to allow aid to enter Gaza.** (May 1, 2024) For further details, click [here](#)/[here](#).

- **Irene Khan, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, said that the conflict in Gaza is the most deadly and dangerous for journalists, with around 140 killed during the conflict according to the government media office in the Gaza Strip, which is significantly higher than any number recorded by the United Nations in Modern history during conflicts. Khan stressed that what is happening in the occupied Palestinian territory is a very serious deterioration in freedom of media and expression and the rights of journalists.** (May 1, 2024) For further details, click [here](#)/[here](#)

- **UN humanitarian workers have reiterated their warning about the ongoing devastating impact of the war in Gaza and the need to ensure reliable supply lines to provide aid to the people who need it most. The UN Office for the Coordination of Humanitarian Affairs (OCHA) quoted the Palestinian health authorities as saying that more than 10,000 people were missing under the rubble. The UN OCHA reported that relief organizations continue to face a number of restrictions on reaching people in need of assistance throughout Gaza. (May 1-2, 2024) For further details, click [here/ here](#).**
- **US Deputy Ambassador to the United Nations Robert Wood stated that his country “has worked vigorously and with determination to support Palestinian statehood in the context of a comprehensive peace agreement that would permanently resolve the Israeli-Palestinian conflict.” He clarified that his country has a special responsibility to ensure that their “actions further the cause of international peace and security.” He also pointed out that the vote against the resolution on Palestine’s membership in the UN Security Council does not reflect the United States’ opposition to the establishment of a Palestinian state, “but instead is an acknowledgement that it will only come from direct negotiations between the parties.” (May 1, 2024) For further details, click [here](#)**
- **Colombian President Gustavo Petro announced that his country will break diplomatic relations with Israel due to its actions in Gaza and called its government “genocidal.” (May 1, 2024). For further details, click [here](#).**
- **According to Axios, two US officials said the Biden administration had privately told ICC officials that arrest warrants against Israeli leaders would be a mistake and that the United States does not support the action. (May 1, 2024) For further details, click [here](#).**
- **The Japan International Cooperation Agency (JICA) announced emergency humanitarian assistance to improve nutrition in the humanitarian crisis in Gaza. (May 2, 2024) For further details, click [here](#).**

- **The UN Development Program Administrator, Achim Steiner, stated that “every additional day that this war continues is exacting huge and compounding costs to Gazans and all Palestinians”. He stated that their new updated assessment, which estimates the impacts of the war at six months, warn that the suffering in Gaza will not end when the war ends, and that the “Unprecedented levels of human losses, capital destruction, and the steep rise in poverty in such a short period of time will precipitate a serious development crisis that jeopardizes the future of generations to come.” Commenting on the report, the Director of the Regional Bureau for Arab States of the United Nations Development Program, Abdullah Al-Dardari, said that this decline will constitute an unprecedented and historical loss in conflict and war cases since World War II. (May 2, 2024) For further details, click [here](#).**
- **A statement by the Hashemite Kingdom of Jordan states that, in a meeting between Jordan's King Abdullah II and Pope Francis, they expressed their concerns about the current situation in the Gaza Strip and wished for a lasting ceasefire, emphasizing the importance of assisting the Palestinian people. They also stressed the importance of respecting the status quo of the Holy Sites in Jerusalem. (May 2, 2024) For further details, click [here](#).**
- **The Turkish Ministry of Trade announced the suspension of all exports and imports with Israel. The ministry stated “Export and import transactions related to Israel have been stopped,” noting that “Turkey will strictly and decisively implement these new measures until the Israeli Government allows an uninterrupted and sufficient flow of humanitarian aid to Gaza.” The Ministry of Foreign Trade [added](#) that coordination will be made between the Ministry of Trade and the Palestinian Ministry of National Economy to ensure that Palestinians are not affected by this decision (May 2, 2024). For further details, click [here](#)**
- **Trinidad and Tobago has taken the decision to formally recognise the State of Palestine, as the Cabinet decided that the formal recognition of Palestine will assist in the**



achievement of a lasting peace by strengthening the growing international consensus on the issue of Palestinian statehood. (May 2, 2024) For further details, click [here](#).

