

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 Israeli bodies

- **The Israeli Security Council has [chosen](#) not to release the body of Palestinian prisoner Walid Daqqa to his family, opting instead to retain it for potential future negotiations with Hamas regarding prisoner exchanges. The Israeli government justified this decision as a strategic maneuver aimed at securing the release of Israeli hostages, emphasizing the complex considerations and circumstances involved. (June 12, 2024)**
- **Israeli Finance Minister Bezalel Smotrich [declared](#) that Israel has deducted around 130 million shekels from frozen Palestinian Authority (PA) funds and allocated these funds to “families of victims of terrorism” in accordance with court-ordered compensations. Smotrich characterized this action as a reaffirmation of historical justice, alleging that the PA supports and incentivizes terrorism through financial disbursements to families of terrorists, prisoners, and released detainees. (June 13, 2024)**

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- The Israeli Ministry of Agriculture [disbursed](#) funds to a West Bank settlement owned by settler Neria Ben Bazi, who is under sanctions from the United States (US), the European Union (EU), and the United Kingdom (UK). Despite an administrative order issued by the Israeli state in January prohibiting his residency in the West Bank, Ben Bazi received NIS 12,000. Similar financial support was also approved for farms owned by Zvi Bar-Yosef and Moshe Sharvit, who were sanctioned by the US in March. (June 13, 2024)
- Outgoing Israeli Police Commissioner Kobi Shabtai has [revealed](#) details of repeated attempts by National Security Minister Itamar Ben Gvir to interfere in operational matters in recent months, including attempts to prevent police patrols from guarding humanitarian aid convoys headed for Gaza. Additionally, Haaretz [published](#) an article by Josh Breiner, entitled: “How Far-right National Security Minister Itamar Ben-Gvir Took Over Israel's Police.” (June 13, 2024)

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

- United Nations (UN) Under-Secretary-General for Humanitarian Affairs, Martin Griffiths, [said](#) that the scenes of killing in Nuseirat prove that the war grows more horrific. He added: “Seeing bloodied patients being treated on hospital floors, we are reminded that health care in Gaza is hanging by a thread.” (June 9, 2024)
- [Kuwait](#), [the Sultanate of Oman](#), and [Turkey](#) condemned the brutal Israeli attack that targeted the Nuseirat camp in Gaza, which led to a massacre, killing hundreds of Palestinian civilians. The countries further considered it a blatant violation of international law and international humanitarian law. (June 9, 2024)
- The UN Special Rapporteur in the occupied Palestinian territory (oPt), Francesca Albanese, [denounced](#) the condition of the liberated prisoner, Basem Tamimi. She described his condition as heartbreaking, noting that he had been reduced to a “shadow” of his former self after months of Israel’s unlawful ‘administrative’ detention—ie. no charge, no trial. Albanese noted that thousands of Palestinians currently endure such harsh injustice across the oPt. She further stated that taking hostages is a crime, and so is arbitrarily depriving protected persons of their freedom—especially under an Apartheid regime aimed at forcibly removing indigenous people from their land. (June 9, 2024).

