

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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Issue.239 | 28 July - 3 August 2024

Issued every Sunday

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

- **President of the Palestinian Legislative Council, Rawhi Fattouh, [called](#) for the formation of an International Commission of Inquiry to review the inhumane conditions imposed by the occupation's Prison Service on Palestinian detainees, including killings and cases of enforced disappearance, especially of Gaza Strip detainees. He called for the intervention of the international community and human rights institutions to stop these war crimes and crimes against humanity. (July 29, 2024)**
- **The Palestinian National Council [condemned](#) the assassination of the political bureau chief of Hamas, Ismail Haniyeh, in Tehran, describing it as a war crime and a cowardly criminal act aimed at eliminating any chance to halt the genocide in the Gaza Strip. The council held the racist occupation responsible for the assassination. It also condemned the killing of journalists Ismail Al-Ghoul and Rami Al-Rifi in an Israeli airstrike targeting their vehicle in Gaza City, stating that the ongoing targeting of journalists by the occupation reflects its criminality, brutality, and disregard for international opinions and international humanitarian law. (July 30/31, 2024)**

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- In light of the report by the High Commissioner for Human Rights on the issue, the Palestinian Ministry of Foreign Affairs [stated](#) that the inhumane treatment and systematic torture faced by Palestinian prisoners constitute collective punishment amounting to a war crime. The ministry also praised the report's conclusion that the detention of Palestinians without knowledge of their fate amounts to enforced disappearance. It called for urgent international action to compel Israel to halt these violations, release arbitrarily detained prisoners, hold the perpetrators accountable, and allow the Red Cross and the High Commissioner's office to visit the prisoners and the occupied territories. (August 1, 2024)

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

- The Israeli Prime Minister Benjamin Netanyahu [ordered](#) to freeze on a plan to send 150 sick Gazan children abroad to receive medical treatment after the rocket attack in the Golan Heights, which caused the killing of 12 children and teenagers. Netanyahu previously vetoed Defense Minister Yoav Gallant's suggestion of establishing a field hospital to compensate for the closure of the Rafah crossing from Gaza to Egypt. The Prime Minister's plan involved transporting children from Ramon Airbase to the United Arab Emirates as an alternative to treatment in an Israeli field hospital. (July 28, 2024)

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

- UNRWA Commissioner -General Philippe Lazzarini [said](#) that only 14% of areas in Gaza have not been subject to evacuation orders. Israeli authorities issue evacuation orders every two days, forcing people to flee and creating chaos and panic. Lazzarini added that many people have been displaced multiple times each month since the war began. He mentioned that these evacuation tactics only increase the misery, fear, and suffering of people uninvolved in the conflict. (28 July 2024)
- The Swedish government [announced](#) its decision to allocate 100 million SEK to support the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) in response to the emergency humanitarian situation in Gaza, with UNRWA implementing new measures to strengthen

internal controls. The Minister for International Cooperation, Development, and Foreign Trade indicated that this decision, given the urgent need in Gaza, is primarily about medical care, shelter, and food support. (July 28, 2024)

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- UNRWA [reported](#) that families in Gaza live in inhumane conditions, with very limited access to water and sanitation, leading to increased skin infections and diseases. The organization stated that Gaza needs increased humanitarian access to provide regular fuel supplies to ensure clean water. While they continue to distribute food across Gaza, they emphasized the need for unhindered humanitarian access and a ceasefire to save lives. (28 July 2024)
- The Chief United Nations Senior Humanitarian and Reconstruction Coordinator for Gaza, Sigrid Kaag [described](#) the situation in Gaza as ‘absolutely catastrophic’, mentioning the high rates of miscarriages among pregnant women and the lack of essential services. She said that the UN is also working to ensure the preparations in case a much-needed ceasefire is announced. “The UN and its partners are working to ramp up the supplies through prepositioning from Jordan and Egypt, we’re asking the donors to keep financing”. (July 29, 2024)
- [The United Nations Office for the coordination of Humanitarian Affairs \(OCHA\)](#) [reported](#) that over 200,000 people in Gaza, equivalent to about nine per cent of the population, had been displaced over the past week, following Israel’s evacuation orders. (July 29, 2024)
- The Organization of the Islamic Cooperation [condemned](#) the continuation of Israel’s colonial settlement policies by confiscating thousands of dunums of Palestinian land, the latest being the seizure of heritage sites in the village of Sebastiya in Nablus governorate. The organization invited the international community, in particular the United Nations Educational, Scientific and Cultural Organization (UNESCO) to move quickly towards the protection of tangible and intangible cultural property in the Occupied Palestinian Territory. (July 29, 2024)
- UNRWA [condemned](#) the destruction of a water station in Rafah, southern Gaza, where the Deputy United Nations Humanitarian coordinator and Director of UNRWA in Gaza, Scott Anderson, confirmed that this destruction negatively affects water generation capacity. Anderson also reported that