- **The UN Special Rapporteur for the Occupied Palestinian Territory, Francesca Albanese, expressed her deep concern over the death of Dr. Adnan Al-Bursh, a well-known surgeon at Al-Shifa Hospital, while he was being detained by Israeli forces in Ofer military prison. She called on the diplomatic community to intervene immediately and take concrete measures to protect the Palestinians, noting that no Palestinian is currently safe under Israeli occupation. (May 2, 2024) For further details, click [here](#).**
- **The United Nations Development Programme (UNDP) and ESCWA issued an update to their joint initial rapid assessment titled '[The Gaza War: Expected Socio-Economic Impacts on the State of Palestine](#)', estimating the impacts of the war six months after its onset, with projections for the coming months. The update showed that the war in Gaza has led to an increase in the poverty rate in Palestine to 58.4%, and that Gaza will rely entirely on foreign aid, lacking production capacity and self-sufficiency, posing a long-term economic crisis. (May 2, 2024)**
- **UNESCO announced that Palestinian journalists covering Gaza were awarded 2024 UNESCO/Guillermo Cano World Press Freedom Prize, as tribute to their courage in facing difficult and dangerous circumstances (May 2, 2024). For further details, click [here](#)**
- **Executive Director of the United Nations Children's Fund (UNICEF), Catherine Russell, called for a humanitarian ceasefire in Gaza and the protection of women, children, facilities, services and humanitarian aid on which they depend. Russell said that the "nightmare" experienced by Gazan families must end and warned that any escalated military operation in the city "would bring catastrophe on top of catastrophe for children." (May 2, 2024) For further details, click [here](#)[here](#)**



- **The UK announced the imposition of new sanctions on Israeli extremist groups and individuals for inciting and perpetrating settler violence in the West Bank. The UK Foreign Secretary said that the new package includes two groups known for their support, incitement and encouragement of violence against Palestinian communities in the West Bank, namely the Hilltop Youth Group and the Lehava Group, in addition to four individuals responsible for committing human rights violations against Palestinians in the West Bank. (May 3, 2024) For further details, click [here](#)**
- **The European Union foreign policy chief Josep Borrell strongly condemned the attack by Israeli settlers on Jordanian convoy bringing aid to Gaza and expressed solidarity with Jordan. He added: "Israel must ensure safe delivery of aid" (May 3, 2024). For further details, click [here](#)**
- **UN Secretary-General António Guterres expressed his shock at the large number of journalists killed in Israeli military operations in Gaza on the occasion of World Press Freedom Day. He said, "I am shocked and appalled by the high number of journalists killed in Israeli military operations in Gaza," He emphasized that "Without facts, we cannot fight mis- and disinformation. Without accountability, we will not have strong policies in place. Without press freedom, we won't have any freedom," (May 3, 2024) (May 3, 2024). For further details, click [here](#)**
- **The World Health Organization (WHO) called for an immediate and lasting ceasefire and the removal of the obstacles to the delivery of urgent humanitarian assistance into and across Gaza, at the scale that is required. WHO pointed out that despite the contingency plans and efforts already made, the potential military attack on Rafah is expected to cause a significant increase in the number of deaths and injuries. (May 3, 2024) For further details, click [here](#).**

- **Congressmen of the US Democratic Party expressed, in a letter signed by 86 members of Congress, their belief that “there is sufficient evidence that Israel’s restrictions on the delivery of US-backed humanitarian aid violate Section 620I of the Foreign Assistance Act, and therefore call into question the assurances Israel provided pursuant to National Security Memorandum 20.” The letter called for a comprehensive “assessment and remediation process outlined in the memorandum and consider the variety of tools available to the administration to address these continued violations, from refreshing the assurances to withholding specific arms transfers.” It also condemned the attack launched by Hamas on Israel on October 7. (May 3, 2024) For further details, click [here](#).**

