

Palestine's Legal Scene

Your weekly survey of the most important publications and activities related to Palestine, from local and international sources

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

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

- **The Ministry of Detainees and Ex-Detainees Affairs [warned](#) of the escalating hostile and inhumane policies being practiced by the "Damon" prison administration against Palestinian female detainees, including psychological torture, threats of rape, strip searches, beatings, starvation, and deprivation of basic needs and medical treatment. The Ministry also highlighted the dire conditions of child prisoners in "Megiddo" prison, where special suppression units are permanently stationed in front of the section designated for their detention, subjecting them to various forms of abuse and violations. It confirmed that there are approximately 280 minors detained in Israeli jails. In this context, the Ministry pointed to the systematic medical neglect being inflicted on Palestinian detainees, holding the Israeli prison administration fully responsible for its consequences. It called on international institutions, including human rights organizations and the Red Cross, to fulfill their responsibilities and take action to defend the detainees and ensure their rights. (December 8, 2024)**

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- On the occasion of the 37th anniversary of the Stone Intifada, the Palestinian National Council **reaffirmed** its ongoing struggle for freedom and national dignity. The Council condemned Israeli crimes and called on the international community to hold the occupation accountable and impose sanctions on it. (December 8, 2024)
- The Palestinian envoy to the Arab League, Mohannad Al-Aklouk, **stated** that Palestine demands the suspension of Israel's membership in the United Nations and the activation of Chapter VII of its Charter to compel Israel to cease hostilities, allow humanitarian aid access, and end the starvation and displacement of Palestinians. He also urged Arab countries to recognize Israeli aggression as a threat to Arab national security, to list Israeli terrorist organizations on terrorism watchlists, to impose economic boycotts on Israel, and to intensify legal efforts in international courts. Al-Aklouk emphasized the need to implement Arab League decisions rather than allowing them to remain mere words on paper. (December 8, 2024)
- The Palestinian Ministry of Foreign Affairs and Expatriates (MOFAE) **welcomed** Ireland's declaration of its intervention in the genocide case against Israel before the International Court of Justice (ICJ) and called on all States Parties to the Convention on the Prevention and Punishment of the Crime of Genocide to join and actively participate in the proceedings before the Court, stressing the need to end the genocide against the Palestinian people and combat Israel's impunity. **The Palestinian MOFAE** and the **Palestinian National Council** further welcomed the adoption by the UN General Assembly of two resolutions calling for an immediate ceasefire in the Gaza Strip and the protection of UNRWA, and the Ministry called on all UN member states to ensure the implementation of these resolutions. Meanwhile, the National Council called on the international community to isolate and punish the occupation and support the Palestinian people in their struggle for freedom and independence. (December 11-12, 2024)
- The Palestinian National Council **stated** that the Israeli occupation government has begun implementing plans to annex West Bank territories as part of a scheme by extremist minister Bezalel Smotrich, having seized 94 dunams of land in Beit Jala, west of Bethlehem. It warned that the implementation of the annexation plan reinforces the colonial system and leads to the displacement of indigenous populations. The Council called on the international community to take urgent action to halt these violations and impose sanctions on the occupation government. (December 11, 2024)

- The Palestinian MOFAE [condemns](#) the brutal massacre perpetrated by the Israeli occupation forces in Nuseirat camp, which resulted in the martyrdom and injury of more than 150 Palestinians and the destruction of buildings. The Ministry emphasized that the massacre was the result of the international community's failure to act and its inability to implement its own decisions. (December 13, 2024)
- **Judicial decrees, decisions, positions, and orders issued by official Israeli bodies:**
- Israel's Ambassador to the United Nations, Danny Danon, [stated](#) that hundreds of UNRWA employees are complicit in harming innocent Israelis. He added that peace is impossible until UNRWA is uprooted. (December 9, 2024)
- Israeli Foreign Minister Gideon Saar [said](#) that, "Israel is now more optimistic about a possible hostage deal in Gaza," confirming that "There will not be a ceasefire in Gaza without a hostage deal". (December 9, 2024)
- Israeli Minister of National Security Itamar Ben-Gvir [called](#) for the establishment of "permanent checkpoints" on the roads of Judea and Samaria [the occupied West Bank] and for providing safe roads for the residents of the Palestinian Authority. He reaffirmed: "The right of Israeli citizens to life takes priority over the freedom of movement for the residents of the Palestinian Authority". (December 12, 2024)
- The Israeli Knesset [gave](#) final approval to a law presented by Knesset member Simcha Rothman of the "Religious Zionism" party and other members, which prohibits the state from paying for the "legal representation" of illegal combatants captured from the Gaza Strip. The law provides for deducting the funding for "legal representation" by the court for combatants captured or convicted of security offences, suspected of carrying out the October 7, 2023, attacks, from frozen Palestinian clearing funds. (December 12, 2024)