- **UN Secretary-General Antonio Guterres [conveyed](#) “extreme sorrow” and condemnation over the deaths of Palestinian civilians following Israel’s deadly attack on the Nuseirat refugee camp to free four hostages. (June 10, 2024).**
- **UN Women’s latest Gender Alert on the war on Gaza [has urged](#) the international community and stakeholders to take decisive action: to actively fund women-led organizations and enable these organizations to expand their life-saving responses; and to include women-led organizations in all humanitarian coordination structures to ensure a truly effective and inclusive humanitarian response. “Investing in their resilience is not just important – it is the key to an inclusive response that leaves no one behind,” said UN Women Executive Director Sima Bahous. (June 10, 2024)**
- **The World Food Program (WFP) [stated](#) that it is temporarily pausing operations at the floating dock built by the US for a UN security assessment to ensure staff and partners’ safety. (June 10, 2024).**
- **The UN Security Council [adopted](#) a resolution welcoming the US ceasefire proposal announced on May 31, accepted by Israel and calling on Hamas to accept it. It urges both parties to implement the terms “without delay and without condition.” The three-phase approach includes an immediate ceasefire, release of hostages, prisoner exchanges, withdrawal of Israeli forces, return of Palestinians to their homes, and safe distribution of humanitarian aid. It then calls for a permanent end to hostilities with the release of remaining hostages and full Israeli withdrawal, followed by a multi-year reconstruction plan for Gaza. The resolution rejects demographic or territorial changes in Gaza and reaffirms commitment to the two-state solution in line with international law and relevant UN resolutions. (June 10, 2024)**
- **The BRICS Ministers of Foreign Affairs/International Relations [expressed](#) grave concern at the deterioration of the situation in the oPt, in particular the unprecedented escalation of violence in the Gaza Strip as a result of the Israeli military operation and declared their support for Palestine’s full membership in the United Nations. In this regard, they called for the effective implementation of the relevant UNGA resolutions and UNSC resolution 2720 and for immediate safe and unhindered delivery of humanitarian assistance at scale directly to the Palestinian civilian population throughout the Gaza Strip. They also called for the effective implementation of the UNSC resolution 2728 for an immediate, durable, and sustained ceasefire. (June 10, 2024)**

- The UN Secretary-General, António Guterres, [reiterated](#) the necessity for the horror in Gaza to stop, noting that it is time for a ceasefire and the unconditional release of the hostages. He welcomed the peace initiative recently outlined by U.S. President Joe Biden and urged all parties to seize this opportunity. (June 11, 2024)
- The spokesperson for the UN High Commissioner for Human Rights, Jeremy Laurence, [expressed](#) profound shock at the impact on civilians of the Israeli forces' operation in An Nuseirat to secure the release of four hostages. Hundreds of Palestinians, many of them civilians, were reportedly killed and injured. The manner in which the raid was conducted in such a densely populated area seriously calls into question whether the principles of distinction, proportionality and precaution – as set out under the laws of war – were respected by the Israeli forces. (June 11, 2024)
- The World Health Organization (WHO) [published](#) a [report](#) titled “WHO’s response in the occupied Palestinian territory.” The report highlighted that the current violence occurs within the context of the ongoing occupation, the blockade of the Gaza Strip, political division, and the long-term displacement of Palestine refugees, all of which have severely exacerbated humanitarian needs and vulnerabilities. (June 11, 2024)
- Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Martin Griffiths, [called](#) for urgent action to support the humanitarian response for Gaza. He stressed that all crossings must be open and functioning in full capacity and entry requirements for humanitarian supplies and personnel must be streamlined. Griffiths added that safe, conducive, and enabling conditions for humanitarian aid workers have to be ensured for the effective reception and provision of aid to civilians in need throughout Gaza, and the UN Flash Appeal for Gaza must be fully funded. (June 11, 2024)
- The EU [noted](#) that more than 2,000 trucks carrying humanitarian aid and commercial goods are waiting in Egypt, ready to enter Gaza. The European Civil Protection and Humanitarian Aid explained that due to the intense military operations, the Rafah crossing remains closed. The EU advocates for sustained, unimpeded, and safe humanitarian access. (June 11, 2024)
- EU Commissioner for Crisis Management, Janez Lenarčič, [stressed](#) the urgent need for a ceasefire and humanitarian access in Gaza while participating in the Gaza Humanitarian Summit in Amman. He pointed to a significant decrease in the amount of aid allowed into Gaza, despite all the efforts of humanitarian actors over the past eight months. He also emphasized that the vital work of the

UN agency staff, which has been under attack in this crisis as rarely before in history, needs to be protected and facilitated. (June 11, 2024)