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

- **Doctors without Borders issued a report, titled: “Gaza’s silent killings: The destruction of the healthcare system in Rafah”. The report explains how the entire healthcare system in Gaza has been destroyed, and the population is living under siege, without access to medical care. The report warned that any Israeli attack on Rafah would be an unimaginable disaster, calling for an immediate, sustained, and durable ceasefire. (April 29, 2024) For further details, click [here](#).**
- **The Palestinian Center for Human Rights issued a report on the continued Israeli threat to launch a wide-scale ground attack on Rafah, southern Gaza Strip, where Israeli airstrikes on residential homes intensified concurrently with an increase in artillery shelling targeting the eastern area of Rafah, seemingly as part of a campaign of indiscriminate killing and destruction against civilians, pushing them to forced displacement once again. (April 29, 2024) For further details, click [here](#)**
- **The 7amleh center, along with a coalition of Palestinian and global digital groups, received an official response from Meta regarding inquiries they had raised in a letter to the company about its systematic censorship imposed on Palestinians and pro-**

**Palestinians on Meta's platforms, and the spread of speech that incites violence against Palestinians. The institutions said that Meta failed to specify the steps it had taken to identify the negative impacts of its policies and procedures on human rights and how to mitigate them. The institutions called on Meta to show a real commitment to supporting human rights and protecting all voices on its platforms. (April 30, 2024) For further details, click [here](#).**

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- **The Diakonia Center for International Humanitarian Law published a legal analysis of the discovery of mass graves in Gaza and supported the calls for an independent, impartial, external, effective, and credible investigation into the circumstances of the deaths and burials of the bodies. (April 30, 2024) For further details, click [here](#).**
- **On the occasion of International Workers' Day, Addameer Prisoner Support and Human Rights Association, in partnership with other prisoner associations, issued a report on the arrest of thousands of Palestinian workers by the Israeli occupation since October 7, 2023. The report highlighted mass arrests and systematic crimes which fall within the framework of the collective punishment policy, calling for an independent and immediate international investigation. (May 1, 2024) For further details, click [here](#).**
- **The BBC published the results of an investigation it conducted into the killing of Palestinian children in the West Bank by Israeli army forces on November 29, 2023. The investigation included mobile phone and CCTV footage, information about the movements of Israel's military, witness testimony and detailed investigation of the scene. The BBC said that the evidence it found prompted the UN Special Rapporteur on Human Rights and Counter-Terrorism to say that the incident appeared to be a "war crime." The BBC also reported that its analysis of cases of killing of Palestinian children in the West Bank during the year 2023 showed that about 98% of them sustained**

wounds in the upper part of the body, which means that soldiers are shooting to kill more than to injure in these cases. (May 2, 2024) For further details, click [here](#)

- **Palestine Legal in the United States stated that the Department of Education’s Office for Civil Rights has initiated an investigation against Columbia University in New York on charges of "discrimination against Palestinians," following the University’s summoning of New York City police to arrest Palestinian students and pro-Palestinian supporters protesting against the Israeli genocide in Gaza.** (May 2, 2024) For further details, click [here](#).

### **Opinion Pieces and features**

- **Financial Times published an article by James Shotter and Mehul Srivastava, entitled: “Why are Israel’s leaders worried about international courts?”** (April 30, 2024). For further details, click [here](#).
- **Al-Shabaka, The Palestinian Policy Network published an article by Shatha Abdulsamad, entitled: “Why Scapegoating UNRWA must stop.”** (April 30, 2024) For further details, click [here](#).
- **Al Jazeera published an article by journalist Mat Nashed entitled: “Why would Israel and its allies fear the ICC?.”** (May 1, 2024) For further details, click [here](#).
- **EJIL:Talk! published an article by Rana Moustafa Essawy entitled: “The Attainability of the Evidentiary Standard for Genocidal Intent in Gaza.”** (May 3, 2024) For further details, click [here](#).

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

- **BADIL Center announced the opening of registration for the International Mobilization Course on the Inalienable Rights of the Palestinian People. The course will be held from July 22 to 31, 2024 in Bethlehem, West Bank. It will be conducted in English with a fee of**

**\$500 per person. For more information about registration, click [here](#).** (April 29, 2024) For further information, click [here](#).

- **The UN Committee on the Exercise of the Inalienable Rights of the Palestinian People announced its intention to organize a panel discussion entitled “1948 - 2024: The Ongoing Palestinian Nakba,” on May 17, 2024 at the headquarters of the UN Economic and Social Council from 10 a.m. to 1 p.m. New York time. The event will be live-streamed on the UN website and registration details for the event will be announced soon. For further details, click [here](#).**