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PALESTINIAN RIGHTS

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intergovernmental organizations
relevant to the question of Palestine

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I. UN AND PARTNERS ASSESS URGENT HUMANITARIAN NEEDS OF HERDING COMMUNITIES AMID INCREASED SETTLER VIOLENCE

On 4 August, the United Nations Humanitarian Coordinator in the Occupied Palestinian Territory, Lynn Hastings, issued the following [statement](#).

The United Nations and our humanitarian partners have launched an assessment of the urgent humanitarian needs of sixty Palestinian herding communities across the Occupied Palestinian Territory, directly affected by an increase in Israeli settler violence and measures taken by Israeli authorities.

In the first six months of 2023, the UN recorded 591 settler-related incidents resulting in Palestinian casualties, property damage, or both. This is a 39 per cent increase in the monthly average of such incidents when compared with 2022, already the highest number of settler-related incidents since the UN began recording such data in 2006.

Palestinian herding communities are particularly vulnerable to settlement activities. In 2022 and 2023, OCHA documented the settler-violence-related displacement of at least 399 people (224 children and 175 adults), from seven Palestinian herding communities across the Occupied Palestinian Territory. Three of these communities are now completely empty, while only a few families remain in the others. The most-often-cited reason for leaving is settler activities, including violence and settlement expansion resulting in the loss of access to grazing land. Other factors include the threat of demolition of their homes and other properties by the Israeli authorities which expose these communities to the risk of forcible transfer.

Israeli settlements are illegal under international law. They deepen humanitarian needs due to their impact on livelihoods, food security and access to essential services. Set to be finalized in September, the assessment will inform the UN and our partners on the type of assistance most needed to best support the herders and their families.

II. OCHA ALARMED BY THE INCREASE IN SETTLER VIOLENCE AND SETTLEMENT EXPANSION

On 5 August, spokesperson for the United Nations Office for the Coordination of Humanitarian (OCHA) Affairs Jens Laerke, issued the following [statement](#).

“In the first six months of 2023, the UN has recorded 591 settler-related incidents resulting in Palestinian casualties, property damage or both. That’s a monthly average of 99 incidents this year.

“Palestinian herding communities are particularly vulnerable to these and other settlement activities. This year and last, OCHA has documented the displacement of at least 399 people from settler violence, from seven Palestinian herding communities across the occupied Palestinian territory. Three of these communities are now completely empty.

“The reason for the herders leaving, what they cite most often, is settler activities, including violence and settlement expansion, which results in the loss of their access to grazing land.

“Other reasons include the threat of demolition of their homes and other property by the Israeli authorities.

“Many communities across the West Bank are at risk of forcible transfer due to a coercive environment that includes the demolitions, settler activities and other practices.

“For the record: Israeli settlements are illegal under international law. They deepen humanitarian needs due to their impact on people’s livelihoods, food security and access to essential services.”

III. FIFTY-SEVEN WRITTEN STATEMENTS FILED IN ICJ ADVISORY OPINION PROCEEDINGS

On 7 August, the International Court of Justice issued the following [press release](#) excerpted below, concerning the request for an Advisory Opinion on the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem.

THE HAGUE, 7 August 2023. In the advisory proceedings on the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, 57 written statements have been filed in the Registry of the International Court of Justice, the principal judicial organ of the United Nations.

It is recalled that, in its Order of 3 February 2023, the Court, pursuant to Article 66, paragraph 2, of its Statute, fixed 25 July 2023 as the time-limit for the presentation of written statements. Fifty-five written statements were filed in the Registry within this time-limit by (in order of receipt): Türkiye, Namibia, Luxembourg, Canada, Bangladesh, Jordan, Chile, Liechtenstein, Lebanon, Norway, Israel, Algeria, League of Arab States, Syrian Arab Republic, Palestine, Organisation of Islamic Cooperation, Egypt, Guyana, Japan, Saudi Arabia, Qatar, Switzerland, Spain, Russian Federation, Italy, Yemen, Maldives, United Arab Emirates, Oman, African Union, Pakistan, South Africa, United Kingdom of Great Britain and Northern Ireland, Hungary, Brazil, France, Kuwait, United States of America, China, The Gambia, Ireland, Belize, Bolivia, Cuba, Mauritius, Morocco, Czechia, Malaysia, Colombia, Indonesia, Guatemala, Nauru, Djibouti, Togo and Fiji.