malnutrition has reached critical levels, with mothers struggling to provide food for their children. In a related context, the Office for the Coordination of Humanitarian Affairs (OCHA) stressed that persistent insecurity and restricted access to the Karam Abu Salim crossing have hampered efforts to deploy additional medical teams in Gaza. (July 29, 2024)

- Moroccan King Mohammed VI [stressed](#) the need to reach a permanent ceasefire in the Gaza Strip, in parallel with opening a political horizon that would ensure a just and lasting peace in the region. He added that the deterioration of the situation in the region requires going beyond the logic of crisis management and seeking, instead, a final solution to this conflict, by adopting negotiations to revive the peace process between the Palestinian and Israeli sides, and blocking the way for extremists. (July 29, 2024)
- Independent human rights experts [urged](#) Israel and other UN member states to comply immediately with the advisory opinion of the International Court of Justice issued on July 19, 2024, which declared Israel's occupation of Palestinian territories, including East Jerusalem, unlawful. The experts stressed that the court's advisory opinion reinforces peremptory norms prohibiting annexation and apartheid, and should be seen as binding on Israel and states supporting the occupation. The experts called for an arms embargo and targeted sanctions against Israeli individuals and entities involved in these policies. (July 30, 2024)
- The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) [revealed](#) that between 800 to 1,000 new cases of Hepatitis A are reported weekly in its health centers and shelters across Gaza, with approximately 40,000 cases since the war began. The organization indicated that poor health conditions contribute to the spread of diseases, including Hepatitis A. (July 30, 2024)
- UNRWA Commissioner-General Philippe Lazzarini [stated](#) that his agency has lost 202 staff members since the start of the war in Gaza. He said that most of them were killed with their families in their homes or in places where they thought they would be safe, and many were killed while performing humanitarian duties. Lazzarini reiterated the Secretary-General's call that the United Nations will spare no effort to demand accountability for these deaths among its staff. (July 30, 2024)

- **The United Nations Human Rights Office in the occupied Palestinian territory [expressed](#) concern that more than 80 Palestinian families face the threat of forced eviction from their homes in the Silwan area in occupied East Jerusalem, facilitated by the application of illegal and discriminatory Israeli laws against Palestinians in the occupied territory. The United Nations Office for Human Rights in the Occupied Palestinian Territory warned that international humanitarian law prohibits Israel from imposing its own laws in the occupied territory, including applying Israeli laws to evacuate Palestinians from their homes. (July 30, 2024)**
- **In an attempt to prevent the spread of the Polio epidemic in Gaza, United Nations humanitarian workers have [reiterated](#) ongoing international calls for a ceasefire, to allow for a mass vaccination campaign. WHO spokesman Christian Lindmeier called for safe access to medical and other relief supplies. UNICEF spokesman James Eld said the bombing of a major water facility in Rafah was horrific and constitutes a blatant disregard for children's rights. (July 30, 2024)**
- **The United Nations Human Rights Office [issued](#) a report entitled: "Detention in the context of the escalation of hostilities in Gaza," covering the period from October 7, 2023, to June 30, 2024. The report indicated there are reasonable grounds to believe that all responsible parties, particularly Israel and Palestinian armed groups, committed serious violations and abuses in the context of the arrests on October 7, 2023, and thereafter. These violations include the right to life, liberty, and freedom from torture and other ill-treatment, as well as from rape and other forms of gender-based violence, all of which may amount to war crimes. The High Commissioner for Human Rights [called](#) on the Government of Israel to suppress and punish all serious crimes under international law and to ensure prompt, comprehensive, independent, and impartial investigations into all incidents committed by the IDF that result in serious violations of international law. (July 31, 2024)**
- **Minister of Foreign Affairs, Migration and Tunisians Abroad, Nabil Ammar, [called](#) on all friendly countries to hasten to officially recognize the State of Palestine and support its accession as a full member state to the UN. (July 31, 2024)**

