

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, Arwa Abdel Moniam, Kamal Abdulkarim

Translation: Um Kulthoom Sharif and Asma Louzon

Editing: Haneen Shadeed

This weekly report reviews the legal dynamics of the Palestine question, and everything related to international law and Palestine. The report includes an account of the most important publications, activities, and conferences related to Palestine at the local, regional, international levels. The report further covers decisions, decrees, and judicial orders affecting the Palestinian cause, whether made at the official, academic or public levels. The report aims to be a reference for monitoring, documenting, and archiving the latest human rights developments related to Palestine, and to present them to individuals, researchers, study centers, and official, academic, and legal institutions concerned.

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

- **The Palestinian Ministry of Health has strongly [renounced](#) the illegal detention of Director of Kamal Adwan Hospital, Dr. Hussam Abu Safiya, by the Israeli Occupying Forces (IOF), and declared it a flagrant violation of human rights. The Ministry called upon international institutions to facilitate immediate release of all illegally detained medical staff, provide them with critical protection and permit them to perform their professional duties safely and securely. (December 29, 2024)**
- **The Executive Committee of the Palestinian Security Council has [listed](#) (19) new additional names under the National Terrorism List, including (10) individual terrorists and (9) group terrorists, bringing the list to a total of (38) terrorists. The Committee has resolved to share said List with other States, and demands its inclusion in the States' respective terrorism lists. (December 29, 2024)**
- **The Palestinian Ministry of Foreign Affairs and Expatriates (MOFAE) has [held](#) the states that support the Israeli occupation fully accountable for their ongoing failure to stop the genocide of the Palestinian people. It stresses that global silence is enabling the occupation to expand its crimes**

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against civilians, as well as the continuation of the aggression, which has now entered its 450th day and caused the deaths of children from the cold. The Ministry also [condemned](#) the occupying state's boastful statements regarding the destruction of Jabalia, viewing them as a blatant disregard for international legitimacy. Furthermore, it affirmed that the occupation aims to solidify its control over the Gaza Strip by turning it into an uninhabitable land. (December 29-30, 2024)

- The Commission of Detainees Affairs has [expressed](#) deep concern over the tragic conditions of prisoners in Manshe prison, which pose a serious threat to their lives and bodies. It also [announced](#), in collaboration with the Palestinian Prisoners's Society, that four detainees from the Gaza Strip had been killed, according to information from the occupation army and the prison administration. The Commission stated that their deaths were the result of torture and deliberate medical negligence, stressing that the occupation has carried out systematic liquidations of Palestinian prisoners. They also noted that the number of martyrs in occupation prisons since the beginning of the war of annihilation has reached 54, emphasizing that the actions against prisoners represent another face of this genocidal war. (December 29-30, 2024)

- The Palestine National Council (PNC) has [reported](#) that the IOF targeted a tent sheltering displaced Palestinians in al-Mawasi area of Khan Younis, killing and injuring dozens. PNC warns that Israel is escalating the brutality of its genocidal acts, as the genocide continues for 454 days in the Gaza Strip. It also highlighted the exacerbated humanitarian situation in the Strip, as the Israeli occupation continues to persecute the displaced through airstrikes and killing, and is the direct cause for the death of scores of children and destruction of tents sheltering thousands due to the harsh weather conditions. The Council has called on the international community to take immediate action to halt the Israeli aggression. (January 01, 2025)

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

- Israeli Finance Minister Bezalel Smotrich has [announced](#) a new policy aimed at incentivizing Israeli agriculture in Judea and Samaria (the West Bank) and providing Israeli farmers (illegal Israeli settlers) with increased financial support equivalent to the support provided to farmers within the borders of Israel. He stated that the Government is working to rectify what he described as a historical injustice and treat agriculture in Judea and Samaria as part of a broader Zionist vision

aimed at preserving national land reserves, strengthening Israeli territorial control of the region and blocking Palestinian efforts from expanding control over land. (December 29, 2024)

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- For the 16th time, the Israeli government has [motioned](#) the High Court of Justice to postpone the deadline to submit a final response to a petition enabling the Red Cross prison visits to see Palestinian prisoners and relay their condition in Israeli jails. The government explained that its motion was based on “serious security and diplomatic reasons that cannot be disclosed,” and also requested that the case hearing be delayed six times. The government disclosed that it is negotiating with US officials an alternative mechanism for Red Cross visits, that would entail the inclusion of a team headed by a former Israeli judge and two international observers. (December 31, 2024)