In addition, the President of the Court decided, on an exceptional basis, to authorize the late filing of the written statements of Senegal, on 28 July 2023, and Zambia, on 3 August 2023.

Pursuant to Article 106 of the Rules of Court, the Court may decide to make the written statements accessible to the public on or after the opening of the oral proceedings in the case.

...

IV. UNRWA RETURNS TO CAMP IN LEBANON AFTER A WEEK OF ARMED CLASHES

On 9 August, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) issued the following [press release](#).

Following a week-long suspension of services in Ein El Hilweh due to armed clashes, UNRWA has now resumed its operations within the camp. UNRWA Health Centre II was reopened today and resumed provision of medical care to Palestine Refugee patients. Many children, including newborns, were brought to the centre for treatment and vaccination. Sanitation Labourers have commenced clearing camp streets of piled-up garbage and disinfecting less affected areas. Working in partnership with various stakeholders, the Agency is preparing to conduct assessments and clear remnants of war from the affected zones once these become access

“We very much hope that the camp remains calm. I heard today of families unable to leave houses for days under fire and injured upon escape, children crying of fear and women’s hair turning white. UNRWA will consecutively support clearance of rubble and reinstatement of damaged water networks and electricity lines. A secure environment is necessary for UNRWA to operate. We are collaborating with partners to prepare clearance of affected camp sites once possible, to ensure the safety of the community and UNRWA staff from remnants of the war,” said Dorothee Klaus, Director of UNRWA Affairs in Lebanon, who visited Ein El Hilweh camp today to oversee the situation and the partial reinstatement of the Agency's operations.

V. EU MISSIONS CONDEMN DEATH SENTENCES IN GAZA

On 10 August, the Office of the European Union Representative (West Bank and Gaza, UNRWA) issued the following [press release](#).

The EU condemns the death sentences of seven Palestinians in Gaza issued on 6 August. This brings the number of death sentences issued in Gaza in 2023 alone to twenty. Twelve are new sentences and eight are confirmations of earlier sentences.

We call on the *de facto* authorities in Gaza to comply with the Second Optional Protocol to the International Covenant on Civil and Political Rights (ICCPR) ratified by Palestine in 2019, which aims at the abolition of the death penalty.

The EU Missions in Jerusalem and Ramallah recall their firm opposition to the death penalty in all circumstances and in all countries. The EU considers that abolition of the death penalty contributes to the protection of human dignity and the progressive development of human rights. It considers capital punishment cruel and inhuman, that it fails to provide deterrence to criminal behaviour, and represents an unacceptable denial of human dignity and integrity.

VI. UN WOMEN AND PALESTINIAN AUTHORITY JOIN FORCES FOR GENDER EQUALITY

On 10 August, the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women) issued the following [press release](#).

To assess progress and galvanize action to uphold women's rights and achieve gender quality, the Ministry of Women's Affairs and UN Women have launched Palestine's first Country Gender Equality Profile.

During two high-level workshops that brought together Palestinian Government, feminist leaders and local and international civil society members, UN representatives, the State of Palestine's Ministry of Women's Affairs and UN Women have launched the Country Gender Equality Profile (CGEP) to serve as a reliable source of evidence-based information and advocacy on gender equality in Palestine. The event took place in Ramallah and Gaza on two separate occasions, resulting in a fruitful and comprehensive event for all segments of the Palestinian society.