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

- The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) [announced](#) that displaced people in Gaza need protection from the rain and cold. Only around 23% of this need has been met, leaving 945,000 people at risk of exposure this winter. Urgent aid is required to address the overwhelming needs as the crisis deepens. The UNRWA Commissioner-General, Philippe Lazzarini, [stressed](#) the necessity of an immediate ceasefire in Gaza to allow children to

return to their education and ensure that this generation of children does not become a lost one. (December 8-9, 2024)

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- A senior U.S. official [stated](#) that Washington is making intensive efforts to secure a ceasefire in Gaza, facilitate the release of hostages, and address other issues related to the conflict. He noted that significant changes in the balance of power in the Middle East represent an opportunity for greater stability in the region, aligning with both American interests and the interests of the people in the area. (December 9, 2024)
- The UNRWA Commissioner-General, Philippe Lazzarini, [stated](#) that international law and the rules-based order are experiencing clear fractures, pointing to increasing challenges in upholding the Geneva Conventions and the threats facing the multilateral system. He explained that Israel's disregard for ICJ rulings, including those related to ending the occupation and halting acts of genocide in Gaza, exacerbates dangerous polarization in the international community. He warned of the catastrophic collapse of UNRWA. (December 9, 2024)
- The Head of the United Nations Office for the Coordination of Humanitarian Affairs in Gaza, Georgios Petropoulos, [stated](#) that approximately 2.1 million people in the Gaza Strip need comprehensive assistance, including shelter, water, food, medical care, and protection. He noted that the crossings between Gaza and Israel are opening very slowly, despite repeated calls for them to be expedited, leading to an increase in the problem of criminal looting of humanitarian supplies. (December 9, 2024)
- The United Nations Office for the Coordination of Humanitarian Affairs [reported](#) that additional fuel has been delivered to bakeries in Gaza, allowing four bakeries to resume operations. However, seven bakeries remain closed in northern Gaza and Rafah due to ongoing hostilities, and all bakeries in Deir al-Balah and Khan Younis are closed due to a shortage of flour and security concerns. Additionally, a joint convoy successfully [delivered](#) urgent food aid to residents in southern and central Gaza via the Philadelphia Corridor, providing food for approximately 200,000 people. (December 10, 2024)
- The Office for the Coordination of Humanitarian Affairs in the occupied Palestinian Territories (oPt) [issued](#) a report confirming that humanitarian aid has been unable to reach the besieged areas in northern Gaza for the past 66 days. Approximately 5,500 people have been forcibly displaced from three schools in Beit Lahiya. The report noted that fewer than 400 patients have been evacuated for medical treatment outside of Gaza in the past seven months, while about

14,000 people are still awaiting approval to leave. It also confirmed that the number of UN-supported bakeries in Gaza does not exceed four, all of which are located in Gaza City. The report documented 21 attacks on schools, most of which were being used as shelters for internally displaced persons. (December 10, 2024)