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- **In a joint statement, the leaders of the Emergency Humanitarian Response Conference in Gaza (the leaders of Jordan, Egypt, and the UN Secretary-General) [expressed](#) their concern over the severe losses and humanitarian catastrophe resulting from the war in Gaza. They condemned the targeting and attacks on civilians and infrastructure. They emphasized the importance of a permanent ceasefire, the release of hostages and detainees, and the unimpeded facilitation of humanitarian aid. They also reaffirmed their support for UNRWA and its crucial role in providing services to Palestinian refugees despite challenges. They called for a peaceful solution that ensures the rights of Palestinians and ends the Israeli occupation by international law.** (June 11, 2024)
- **The High Commissioner for Human Rights, Volker Türk, [welcomed](#) Security Council Resolution 2735 calling for a “full and complete ceasefire,” the release of hostages held by Palestinian armed groups, the return of the remains of dead hostages, and the exchange of Palestinian prisoners. An immediate priority must be to ensure the full and unfettered flow of humanitarian aid to the desperate population of Gaza. The High Commissioner calls on all parties as well as third States, in particular those with influence over the parties to the conflict, to maximize efforts to work towards the goal whereby Israelis and Palestinians can fully enjoy all human rights and live side by side, in peace.** (June 11, 2024)
- **UNICEF [stated](#) that almost 3000 children have been cut off from treatment for moderate and severe acute malnutrition in southern Gaza, putting them at risk of death as harrowing violence and displacement continue to impact access to healthcare facilities and services for desperate families. “Horrible images continue to emerge from Gaza of children dying before their families’ eyes due to the continued lack of food, nutrition supplies, and the destruction of healthcare services” UNICEF said. Meanwhile, the WHO added that keeping the Rafah crossing closed exacerbates the situation, as hospitals are facing severe shortages of supplies.** (June 11, 2024)
- **Spanish Prime Minister, Pedro Sanchez, [said](#) that the humanitarian catastrophe in Gaza “is seriously undermining international law, the multilateral system, and the rules-based order.” Pedro Sanchez called on both Israel and Hamas to “act in a responsible manner.”** (June 11, 2024)

- The Berlin administrative court [rejected](#) an urgent request by a number of Palestinian residents of Gaza to stop the government from approving permits for the export of German weapons to Israel on grounds that they might be used in violation of humanitarian law. The court said the plaintiffs did not show that decisions on arms exports to Israel were actually pending, as Germany has abstained from issuing any this year, or that Germany is likely to permit exports in violation of its obligations under international humanitarian law. (June 12, 2024)
- The Jordanian Ministry of Foreign Affairs [condemned](#) the ongoing and increasing incursions by extremist settlers into Al-Aqsa Mosque in occupied Jerusalem, which occurred under the protection of the Israeli occupation police. The ministry affirmed that Al-Aqsa Mosque is a place of worship solely for Muslims and that Israel has no sovereignty over it. It called on Israel, as the occupying power, to stop all provocative practices and violations and to respect the sanctity of the Al-Aqsa Mosque. (June 12, 2024)
- The UN Independent International Commission of Inquiry on the oPt including East Jerusalem and Israel [released](#) a report asserting that Israeli authorities are accountable for widespread war crimes and crimes against humanity committed during their military operations and attacks in Gaza since October 7, 2023. The commission also found that Palestinian armed groups have committed war crimes within Israel. (June 12, 2024)
- The UN Secretary-General, António Guterres, [reiterated](#) his solidarity with the people of Gaza and the global body's deep commitment to UNRWA. He emphasized the importance of delivering humanitarian aid despite ongoing difficulties and obstacles, particularly since the closure of the Rafah border crossing. He highlighted the significant challenges in providing assistance amidst ongoing war and restrictions on the entry of supplies. (June 12, 2024)
- The Director-General of the WHO [expressed](#) grave concern over the severe hunger and famine-like conditions faced by many in Gaza. He highlighted that despite reports of increased food distribution, a significant proportion of Gaza's population continues to endure hardships. He noted that over 8,000 children under five years old have received treatment for acute malnutrition, including 1,600 with very severe conditions. Emphasizing the importance of implementing the United Nations Security Council resolution calling for an immediate ceasefire and bolstering humanitarian aid provision, he underscored that lasting peace is essential to resolve this humanitarian crisis. (June 12, 2024)