“The government is committed to conducting national consultations to determine priorities for the next planning session, and the Country Gender Equality profile acts as a compass for future interventions based on its own recommendations,” says H.E. Dr. Amal Hamad, Minister of Women's Affairs. “We must address knowledge gaps in some fields by conducting in-depth studies. The government also urged concerted efforts between governmental institutions and the local and international community to develop high-quality interventions that take each geographical region into account and engage young women, young men, and all segments of the society in future programmes.”

Rooted in evidence-based research, the CGEP aims to strengthen understanding around the implementation of international, regional, and national commitments towards gender equality and women's empowerment. Through a gender equality lens and in line with the Sustainable Development Goals gender indicators, the CGEP explores several key areas including livelihood, poverty, food security and access to services. For example, the report finds that gaps persist between men and women across all indicators of labour force participation, employment, and wages. While poverty among female-headed households has long been established, new categories of the poor are emerging, particularly in the Gaza Strip, where educated, young, able-bodied individuals are joining the existing poor.

The 95-page report finds despite the numerous policies, strategies, programmes, and interventions that have been jointly implemented by governmental, non-governmental and international partners, progress towards gender equality lags. This is due to the lack of the necessary political will, economic resources and enabling social and cultural norms.

“Gender inequality is rooted in discriminatory social norms and gender relations. Palestine cannot let this inequality stand in its way towards peace, development, and prosperity,” said Ms. Maryse Guimond, UN Women Special Representative for Palestine. “To make progress, we need to know where we are, and where we want to be. This is why we have worked with the Ministry of Women's Affairs to provide a primary source for evidence-driven advocacy and programming to support national and international stakeholders in their endeavours to achieve the 2030 Agenda and the Sustainable Development Goals.”

VII. MORE UNRWA SCHOOLS TAKEN OVER BY ARMED GROUPS IN SOUTHERN LEBANON REFUGEE CAMP

On 19 August, Director of UNRWA Affairs in Lebanon Dorothee Klaus, issued the following [statement](#).

UNRWA received reports this morning that another school compound has now been taken over by armed groups in the Ein El Hilweh Palestine refugee camp in southern Lebanon.

This brings the total number of schools taken over by armed groups in the camp to eight, risking the start of the school year in time for 5,900 children.

We are getting credible reports of severe damage to the school buildings and looting of children's education material and equipment from the schools.

UNRWA reiterates its urgent call on all armed groups to immediately vacate its premises in the Ein El Hilweh camp including schools and other service offices. Their presence is a grave violation of the neutrality and safety of UN installations and is a serious threat to the education for thousands of Palestine refugee children living in the camp.

In protest, UNRWA suspended its services in the camp yesterday for one day. UNRWA resumed some service delivery this morning. The Agency remains committed to delivering services in the

camp including health, solid waste collection and relief services wherever possible across the camp. We call for open access throughout the camp so that the agency reaches all of the 50,000 Palestine Refugees who rely on its assistance and services”.

VIII. UN HUMANITARIAN COORDINATOR IN THE OPT ON WORLD HUMANITARIAN DAY

On 19 August, the United Nations Humanitarian Coordinator in the Occupied Palestinian Territory, Lynn Hastings, issued the following [statement](#).

Today, we mark World Humanitarian Day, reaffirming our commitment to the protection, well-being, and dignity of all those affected by crises. The day also pays tribute to humanitarian workers, who deliver assistance in times of conflict or natural disasters.

About 2.1 million people across the Occupied Palestinian Territory (OPT) need humanitarian assistance, the same number as last year but with unprecedented and growing vulnerabilities in the West Bank. Thousands are involved in the effort to try and help them; NGOs might be the most obvious, but they work in partnership with volunteers, municipal workers who repair pipelines in the middle of floods or conflict, doctors, and nurses – to name only a few who act as “first responders.”

In the OPT, #NoMatterWhat means that amid Israel’s occupation, movement restrictions, political divisions, recurrent conflict, and even efforts to denigrate their work, humanitarians are working to assist 1.6 million of the most vulnerable Palestinians. Their commitment to helping others in times of crisis is unwavering. As they provide trauma care, deliver food, ensure access to clean water, shelter, education, health, nutrition, and protection, they often put their own lives at risk.