- Eight members of the Knesset’s Foreign Affairs and Security Committee have [called on](#) the Minister of Defense, Israel Katz, to scrap their military operations in the Gaza Strip calling it “stagnation”, for a more effective plan that will “cleanse” the Strip and realise their war objectives. The members advocated the IOF destroy all energy, food and water sources in the northern Gaza Strip to eliminate Hamas and kill anyone moving in the area who does not surrender by raising a white flag. Only after said plan has been realised and a period of siege is enforced, the Committee proposes the forces gradually enter in order to completely eliminate the enemy’s holds. (January 02, 2025)

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

- The Foreign Ministry of Egypt has [condemned](#) the systematic targeting of health infrastructure in Gaza by the Israeli occupation, most recently Kamal Adwan Hospital, in a flagrant violation of international conventions. The Ministry has called for an enforcement of international accountability mechanisms, as it warned that the targeted attacks are aimed at evacuating the northern Gaza Strip and displace its inhabitants, imposing a threat to regional and international peace and security. Similarly, the Secretary-General of the League of Arab States, Mr. Ahmed Aboul Gheit, [decried](#) the heinous act of burning Kamal Adwan Hospital, leading to the tragic death of several medical personnel being burnt alive. Aboul Gheit firmly stated that Israel’s war crimes are not particularly imprescriptible and the global silence is a stain on the world’s conscience. (December 28-29, 2024)

- The Foreign Ministries of [Egypt](#), [Jordan](#) and [Qatar](#) condemned the storming of the al-Aqsa Mosque courtyards by Israeli settlers under the protection of the occupation forces, considering these

actions a violation of international law and an assault on the sanctity of the mosque. The Ministries further called on the international community to intervene and halt these violations, which aim to alter the historical and legal status quo of Jerusalem. (December 29, 2024)

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- **The Irish Minister for Foreign Affairs and Minister for Defence, Micheál Martin, [expressed](#) his deep concern by WHO reports that an IDF attack has put out of action the last major hospital in North Gaza, which led to its disruption and the detention of its hospital staff, including the hospital director. The Minister is urging for international humanitarian law to be upheld, stressing the need to protect hospitals and medical and humanitarian personnel. (December 29, 2024)**
- **The Director-General of the World Health Organization, Tedros Adhanom Ghebreyesus, has [reaffirmed](#) that hospitals in Gaza have become battlegrounds and the health system is under severe threat. He reported that, following the Israeli armed incursion, Kamal Adwan Hospital in northern Gaza is no longer in service, patients and staff were forcibly evacuated and its director, Dr Hussam Abu Safiya, was detained and his whereabouts are unknown. Ghebreyesus has urged for the immediate release of Dr. Abu Safiya, an end to the continued attacks on hospitals and for a ceasefire. (December 30, 2024)**
- **The International Committee of the Red Cross (ICRC) has [renewed](#) urgent calls for the respect and protection of medical facilities in line with international humanitarian law; as a legal obligation and a moral imperative to preserve human life. As Kamal Adwan and Indonesian Hospitals have become completely inoperable, Al-Awda Hospital is now one of the few functioning medical facilities in northern Gaza, and is absorbing immense pressure. ICRC confirmed that the medical situation is worsening due to insufficient provision of medical equipment and supplies, fuel, food, and specialized health-care capacities. (December 30, 2024)**
- **OCHA has [warned](#) that the very means of people's survival are being dismantled in the Gaza Strip. This includes an onslaught on health care, emergency services and humanitarian access alongside relentless attacks that kill and maim civilians by the hour. A UN spokeswoman [reported](#) that ten patients were evacuated from the Indonesian hospital, four of whom were arrested as they were leaving. She described the hospital as suffering a complete lack of water, electricity and sanitation and stressed safe and unrestricted access for aid workers to provide care where possible. (December 30, 2024)**