- UNRWA has [warned](#) of catastrophic environmental and health risks in the Gaza Strip, noting that over 330,000 tons of waste have accumulated in populated areas, posing a significant threat to the environment and public health. The agency emphasized the urgent need for unrestricted access to humanitarian aid and the establishment of a ceasefire to restore humanitarian living conditions in the region. (June 13, 2024)
- The United Nations Children's Fund (UNICEF) stated that a convoy carrying aid was denied entry to northern Gaza, despite having all the necessary documents. UNICEF spokesman James Elder, who was on a lorry in the convoy, also said that while waiting at a checkpoint he witnessed the fatal shooting of two Gazan fishermen. (June 14, 2024)
- UN human rights experts have unequivocally [condemned](#) the massacre perpetrated by Israeli forces in Gaza during the hostage rescue operation in the Nuseirat refugee camp. This operation resulted in the deaths of at least 274 Palestinians, including 64 children and 57 women, and left nearly 700 others wounded. The experts specifically criticized the Israeli special forces for disguising themselves in civilian clothes to carry out the military operation, stating: "Acquiring civilian disguise to conduct a military operation constitutes perfidy, which is strictly prohibited under international humanitarian law and tantamount to a war crime." (June 14, 2024)
- The Biden administration [announced](#) sanctions on the far-right Israeli group "Tzav 9," which is behind the attacks on humanitarian aid convoys bound for Gaza. Members of the group looted and then set fire to two aid trucks near the West Bank city of Hebron. (June 14, 2024)
- US Senator Bernie Sanders [voiced](#) concern about recent developments in the occupied West Bank, saying the Israeli premier is breaking international law in the Gaza Strip. "While the world is understandably focused on the destruction unfolding in Gaza, we should not lose sight of what is happening in the West Bank - actions which are in violation of both American and international law," Sanders said in a statement. (June 15, 2024)
- Amid the attacks and threats directed at the International Criminal Court (ICC) following the arrest warrants issued against Israeli officials, 93 countries that are parties to the Rome Statute of the ICC [issued](#) a joint statement expressing their support for the work of the court and its staff, to carry out their professional duties without any form of intimidation. (June 15, 2024)
- The Group of Seven nations [warned](#) Israel to stop any "actions that weaken the PA," after Israeli Finance Minister Bezalel Smotrich moved to withhold tax funds from the PA. The final communique

from the G7 leading industrialized nations' three-day summit in Italy also said that UNRWA must be allowed to work unhindered in war-torn Gaza. (June 15, 2024)

Publications of human rights NGOs

- The Palestine Red Crescent Society (PRCS) [warned](#) of the dangers associated with using a humanitarian aid truck as cover for military operations. The PRCS also urged the international community to hold the occupying authorities accountable for their actions. (June 10, 2024)
- The Gisha Center [reported](#) that the Israeli High Court of Justice has instructed the government to justify its failure to increase aid supplies and facilitate their distribution to the civilian population in the Gaza Strip. This directive follows a [petition](#) filed by Gisha, Adalah, and three other human rights organizations, requesting that the Israeli Supreme Court compel the state to ensure access to all humanitarian aid, facilitate its distribution in Gaza, and address the needs of the civilian population in accordance with Israel's obligations as an occupying power and as a party to the hostilities. (June 10, 2024)
- The Cairo Institute for Human Rights Studies has [called](#) for an immediate ceasefire in Gaza, emphasizing the recent massacre in the Nuseirat refugee camp, and condemning Israel's systematic disregard for civilian lives. The Institute highlighted the stark contrast with the previous ceasefire period, during which hostages were freed without civilian casualties. It underscored that the ongoing Israeli military operations are causing immense civilian suffering and are ineffective in resolving the hostage crisis. The Institute further asserted that the international community, particularly the US and Germany, must cease military support for Israel to prevent further Palestinian casualties. (June 10, 2024)
- The Palestinian Return Center has [published](#) a report titled "Mass Graves in the Gaza Strip - World's First Genocide Broadcast Live Amid International Silence." This report presents evidence of war crimes committed by Israeli forces against Palestinian civilians. The report documents the recovery of hundreds of bodies exhibiting signs of torture, execution, and mutilation. (June 11, 2024)
- The Diakonia Center has [released](#) a report titled "Legality of restrictions on the freedoms of expression, assembly, and association in the Occupied Palestinian Territory." This report examines the legality of the restrictive measures imposed by Israel in the West Bank, including East