- **The UN Secretary - General's Spokesman, Stefan Dujarric, [expressed](#) Condolences to Al Jazerra journalists' colleagues after two of them were killed in Gaza . He stressed the need to protect journalists and conduct thorough and transparent investigations into such incidents to ensure accountability . He also clearly condemned the killing of journalists. (31 July 2024)**
- **[The Organization of Islamic Cooperation \(OIC\)](#) and [the Gulf Cooperation Council \(GCC\)](#) condemned the assassination of Ismail Haniyeh, Head of the Political Bureau of Hamas, deeming the act a dangerous escalation and an additional crime against the Palestinian people. The OIC held the Israeli occupation responsible for this criminal act, while the GCC called for self-restraint and the abandonment of violence, urging the international community to act to protect the Palestinian people. Meanwhile, [Arab League Secretary-General](#) Ahmed Aboul Gheit stated that Israel is pursuing a reckless policy that could lead to dire consequences in the region, emphasizing that assassinations are violations to international law. (July 31, 2024)**
- **[Jordan](#), [Lebanon](#), [Iraq](#), [Qatar](#), [Yemen](#), [Kuwait](#), [Oman](#), [Syria](#), [Pakistan](#), [the Maldives](#), [Russia](#), [Malaysia](#), [Turkey](#), [Iran](#), [Tunisia](#), [Indonesia](#), and [China](#) have condemned the assassination of Ismail Haniyeh, Head of the Political Bureau of Hamas, in Tehran in an Israeli airstrike. The countries affirmed that the assassination is a violation of international law and represents a serious escalation.**
- **The UN [called](#) for a full and transparent investigation into the killing of two Al Jazeera journalists in Gaza, and other similar incidents. UN spokesman Stephane Dujarric stressed the need for accountability. (July 31, 2024)**
- **In a briefing to the Security Council, Rosemary DiCarlo, the UN Under-Secretary-General for Political and Peacebuilding Affairs, [called for](#) a regional de-escalation following the assassination of Ismail Haniyeh, Head of the Political Bureau of Hamas, in Tehran, warning member states about deteriorating consequences. The representative of Algeria condemned the act as “a vicious assault” on the State sovereignty and called for an end to Israeli occupation. The representative of Sierra Leone condemned the killing of Ismail Haniyeh on Iranian territory as “violating the territorial integrity and sovereignty of Iran,” while the representative of Iran condemned the assassination as a manifestation of Israel’s “pattern of terrorism targeting Palestinians,” holding the United States responsible for its support of**

Israel. Furthermore, the Deputy Permanent Observer for the State of Palestine condemned the assassination as “the criminal breach” of the sovereignty of Iran. The representative of Syria condemned the Israeli attack on Majdal Shams in Syria, describing it as a “horrific crime,” and the representative of Lebanon condemned the Israeli aggression on Beirut and Tehran, warning of the consequences of escalating the regional conflict, and criticizing the US role in supporting Israel. The representative of France and the representatives of several other countries emphasized the need for de-escalation and negotiation, while the representative of the Russian Federation warned of the consequences of the assassination of Haniyeh on mediation efforts. (July 31, 2024)