- A group of independent UN human rights experts have [expressed](#) that Israel must face consequences for its assault on the foundations of international law. The experts cited Israel's egregious violations of international law, including several counts of war crimes and crimes against humanity and expressed alarm at the events in northern Gaza. The experts stressed that the blockade in northern Gaza is a violation of Israel's obligations as an Occupying Power, as its agenda is to "permanently displace the local population as a precursor to Gaza's annexation in further violation of international law." (December 30, 2024)
- The Ministry for Europe and Foreign Affairs of France (MEAE) has [condemned](#) the Israeli military operations targeting hospitals in the Gaza Strip, particularly Kamal Adwan Hospital, which is no longer in service. It raised alarm about the situation of the hospital's director, patients, and staff. France called on all parties to negotiate -without delay- an immediate and sustainable ceasefire to guarantee humanitarian aid through all Gaza crossing points, the release of all hostages and protection of all civilians. (December 30, 2024)
- The UN Special Rapporteur on the situation of the Palestinian people in the occupied Palestinian territory (oPt), Francesca Albanese, [urged](#) medical professionals worldwide to sever all ties with Israel as a concrete measure to forcefully denounce Israel's complete destruction of the Palestinian healthcare system in Gaza, a critical component of its ongoing genocide (December 30, 2024)
- The United Nations Relief and Works Agency for Palestinian Refugees (UNRWA) [reported](#) that heavy rainstorms in the Gaza Strip are exacerbating the humanitarian situation. Where Khan Younis has seen extensive damages with over 100 tents flooded, around 500 families still live along the Strip's shoreline under harsh and critical weather conditions. UNRWA stressed the urgency of humanitarian assistance to be delivered in more frequencies and quantities and called for an immediate ceasefire. (December 31, 2024)
- The Commissioner-General of UNRWA, Philippe Lazzarini, has [exposed](#) the impacts of the Israeli war in the Gaza Strip, as he documents that the ongoing fifteen-month war killed 258 UNRWA Staff, nearly 650 incidents against UNRWA buildings and facilities were targeted, and at least 745 people were killed in its shelters. Lazzarini reiterated his call for independent investigations into the systematic disregard for the protection of humanitarian workers, premises and operations, and expressed outright rejection for continued impunity. Lazzarini calls for the release of all detained

humanitarian staff and hostages, enabling relief efforts and lifting the siege on Gaza to bring in much needed humanitarian supplies. (December 31, 2024)

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- The Office of the United Nations High Commissioner for Human Rights (OHCHR) [published](#) a report detailing fatal Israeli attacks on hospitals in and around Gaza, documented between October 12, 2023 and June 30, 2024. The report raised concern that it has pushed Gaza's healthcare system to the brink of collapse and has catastrophic impacts on Palestinians' ability to access medical care. UN High Commissioner for Human Rights Volker Türk describes the horror, "As if the relentless bombing and the dire humanitarian situation in Gaza were not enough, the one sanctuary where Palestinians should have felt safe in fact became a death trap". (December 31, 2024)
- The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) has [raised the alarm](#) on the acute fuel deficiencies required for essential services in Gaza, as the reported stock has fallen under 25,000 litres- below the daily consumption rate. OCHA stressed that 2024 had seen the highest number of settler-related incidents across the West Bank- where more than 1,400 incidents were recorded, of which 480 Palestinians were killed; with most deaths being at the hands of the IOF. (December 31, 2024)
- OCHA has declared that the year 2024 has [recorded](#) the highest numbers in nearly two decades regarding violations in the West Bank, with approximately 4,250 Palestinians displaced and 1,760 structures destroyed. OCHA recorded about 1,420 incidents of Israeli settler violence, including killing five Palestinians including a child, injuring 360 other Palestinians including 35 children, and vandalising more than 26,100 Palestinian-owned trees. OCHA also reports that the IOF have intensified movement restrictions in the Israeli-controlled area of Hebron city (H2), including the installation of a barbed wire barrier. (January 02, 2025)
- UNICEF [reported](#) that an airstrike tore to shreds a tent in Mawasi - a "safe zone" in Gaza - and killed 5 children, including 3 boys and 2 girls aged 7-13 years old, and injured others. UNICEF stressed that there is no safe place for children to protect themselves from bombs, cold, hunger and disease, and called for an immediate end to the war. (January 02, 2025)
- Two independent UN experts [called for](#) an end to the "blatant disregard" of the right to health in the Gaza Strip. The experts asserted that unending Israeli assaults on Palestinians' right to health in the oPt have reached new levels of impunity. They emphasized that the attack on Kamal Adwan

Hospital is part of a systematic pattern that includes bombing, detaining and killing hospitals and medical staff, and may amount to war crimes within an ongoing pattern of genocide. They also stressed the urgency to release Dr Hussam Abu Safiya and all health workers arbitrarily and illegally detained. (January 02, 2025)