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- The Media Observatory of the Organization of Islamic Cooperation [documented](#) a continuous Israeli escalation since October 2023, aimed at making the Gaza Strip unlivable. (December 10, 2024)
- The UN Under-Secretary-General for Humanitarian Affairs and Reconstruction in Gaza, Sigird Kaag, [stated](#) that the situation in Gaza is "extremely catastrophic," with civilians suffering from inhumane conditions. She emphasized the urgent need for a ceasefire and the release of hostages, noting that aid alone will not be sufficient without the restoration of commercial activity and the opening of the Rafah crossing. Kaag also called for an expanded definition of dual-use materials and for the allowance of winter supplies and health essentials. She stressed the necessity of the Palestinian Authority's return to Gaza to enhance recovery and reconstruction efforts, highlighting the vital role of UNRWA. (December 10, 2024)
- The United Nations and its partners [issued](#) an urgent appeal in a report for \$4.07 billion in 2025 to meet the humanitarian needs of 3 million people in the oPt, including Gaza, the West Bank, and East Jerusalem, amid the worsening humanitarian crisis. The report highlighted that Gaza is the most dangerous and challenging place in the world to deliver aid, with crossings remaining closed or restricted and operational costs escalating. (December 11, 2024)
- The Office for the Coordination of Humanitarian Affairs (OCHA) [stated](#) that recent history has not seen the frequency and scale of killings and destruction in the Gaza Strip, while violence in the West Bank has escalated dramatically. OCHA clarified that Gaza has become the most dangerous place in the world, where people are facing killing or suffocating slowly due to a lack of the most basic means of survival, while humanitarian agencies are struggling to deliver aid. (December 11, 2024)
- The Irish Minister for Foreign Affairs, Micheál Martin, [announced](#) that the Government has approved Ireland's intervention in South Africa's ICJ case against Israel under the Genocide Convention. Martin said that Ireland will be asking the ICJ to broaden its interpretation of what constitutes the commission of genocide by a state, adding, "We are concerned that a very narrow interpretation of what constitutes genocide leads to a culture of impunity". (December 11, 2024)

- **Four UN independent human rights rapporteurs [called](#) on the international community to impose sanctions on Israel in connection with its conduct of hostilities in the occupied Palestinian territories, urging the abandonment of “double standards and extreme interpretations” in applying the norms governing the conduct of war. The UN rapporteur on the situation of human rights in the occupied Palestinian territories, Francesca Albanese, called for a moratorium on direct arms transfers to Israel and a review of its accreditation to the UN “to show zero tolerance for impunity”. (December 11, 2024)**
- **The United Nations Humanitarian Coordinator in the oPt, Muhannad Hadi, [said](#), “Those who do not die from bullets or from the bombs may die from the lack of proper health care or the lack of food or safe drinking water.” Following his visit to Nasser Hospital, Hadi stated that he had seen mothers sitting next to their children, wondering if they would ever be able to provide them with the medicines and medical care they need. (December 12, 2024)**
- **The UN General Assembly [adopted](#) two resolutions demanding a ceasefire in Gaza, the release of hostages, and support for the mandate of UNRWA. With 158 votes in favor, 9 against, and 13 abstentions, the General Assembly called for an immediate, unconditional, and permanent ceasefire in Gaza, to be respected by all parties, rejected any attempt to starve Palestinians, and called for the facilitation of UN-coordinated access into Gaza. The General Assembly reiterated its firm commitment to the vision of a two-State solution. (December 11, 2024)**
- **The leader of the prosecutor's office at the International Criminal Court's (ICC) Palestine investigation, Andrew Cayley, [stated](#) that the presence of Hamas fighters in hospitals in Gaza, under siege by Israel's military, has been “grossly exaggerated.” Cayley questioned the reliability of claims about military activity in Gaza's hospitals, which have been made to justify Israeli attacks on healthcare facilities in the territory. Cayley said the ICC faced “great difficulty assessing” the level of Hamas militant presence in hospitals “because clearly there are lies being spoken, but that is really something we do need to get to the bottom of as a prosecution office.” He added, “I think that has been grossly exaggerated, but we need to be able to demonstrate very clearly what the level of military presence was, if at all, in these hospitals because I think we've been misled about that in the press”. (December 11, 2024)**
- **World Food Programme (WFP) Emergency Public Information Officer Jonathan Dumont [stated](#) that the destruction in Gaza was “staggering” and that almost everyone had lost their homes, warning that little food had reached the territory, with exorbitant prices that people could not**

afford. He added, “Many people live in tents. As winter approaches, we have rain and wind blowing over them, flooding them. Many children do not have shoes. Many people decided they had no choice but to go home, which was often literally rubble.” The UN official stressed the need to find a way to deliver food to Gaza “so we can reduce the risk of famine”. (December 12, 2024)