- The Organization of Islamic Cooperation [expressed](#) concern over Israel’s continued and intensified occupation of its brutal crimes and unprecedented violations against thousands of Palestinian prisoners. The organization condemned the continued arbitrary detention campaigns by the Israeli occupying forces, which had led to an increase in the number of Palestinian prisoners to more than 9.700. It called for an urgent international investigation into Israel’s inhumane conditions and continued violations against Palestinian Prisoners in Israeli occupation prisons that amount to war crimes and crimes against humanity. (August 1, 2024)
- The UN Office for the Coordination of Humanitarian Affairs (OCHA) [warned](#) that “ongoing hostilities, repeated evacuation orders, access impediments, and other challenges continue to hamper efforts to reach people with life-saving assistance” in Gaza. The OCHA has cited the World Food Programme (WFP) and other agencies as still being “unable to get enough food into and around Gaza,” noting that “there are not enough border crossings, and it is difficult to get authorizations to move convoys within Gaza.” It added that “there are often long delays in holding areas, as well as a lack of public order and safety that continues to hamper movements.” (August 1, 2024)
- Philippe Lazzarini, the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees (UNRWA), [stated](#) that “the children of Gaza are going through unspeakable atrocities. They are living in trauma and shock due to 300 days of war, displacement, loss and pain.” He added that the children of Gaza “witnessed what no child should witness,” calling for an immediate ceasefire for their sake and all children across the region. (August 1, 2024)

- **The United Nations Population Fund (UNFPA) [stated](#) that fuel shortages and restrictions are leading to increased transportation costs, thereby limiting women and girls' access to essential health and protection services in Gaza. UNFPA added that the risks faced by women and girls are increasing, and if a ceasefire is not reached, their lives will remain in danger. (August 2, 2024)**
- **The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) [reported](#) that “the situation in the West Bank is worsening daily,” with the Nur Shams and Tulkarm camps “suffering from water shortages and electricity outages.” UNRWA added that Israeli Forces’ operations “continue causing destruction and threatening the lives of people in the area.” It emphasized that “this silent war has to end.” (August 2, 2024)**
- **The European Union [published](#) a report on Israeli settlements in the occupied West Bank, including East Jerusalem, for 2023. It reveals that the number of settlement plans and expansions in 2023 was the highest since the Oslo Accords. The report states that new settlements like "Givat Hamatos" and the "Lower Aqueduct in Jerusalem" hinder geographical continuity between East Jerusalem and the West Bank, threatening the two-state solution and negatively impacting Palestinian development opportunities. The report also notes a rise in settler violence, with the UN recording the highest number of incidents since 2006, resulting in the displacement of 1,539 Palestinians. (August 2, 2024)**
- **The Nordic countries [expressed](#) concern over Israel's withholding of Palestinian clearance revenues, exacerbating the Palestinian Authority's financial crisis. They urged Israel to urgently release the withheld funds and ensure the continuation of banking services between Israeli and Palestinian banks to avoid further economic worsening in the West Bank. (August 3, 2024)**

[Publications of human rights NGOs](#)

- **Physicians for Human Rights Israel (PHRI) [criticized](#) the Israeli government’s decision to postpone the evacuation of 150 sick children from Gaza, describing the decision as a 'cruel game.' The organization stressed that the suffering of the 12 children killed in Majdal Shams should not be exploited for cynical political purposes. PHRI also noted that Israel has destroyed Gaza’s healthcare system and stated that it has been working for several months through international pressure and a petition to the**

Supreme Court to compel Israel to establish a mechanism to evacuate thousands of sick and wounded people from Gaza to receive urgent medical treatment unavailable in the Strip. (July 28, 2024)