- The Assembly of the Representatives of the People of Tunisia [expressed](#) its deep concern over the tragic and degenerative conditions of the Palestinian people in the Gaza Strip, as a result of the genocidal war waged by the occupying Zionist entity. It called on national parliaments, unions, and regional and international parliamentary councils to intensify efforts to hold the perpetrators of the crimes accountable, strengthen solidarity and support for the Palestinian cause, and work to provide international protection for the Palestinian people. (January 02, 2025)
- Israel Hayom newspaper has [reported](#) that US President-elect Donald Trump plans to impose devastating sanctions against the International Criminal Court (ICC) immediately after his inauguration. Trump's executive orders are expected to persecute individual ICC personnel -including judges and prosecutors- and the institution as a whole. The Trump Administration disclosed its plans to classify the ICC as an organisation that threatens US interests by employing designation procedures similar to those used by the State Department for terrorist organisations globally. The restrictions aim to force the court to withdraw the arrest warrants issued against Israeli Prime Minister, Benjamin Netanyahu, and former Defence Minister, Yoav Gallant, where the incoming administration considers the ICC's arrest warrants a direct threat to US national security . (January 02, 2025)
- Deputy German Foreign Ministry spokesman Christian Wagner [welcomed](#) new developments in ceasefire negotiations in Qatar-capital Doha and hoped that an agreement would be reached soon. Wagner remarked that the military approach in Gaza "must be adjusted and the civilian population must be protected." (January 03, 2025)
- In an interview with Radio Television Ireland (RTE), UNRWA's Director of Communications and Information, Juliette Touma, [asserted](#) that the UN has no plans to replace UNRWA, and the Israeli Knesset must reverse a possible ban on the agency, as it prevents the provision of essential services to millions of Palestinian refugees in Gaza and the West Bank, including East Jerusalem. (January 04, 2025)

Publications of human rights NGOs

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- **Amnesty International [called on](#) Israel for the immediate and unconditional release of all arbitrarily detained Palestinians, including health workers and Director of Kamal Adwan Hospital, Dr Hussam Abu Safiya. Amnesty expressed grave concern for his fate and called on the international community, especially Israel's allies, to take urgent action to stop Israel's genocide against Palestinians in Gaza. It highlighted the broader issue of Israeli detention practices, positing that Israel has arrested hundreds of Palestinian health workers without charge or trial, all of which have become victims of torture, ill-treatment, and incommunicado detention. (December 29, 2024)**
- **Palestinian Centre for Human Rights (PCHR) has [condemned](#) the world's silence and international double standards regarding Israel's atrocities, which violate international humanitarian law and are deemed complicit in the crime of genocide against Palestinians. PCHR called for effective measures to be taken to immediately stop the occupation's attacks on medical facilities and release the detained medical staff. PCHR also called on international health organizations, particularly the World Health Organization (WHO), to exert pressure to protect hospitals and ensure their continued operation. (December 28, 2024)**
- **The Euro-Mediterranean Human Rights Monitor [revealed](#) harrowing testimonies documenting serious crimes committed by the IOF against Palestinian civilians during the incursion of Kamal Adwan Hospital and the surrounding areas in northern Gaza. During the incursion, the IOF committed several war crimes from deliberate killings; field executions; sexual assault to physical battery of women and girls from medical teams and stripping them of their head coverings and clothes. The Monitor added that Israeli forces destroyed most of the hospital's departments with shells; burning employees alive. It called for an immediate UN investigation and enforcement of legal mechanisms to hold those responsible for the crimes accountable. The Monitor also [called](#) on the UN to send an international mission to investigate the crimes and flagrant violations Palestinian prisoners and detainees are being subjected to in Israeli prisons and detention centers. (December 28-31, 2024)**
- **Al-Dameer Association for Human Rights has [called for](#) the establishment of the United Nations commission of inquiry into the circumstances of the martyrdom of detainees in the prisons and camps of the Israeli occupation. It has invited international bodies, including ICRC to urgently**

intervene, protect Palestinian detainees, and to intensify visits to remain familiarized with their critical conditions within the IOF's camps and prisons. (December 28-30, 2024)

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- Reuters has [published](#) a report addressing the crippling hunger crisis in the Gaza Strip, noting that many aid workers and doctors say famine has taken hold in Gaza, but the Global Hunger Watchdog has stopped short of announcing this nearly five times this year. Due to Israel's uninterrupted bombing campaign and its restrictions on movement, the Watchdog has been thwarted from accessing key data to determine whether the conditions constitute a famine. The report noted that some experts have called to lower the threshold for determining famine and expand the types of data used to identify it in conflict areas. (December 30, 2024)
- Gisha-Legal Center for Freedom of Movement [published](#) a report titled, "Women on the line", which includes testimonies from a psychologist, a nurse, and a midwife from Gaza who describe the threats to women's lives during the war and humanitarian crisis. (December 30, 2024)
- Al Mezan Center for Human Rights [condemned](#) Israel's systematic and deliberate targeting of healthcare facilities in Gaza, emphasizing that these attacks are part of a broader strategy to destroy the healthcare infrastructure, leaving thousands of civilians, including those seriously injured, without access to medical care. The Center called for the immediate release of the Kamal Adwan hospital staff, and called on the international community to take urgent measures to stop the genocide. Following the revelation that five Gaza Strip detainees were killed within 24 hours, the Center held Israel responsible for their deaths, stressing that those responsible must be held accountable, and called on the international community to take immediate action to protect Palestinian detainees from further harm. (December 30-31, 2024)
- The Palestinian Centre for Human Rights (PCHR) has [released](#) a report titled, "Generation Wiped Out: Gaza's Children in the Crosshairs of Genocide", detailing the systematic and deliberate crime of genocide committed by Israel against children in the Gaza Strip. The report documents several counts of international crimes -from killing, inflicting serious physical and mental harm, and subjecting children to harsh living conditions calculated to bring about the destruction of their lives in whole or in part- as well as public statements from Israeli officials to annihilate the entire Palestinian existence. (December 31, 2024)