During operations and escalations, colleagues work to ensure consistent provision of safe drinking water, while others extinguish fires or clear debris, paving the way for rescue units to enter buildings on the verge of collapse. Medical teams venture into dangerous areas amid gunfire and bombing to treat the injured; in the first seven months of 2023, upwards of 70 health care workers were injured, and 30 ambulances damaged.

Experts diligently remove unexploded ordinance to avoid further loss of life.

In high-risk areas of the West Bank, partners accompany farmers and herders, providing safety, thereby allowing them to sustain their livelihoods and food security.

In inclement weather, especially during heavy rains, dedicated teams maintain drainage and electricity systems while most people seek shelter indoors.

Despite these obstacles, they and we are committed, no matter what, to helping people in need. Today and every day, let’s remember not to take these heroes for granted.

Background on World Humanitarian Day

On 19 August 2003, a bomb attack on the Canal Hotel in Baghdad, Iraq, killed 22 humanitarian aid workers, including the UN Special Representative of the Secretary-General for Iraq, Sergio Vieira de Mello. Five years later, the General Assembly adopted a resolution designating 19 August as World Humanitarian Day (WHD).

Each year, WHD focuses on a theme, bringing together partners from across the humanitarian system to advocate for the survival, well-being and dignity of people affected by crises, and for the safety and security of aid workers.

For this year's WHD, we show that we stand shoulder to shoulder with the people we serve, no matter who, no matter where and #NoMatterWhat.

World Humanitarian Day is a campaign by the United Nations Office for the Coordination of Humanitarian Affairs (OCHA).

IX. UN SPECIAL COORDINATOR BRIEFS SECURITY COUNCIL

On 21 August, United Nations Special Coordinator for the Middle East Peace Process Tor Wennesland made the following [statement](#).

I brief you today as the concerning trends we have seen in recent months continue throughout the Occupied Palestinian Territory (OPT).

Palestinians and Israelis are killed and injured in near daily violence – including just hours before this briefing when another fatal shooting attack killed an Israeli in the West Bank. This violence is fueled and exacerbated by a growing sense of despair about the future.

While the parties have taken some actions towards stabilizing the situation on the ground, unilateral steps, including settlement growth and demolitions, continue, as do Israeli operations in Area A, Palestinian militant activity and settler violence.

The lack of progress towards a political horizon that addresses the core issues driving the conflict has left a dangerous and volatile vacuum, filled by extremists on both sides. We are a long distance apart from the sentiments prevailing when the Oslo Accord was signed 30 years ago on 19 August.

...

Between 25 July and 15 August, 16 Palestinians, including five children, were killed and 59 Palestinians, including six women and 137 children, were injured by Israeli security forces (ISF) in the occupied West Bank during demonstrations, clashes, search-and-arrest operations, attacks and alleged attacks against Israelis, and other incidents. Another Palestinian was killed and eight others, including one child, were injured by Israeli settlers or other civilians in shooting attacks, stone-throwing and other incidents.

According to Israeli sources, one member of Israeli security forces was killed, and nine Israelis, including a woman and a child, were injured by Palestinians in shooting attacks, stone-throwing and other incidents.

As in previous months, many Palestinian casualties in the West Bank occurred in the context of Israeli operations and clashes in Area A. On 26 July and from 11 to 15 August, five Palestinians, including a 16-year old and a 17-year old, were killed by ISF in refugee camps near Nablus, Tulkarem and Jericho.

ISF also killed three Palestinians on 6 August, including a 15-year-old boy, near Jenin when ISF opened fire on their vehicle. According to a statement by Israeli security agencies, the three intended to carry out an imminent attack against Israelis. All were claimed as members by Palestinian militant groups.

In another incident, a 13-year-old boy died by an improvised explosive device in Qalqilya on 26 July.