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- **In response to the incident of sexual assault of a Palestinian prisoner from Gaza in the Sde Teiman camp, Physicians for Human Rights Israel (PHRI) [stated](#) that the arrest of soldiers suspected of serious sexual assault, months after the organization warned about severe violations in army-run prisons, comes too late. The organization noted that this incident adds to a series of reports it has submitted about severe violence, including sexual violence, indicating that these are not isolated cases but part of a systematic policy of abuse, encouragement of violence, and turning a blind eye. The organization demanded the immediate closure of the torture facility, an end to the policy of abuse in all prison facilities, and accountability for those responsible. (July 29, 2024)**
- **In light of the ongoing crimes against Palestinian detainees in the Sde Teiman camp, the head of [the Palestinian Prisoners' Club](#), Abdullah Al-Zaghari, and the head of [the Detainees and Ex-Detainees Affairs Commission](#), Qadura Fares, emphasized the seriousness of the violations, including torture and sexual assaults, which are increasing over time and with the intensification of arrest campaigns. Al-Zaghari stated that Israeli claims of opening investigations are attempts to mislead the international community, noting that similar crimes occur in other prisons, such as the Negev prison. Fares added that the Israeli measures, including the arrest of some soldiers, are merely a ploy to mislead world public opinion, and that the real solution lies in arresting the leaders of the occupation who are involved in incitement to kill and execute prisoners. Fares called on the International Criminal Court to issue arrest warrants against these leaders. (July 29, 2024)**
- **The Palestinian Centre for Human Rights (PCHR) [warned of catastrophic](#) consequences from the ongoing closure of Gaza Strip crossings, preventing urgent medical evacuations. PCHR urged the international community, especially the UN Security Council, to pressure Israel to open safe corridors for the sick and wounded. They cautioned against partial measures that would limit access for many patients. PCHR emphasized that Israel's actions violate the Fourth Geneva Convention and called on the High Contracting Parties to enforce compliance with international law, ICJ orders and UN resolutions demanding an immediate ceasefire and protection of civilians. (July 28, 2024)**

- **Addameer Prisoner Support and Human Rights Association [issued](#) a press release entitled “International Call to Action: Investigation the Sde Teiman Raid and Human Rights Violations against Gaza Detainees” to denounce the torture, sexual violence, ill-treatment and human rights violations against detainees from Gaza since the beginning of the genocide. Addameer called for immediate international intervention to ensure accountability and the humane treatment of all detainees. They called urgently for a clear and thorough international investigation by the Prosecutor of the International Criminal Court into the systematic abuses and human rights violations committed against detainees from Gaza. (July 29, 2024)**
- **[The Palestinian Journalists Syndicate](#) and [the National Union of Algerian Journalists and Media Professionals](#) condemned the heinous crime committed by Israeli occupation forces against their two martyred colleagues, Ismail al-Ghoul, a correspondent for Al Jazeera, and photographer Rami al-Rifi, while they were performing their professional duties covering the events in the Beach Camp in central Gaza City. They said that the occupation forces directly assassinated them. They stated that this crime is part of an escalating pattern of assassinations and a systematic policy to suppress the truth and silence the free Palestinian voice. They called on the international community, the International Federation of Journalists, and all human rights institutions to take immediate and urgent action to condemn this crime, provide necessary protection for journalists, and demand the opening of an independent international investigation. (July 31, 2024)**
- **Euro-Med Human Rights Monitor [published](#) a report on the Israeli authorities continuously enforcing their ongoing arbitrary blockade of the Gaza Strip, refusing to allow humanitarian aid and necessities that are essential for survival—such as cleaning and personal hygiene supplies—into the Strip. (July 31, 2024)**
- **Gisha - Legal Center for Freedom of Movement [issued](#) a response to the Israeli Prime Minister’s decision to postpone the medical evacuation of Palestinian children from Gaza. The center stressed that Israel has no right to deny children medical treatment, certainly not in such an arbitrary manner or as a means of retaliation. (July 31, 2024)**