Jerusalem, which constrain the exercise of freedoms of expression, association, and assembly. The analysis is conducted in the context of Israel's obligations under the law of occupation and international human rights law. (June 12, 2024)

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- The Institute for Middle East Understanding [released](#) a summary paper detailing fundamental information regarding the Israeli settlement project in the West Bank and East Jerusalem. (June 13, 2024)
 - The UK Supreme Court has [granted](#) Amnesty International and Human Rights Watch permission to intervene in the ongoing legal challenge brought by Al-Haq and the Global Legal Action Network (GLAN) to the UK's transfer of arms to Israel. Amnesty International stated, "the UK's continued sale of components for equipment such as US-made F-35 jets despite the clear risk that these could be used by Israel in the commission of serious violations of international law is making a mockery of the UK's own arms export rules and needs to be stopped as a matter of urgency." (June 13, 2024)
 - The Center for Civilians in Conflict (CIVIC) [welcomed](#) the United Nations Security Council's adoption of Resolution 2735, calling for a three-phase ceasefire deal to end the war. The center urged all UN member states to use their influence to halt the ongoing escalation by suspending arms transfers to Israel and Palestinian armed groups. (June 14, 2024)

Opinion Pieces and features

- EJIL:TALK! [published](#) an article by Enzo Cannizzaro, entitled: "The strange story of the "conditional" admission of the State of Palestine to the United Nations." (June 11, 2024)
- The Century Foundation [published](#) an article by Lana Tatour, entitled: "Palestinians Want Liberation, Not Recognition." (June 12, 2024)
- Charity & Security Network [published](#) an article by Katin Liphart Massad, entitled: "Accountability Under IHL: Legal Consequences for Blocking Humanitarian Assistance in Gaza." (June 13, 2024)
- The Guardian [published](#) an article by Kenneth Roth, entitled: "The international criminal court should investigate Israel's hostage rescue raid." (June 13, 2024)
- World Politics Review [published](#) an article by Yassir Khudayri, entitled: "To Hold Israel Accountable, Defend Palestinian Civil Society." (June 14, 2024)

Research and academic studies (in Arabic and English):

- Communication Law and Policy has [published](#) a new research article by Riccardo Vecellio Segate, titled: “Channeled Beneath International Law: Mapping Infrastructure and Regulatory Capture as Israeli–American Hegemonic Reinforcers in Palestine,” which is now available on SSRN. The study delves into the intricate dynamics of how the United States, alongside Israel, exerts significant control over Palestinian digital rights.
- The Journal of Legal Studies has [published](#) a research article by Amir Maghami and Omid Shirzad in its March 2024 issue (Volume 16, Issue 1, Pages 1-42), titled: “The Right to Resist Against Occupation: Emphasizing the Situation in Palestine”

Upcoming human rights opportunities and events

- The Arab Council Foundation has [announced](#) a grant for the “Skill Development for Human Rights Activists in Legal Documentation and Strategic Litigation” program, which will be held in Sarajevo, Bosnia, in October 2024. The program aims to enhance the capabilities of human rights activists through specialized workshops, intensive training courses, and interactive sessions with experts. It also includes an opportunity to volunteer with the Arab Council Foundation's legal team for six months and participate in the annual conference on the future of democracy in the region. The foundation will cover the costs of participation. To register, click [here](#), before 01-07-2024. (June 10, 2024)