Palestinians also carried out attacks or alleged attacks against Israelis. On 25 July, three Palestinians claimed by Hamas opened fire towards an Israeli checkpoint near the Mount Gerizim community, in the northern West Bank and were shot and killed by ISF. On 1 August, a Palestinian shot and injured six Israelis at a shopping mall in the Ma'ale Adumim settlement, before being killed by ISF. The same day, ISF shot and killed a 15-year-old Palestinian boy who allegedly attempted to stab two Israeli soldiers near a settlement, south of Hebron. On 5 August, a Palestinian from Jenin shot and killed a municipal patrolman in Tel Aviv, before being killed by a second patrolman.

Turning to settler-related violence, on 2 August an Israeli guard of the Ofra settlement fatally wounded a 17-year-old Palestinian after he reportedly threw a Molotov cocktail toward the settlement. On 4 August, armed Israeli settlers from the nearby outpost of Ramat Migron approached Burqa village near Ramallah, leading to stone-throwing confrontations with Palestinians. Settlers fired live ammunition, killing a 19-year-old Palestinian and injuring another; one Israeli was injured by Palestinians throwing stones. Israel Police arrested two Israelis on suspicion of involvement in the killing; six Palestinians were also arrested. Two days prior, settlers from the same outpost reportedly installed a tent and grazed sheep on private Palestinian land near the village.

As the violence spirals, I again reiterate that all perpetrators must be held accountable and swiftly brought to justice. Violence against civilians, including acts of terror, are unacceptable and must be condemned and rejected by all.

Security forces must exercise maximum restraint and use lethal force only when strictly unavoidable to protect life.

Turning to settlement-related developments, on 3 August, the Israeli Supreme Court dismissed a petition to dismantle an outpost established in the former settlement of Homesh, in the northern West Bank, evacuated as part of the 2005 Disengagement Law. The outpost had been set up following an amendment to that law by the Israeli Knesset in March, lifting the ban on Israelis entering the area.

On 7 August, the Jerusalem District Planning Committee advanced plans for approximately 2,000 housing units in the settlements of Nof Zion and Ramat Alon in East Jerusalem.

On 14 August, Israeli security forces demolished four structures in an outpost near Kokhav Hashahar settlement in the West Bank.

I reiterate that all settlements are illegal under international law and a substantial obstacle to peace.

Israeli authorities demolished, seized or forced owners to demolish 58 Palestinian-owned structures in Area C and six in East Jerusalem, displacing 28 Palestinians, including 14 children. The demolitions were carried out due to the lack of Israeli-issued building permits, which are nearly impossible for Palestinians to obtain.

On 17 August, a Palestinian elementary school in Ein Samiya serving nearly 80 pupils was demolished days before the start of the school year – the third such demolition in the past year.

I call on Israeli authorities to end demolitions of Palestinian-owned property and the displacement and eviction of Palestinians, and to approve additional plans that would enable Palestinians to build legally and address their development needs.

In July, Israel ended the additional monthly deductions of some USD 14 million from Palestinian clearance revenues that began in February. Some USD 14 million continues to be withheld each month in line with an Israeli law mandating the withholding of what Israel says the Palestinian Authority (PA) pays to perpetrators of attacks against Israelis, or to their families.

The PA's fiscal state remains dire with a projected deficit of more than 370 million USD for 2023. Austerity measures have resulted in significant reductions to civil servant salaries and social assistance.

Meanwhile, funding shortages continue to curtail UN agencies' ability to provide crucial services to Palestinians. To get to the end of the year, UNRWA needs USD 75 million urgently to maintain food assistance for 1.2 million Palestinians in Gaza, while the World Food Programme requires USD 41 million to restore its operations across the OPT.

Worryingly, more than halfway through 2023, the humanitarian appeal for Palestinians throughout the OPT is funded at just over thirty per cent.

I encourage Member States to maintain and increase their funding to UN agencies and humanitarian partners to ensure that they can continue delivering vital services on the ground.