- The UN Special Rapporteur on the oPt, Francesca Albanese, [mentioned](#) that she reported on “medical shielding” in Gaza in March 2024, noting the unjustified and unjustifiable decimation of the health infrastructure for alleged military purposes. She noted that many have critically endorsed the narrative of the Israeli occupation forces. However, Albanese reaffirmed that “defeating the enemy” may be a military goal, but when the objective is the total destruction of the group as such, it is no longer a war; it is genocide. (December 12, 2024)
- The President of the Arab Parliament, during a meeting of the Presidents of Parliament of GCC, [called](#) for the need to adopt a new Arab vision to address current challenges and crises, in particular, the tragic situation of the Palestinian people caused by Israel’s ongoing aggression and the war of genocide waged by the occupying forces over a year ago. (December 12, 2024)
- His Majesty King Abdullah, while meeting with U.S. Secretary of State Antony Blinken, [confirmed](#) that the first step to achieving a comprehensive truce in the region is to stop the Israeli war on Gaza, which requires immediate and serious international action. His Majesty warned of the danger of unilateral Israeli measures and ongoing attacks on Islamic and Christian holy sites in Jerusalem. (December 12, 2024)
- The Prime Minister of the United Kingdom (UK), Keir Starmer, [confirmed](#) his full support for UNRWA, noting that the UK has committed new funding for its vital services. Starmer stressed the need for an immediate ceasefire, the release of all hostages, and an increase in humanitarian aid. (December 12, 2024)
- The Organization of Islamic Cooperation (OIC) [condemned](#) the horrific massacre committed by the Israeli occupation in the Nuseirat camp, considering it an extension of organized state terrorism and an ongoing crime of genocide against the Palestinian people. It welcomed the adoption by the UN General Assembly of a resolution calling for an immediate, permanent, and unconditional ceasefire and the facilitation of humanitarian aid into all parts of the Gaza Strip, as well as a resolution supporting the mandate of UNRWA. The OIC further reiterated its call for the international community to compel Israel to abide by international law. (December 13, 2024)

- A Dutch court [rejected](#) a bid by 10 pro-Palestinian NGOs to stop the Netherlands from exporting weapons to Israel and trading with illegal Israeli settlements in oPt, noting that the state has some leeway in its policies and that courts should not rush to step in. (December 13, 2024)
- The Deputy Special Coordinator for the Middle East Peace Process and UN Resident and Humanitarian Coordinator for the oPt, Muhannad Hadi, [stressed](#) that the UN remains committed to supporting the Palestinian people. He appealed to all parties to respect the principles of distinction, proportionality, and precautions in attacks, calling on all parties to ensure the protection of civilians and the safe, unimpeded passage of humanitarian aid. Hadi emphasized that urgent action is needed to end atrocities and address the conflict's root causes. (December 13, 2024)

Publications of human rights NGOs:

- Amnesty International [called](#) for the signing of a petition requesting Austria, as a contracting state to the Convention on the Prevention and Punishment of the Crime of Genocide, to take immediate action. This includes halting the delivery of arms and technological support to Israel, pushing for an immediate ceasefire in direct cooperation with other states and at international level, ensuring access to humanitarian aid, and calling for an end to the blockade of Gaza.
- Al-Haq [published](#) a detailed review paper titled "Arguments Raised in Amici Curiae Submissions in the Situation in the State of Palestine Before the International Criminal Court: Arrest Warrant Applications August 2024," on the occasion of the 23rd session of the Assembly of States Parties of the ICC. The paper analyses the legal rationales presented by states in their submissions to the court. You can find the review paper attached [here](#). (December 8, 2024)
- On this International Day of Commemoration and Dignity of the Victims of Genocide, Al Mezan Center for Human Rights [noted](#) that Gaza marks 430 days of ongoing genocide perpetrated by Israel against more than two million Palestinians. The center pointed to the continued failure of the international community to abide by its principles and commitments, calling for urgent international action to end the genocide committed by Israel, lift the blockade on Gaza, ensure the delivery of humanitarian aid, and support the basic rights of Palestinians. Al-Haq also [drew](#) attention to the increasingly threatened fundamental rights and freedoms of Palestinians across the oPt and Palestinian refugees and exiles in the diaspora, who are denied their right of return, calling on states to take serious measures to protect UNRWA, stressing that its closure constitutes an act of genocide. In the same context, Diakonia [pointed](#) to Israeli violations against

civil society and humanitarian observers, calling for their protection. It further stressed that “the last fourteen months of hostilities in Israel and Gaza have been a stain on on the world’s collective conscience”. (December 9-10, 2024)