- Al-Haq has [published](#) a new report titled, “How to Hide a Genocide: The Role of Evacuation Orders and Safe Zones in Israel’s Genocidal Campaign in Gaza”. The report uncovers the disguised role of unlawful “evacuation orders” from the Israeli occupation to alleged “safe zones”, constituting a war crime and crime against humanity of forcible transfer, under Israel’s mass genocidal campaign. The report describes Israel’s evacuation orders as a lethal tactic of disguising the mass forcible transfer and targeting of Palestinians, while displacing over 1.9 million Palestinians to areas that make up less than 20 percent of Gaza’s territory. Al-Haq explained that the purported evacuation orders only serve to facilitate and fuel Israel’s genocidal campaign and create conditions calculated to destroy Palestinians in Gaza. (January 01, 2025)
- Médecins Sans Frontières (MSF) has [reported](#) that Israel’s ongoing war on Gaza has forced more than 1.9 million people to become forcibly displaced, thereby leaving families to suffer the harsh winter conditions in makeshift and run-down tents with minimal protection from the cold. Children are especially vulnerable to various health hazards as the temperatures fall and the families lack basic essentials such as water, food and warm shelter. (January 02, 2025)
- After the Israeli army has repeatedly [denied](#) the existence of prisoner records proving the illegal detention of the Director of the Kamal Adwan Hospital, Dr. Hussam Abu Safiya, the Palestinian Prisoners Club has alerted Abu Saifya’s endangered fate at the hands of Israel. The Club clarified that the case of Abu Safiya is one of thousands of Gazan detainees who are victims of the crime of enforced disappearance, and Abu Safiya is among more than 320 medical personnel arrested since the beginning of the genocide war. (January 03, 2025)

Opinion Pieces and features

- Mondoweiss [published](#) an op-ed by Walter Lucken IV titled, “One year since South Africa v. Israel at the ICJ. What have we learned?” (December 29, 2024)
- Haaretz [published](#) an op-ed by Gideon Levy titled, “No Infrastructure Remains in Northern Gaza, for Terrorism or for Life.” (December 29, 2024)
- Haaretz [published](#) an op-ed by Iris Leal titled, “How Israel Turned More Than 10,000 Children Into Collateral Damage.” (December 29, 2024)

- Haaretz [published](#) an article by Hagar Shezaf titled, “Israeli Settlers Pressured, the Cabinet Approved. Now Annexation Is Creeping Into West Bank’s Area B” (December 30, 2024)
- Middle East Eye [published](#) an op-ed by Orly Noy titled, “Gaza’s ‘luxury spa’: How Israel creates a fantasy retreat to distract from genocide.” (January 01, 2025)
- Mondoweiss [published](#) an analytical article by James Ray titled, “Israel cannot lose a ‘humanity’ it never had.” (January 02, 2025)
- The Rights Forum [published](#) an article by Jan Keulen titled, “Wat doen we met Gaza?” (January 03, 2025)

Human rights conferences and events

- A collection of health and human rights organizations, including Doctors against Genocide, Nurses against Genocide and Jewish Voice for Peace [launched](#) the “Not Another Child, Not Another Hospital” campaign- an urgent appeal to medical institutions, heads of medical associations, hospital CEOs, and healthcare leaders to take immediate action to safeguard the health and life of and children in Gaza and Lebanon. The campaign demanded an end to the bombing of hospitals and targeting of health workers, protection of children, an immediate ceasefire, a comprehensive arms embargo and divestment from Israel, unrestricted humanitarian access to the Strip and to re-build the healthcare system to support patients affected by Israel’s genocidal campaign. (December 31, 2024)