- **Al Jazeera Media Network [condemned](#) in the strongest terms the targeted assassination of Al Jazeera Arabic Channel's correspondent Ismail Al Ghouli and cameraman Rami Al Rifi after being targeted by Israeli occupation forces while covering in Al Shatei Camp. Al Jazeera regards this alarming trend demands immediate attention and action from the international community and it urges international legal institutions to hold Israel accountable for its heinous crimes and to demand an end to the targeting and killing of journalists. Al Jazeera pledges to pursue all legal actions to prosecute the perpetrators of these crimes and stands in unwavering solidarity with all journalists in Gaza. (July 31, 2024)**
- **Human Rights Now [called](#) for the support of the International Court of Justice's ruling on July 19, declaring Israel's occupation of Palestinian territories illegal and must end. HRN emphasized the need for more efforts to fully end the occupation, including imposing sanctions on officials and companies supporting it, recognizing the State of Palestine, and supporting the suspension of Israel from the UN General Assembly. (August 1, 2024)**

[Opinion Pieces and features](#)

- **Mondoweiss [published](#) an opinion piece by Mitchell Plitnick entitled: "Congress applauded the genocide in Gaza, but Netanyahu's speech showed the political consensus on Israel is over". (July 28, 2024)**
- **The Daily Sun [published](#) an opinion piece by Richard Falk, entitled: "Why the World Must Stand behind ICJ Decision on Israeli Occupation". (July 28, 2024)**
- **The Guardian [published](#) an opinion piece by Nesrine Malik, entitled: "A new terror has entered the Gaza war: that it is ushering in an age of total immorality". (July 29, 2024)**
- **Middle East Eye [published](#) an opinion article by Joseph Massad titled: "Why the West created a new dictionary for Israel and Palestine." (July 29, 2024)**
- **Mondoweiss [published](#) an opinion article by Fares Giacaman titled: "Netanyahu's willing executioners: how ordinary Israelis became mass murderers." (July 30, 2024)**
- **EJIL:Talk! [published](#) an article by Yussef Al-Tamimi, entitled: "Implications of the ICJ Advisory Opinion for the EU-Israel Association Agreement." (July 30, 2024)**

- **EJIL:Talk!** [published](#) an article by David Keane, entitled: ‘Racial Segregation and Apartheid’ in the ICJ Palestine Advisory Opinion.” (July 31, 2024)
- **LawFare** [published](#) an article by Ingrid (Wuerth) Brunk and Monica Hakimi, entitled: “The Prohibition of Annexations and the World on the Brink. The annexations of Golan and territory in Palestine and Ukraine are part of a dangerous trend exacerbated by consolidations of security alliances and other global power shifts.” (July 31, 2024)
- **Völkerrechtsblog** [published](#) an article by Michelle Burgis-Kasthala, entitled: “Palestine, Israel and the (Dis)ordering of International Law.” (July 31, 2024)
- **+972** [published](#) an article by Oren Ziv titled: "A riot for impunity shows Israel’s proud embrace of its crimes." (August 1, 2024)
- **EJIL: Talk!** [published](#) an article by Sergey Vasiliev, entitled: “Friendly Feast during the Plague: Is the Pre-Trial Chamber Losing its Way on the Palestine Arrest Warrant Proceedings?” (August 1, 2024)
- **Just Security** [published](#) an article by Mark Lattimer, entitled: “Toward an International Register of Damage for the Occupation of Palestinian Territory.” (August 1, 2024)
- **Opinio Juris** [published](#) an article by Tor krever, entitled: “Gaza and International Law: Critical Reflections on the Conjuncture.” (August 2, 2024)

Human rights conferences and events

- **Law for Palestine Organization**, in collaboration with Jadaliyya, [held](#) a panel discussion titled: "Turning Ink Into Action: Unpacking the International Court of Justice Advisory Opinion on Palestine and the Next Steps." The panel featured international law professor Ardi Imseis, former UN Special Rapporteur on Palestine Michael Lynk, and lecturer Shahd Hammouri. The discussion focused on the recent advisory opinion of the International Court of Justice regarding the legality of the Israeli occupation of Palestinian territories. The experts explored the key legal findings and discussed the practical implications and consequences of this historic ruling. The recording will be available soon. (July 29, 2024)