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- **The Palestinian Centre for Human Rights (PCHR) [reiterated](#) its strong condemnation of Israel’s policy of arbitrary arrests and detention, as well as the torture, ill-treatment, and enforced disappearance of Palestinians from Gaza, as part of its ongoing genocide against the civilian population of the Strip. It noted that since 7 October 2023, the fate and whereabouts of thousands of Palestinians – ranging from children to the elderly – remain unknown. PCHR called on the international community to immediately take all necessary measures to pressure Israel to cease its ongoing genocide against Palestinians from Gaza, and to grant the International Committee of the Red Cross, as well as lawyers, immediate access to visit the detainees. PCHR further called on the Office of the Prosecutor of the ICC to investigate those responsible for the commission of Rome Statute crimes against Palestinians. (December 10, 2024)**
- **According to the annual report, the International Federation of Journalists (IFJ) [declared](#) that 2024 was another particularly deadly year for journalists and media professionals. As of December 10, 2024, 104 journalists had been killed worldwide, more than half of them in Gaza. The IFJ reaffirmed its determination to see an International Convention for the Protection of Journalists adopted by the United Nations as a matter of urgency. Since the start of the war on October 7, 2023, the number of Palestinian journalists killed has risen to at least 138, making Palestine one of the most dangerous countries in the history of modern journalism. (December 10, 2024)**
- **7amleh - The Arab Center For the Advancement Of Social Media [published](#) a new article titled “Intensification of Surveillance in East Jerusalem Since October 2023,” which sheds light on the escalation of Israeli digital surveillance policies and their impact on the civil and political rights of Palestinian residents of East Jerusalem since October 7, 2023. The report highlights mass arrests based on digital activities, arbitrary dismissals from workplaces and educational institutions, and an increased reliance on advanced technologies such as facial recognition systems, drones, and spyware. (December 10, 2024)**

Opinion Pieces and features:

- **Mondoweiss [published](#) an op-ed by Mohammad Huraini titled “He struck me, then cried wolf: Israeli settler impunity in Masafer Yatta”. (December 7, 2024)**

- **Friends of Sabeel North Africa Organization [published](#) an article by Jonathan Kuttab titled “International Law and Accountability”. (December 8, 2024)**
- **Mondoweiss [published](#) a report by Claudia Gohn and Anna Oakes titled “Universities are continuing to retaliate against staff for participating in Gaza campus protests”. (December 10, 2024)**
- **Forward [published](#) an article by Daniil Brodsky titled “Why I resigned as chairman of Amnesty Israel”. (December 10, 2024)**
- **The Guardian [published](#) an op-ed by Ahmad Ibsais titled “‘International law’ is an illusion for Palestinians”. (December 12, 2024)**
- **The New Humanitarian [published](#) an article titled “Aid agencies: History will judge your failure to call out Israeli war crimes as complicity”. (December 12, 2024)**
- **De Volkskrant [published](#) an opinion piece by Sebastian Grünschke, Jenneke de Jager - Kievit, Tarek Meguid, Jules Schagen van Leeuwen and Khansa Soufidi titled “Medical community must speak out about situation in Gaza”. (December 12, 2024)**
- **Al-Jazeera [published](#) an op-ed by Audrey Kissane titled “Ireland hears the call of Palestine, but is it free to answer?”. (December 12, 2024)**
- **Al-Jazeera [published](#) an opinion piece by Donald Earl Collins titled “With words they try to jail us: US universities are not citadels of freedom”. (December 13, 2024)**

Human rights conferences and events:

- **In an episode titled “Rethinking the UN: Reform or Obsolescence?” *The Stream* [discussed](#) on Al-Jazeera the role of the United Nations and international law in meeting the challenges of the 21st century and beyond, hosting the UN’s Special Rapporteur on the occupied Palestinian Territories, Francesca Albanese. The episode addressed the issue of genocide in Gaza, the evolution of the international framework, and the role of the International Criminal Court (ICC) in holding nations accountable. (December 10, 2024)**