On 30 July, President Mahmoud Abbas chaired a meeting of Secretaries-General of Palestinian factions in El Alamein, Egypt, which he convened following the major Israeli military operation in Jenin. Senior officials from Hamas and other Palestinian factions participated, while Palestinian Islamic Jihad refused to attend. In a subsequent statement, President Abbas called for a follow-up committee to complete dialogue on the issues discussed to “end divisions and achieve Palestinian national unity.”

On 10 August, President Abbas issued a Presidential Decree, retiring 12 of 16 PA Governors and establishing a committee to recommend candidates to the President for selection.

On 14 August, following a consultative meeting organized by Hamas, the movement welcomed the call by factions to hold local elections in Gaza.

Turning to Gaza, the cessation of hostilities continued to hold. Nevertheless, the humanitarian situation remains dire. The reporting period saw higher-than-normal electricity shortages of up to 12 hours per day, driven by a lack of capacity to meet soaring demand during the summer. On 1 August, the Gaza Power Plant increased electricity supply by nearly two hours a day thanks to additional funding from Qatar.

The power cuts sparked popular protests directed at Hamas authorities over living conditions, with thousands of Palestinians taking to the streets on 30 July. Video images of Hamas security forces beating protesters circulated widely. The protests were matched by Hamas-led counter-protests against the Israeli closure regime.

In violation of Palestinian law and of the State of Palestine's international obligations, seven civilians in Gaza were sentenced to death for collaboration with Israel after a Hamas military appeals court upheld or strengthened previous sentences. I echo the Secretary-General in highlighting that the UN opposes the imposition of the death penalty in all circumstances.

...

Since my last briefing, we have witnessed a continuation of the negative trajectory that has marked this conflict for far too long. Violence continues on the upswing, with over 200 Palestinian and nearly 30 Israeli fatalities in the West Bank and Israel thus far this year, already surpassing 2022 annual figures, and the highest figure since 2005. Settlement expansion continues unabated. The fragility of the PA fiscal situation, compounded by funding shortages facing key UN agencies, threatens to worsen the plight of the most vulnerable Palestinians.

While we must urgently focus on addressing the most critical issues and on de-escalating the situation on the ground, we cannot ignore the need to restore a political horizon.

The United Nations remains firmly committed to supporting the parties to achieve an end to the occupation and the establishment of a two-State solution, in line with UN resolutions, international law and previous agreements.

X. ON THE 54TH ANNIVERSARY OF THE AL-AQSA ARSON, THE OIC REJECTS ANY DECISION TO CHANGE THE CHARACTER OF AL-QUDS

On 21 August, the Organization for Islamic Cooperation issued the following [statement](#).

This day marks the painful fifty-fourth anniversary of the sinful attempt to burn the blessed Al-Aqsa Mosque, the first of the two qiblas and the third of the Holy Mosques, considering the escalation of violations by Israel, the occupying power, and its attempts to prejudice Al-Aqsa's legal and historical status through repeated incursions into its courtyards by extremist settlers under the protection of the Israeli occupation forces, its desecration, the closing of its gates, the barbaric attacks on crowds of worshippers, and the restriction of the worshippers' freedom of access to it, in flagrant violation of the sanctity of holy places and freedom of worship.

On this painful anniversary, the Organization of Islamic Cooperation (OIC) reaffirms the eternal bond of Muslims with the blessed Al-Aqsa Mosque. It stresses the need to preserve the legal and historical status of the Islamic and Christian holy places in the occupied city of Al-Quds, especially the blessed Al-Aqsa Mosque/Al-Haram Ash-Sharif, with its entire area of 144 dunums, as a place of worship purely for Muslims only.

The OIC also affirms that the city of Al-Quds Ash-Sharif, the capital of the State of Palestine, is an integral part of the Palestinian territory occupied in 1967 and rejects any measures or decisions aimed at changing its geographical or demographic character, as well as any attempts to impose alleged Israeli sovereignty over this city and its sanctities, as Illegal and illegitimate actions under international law and relevant United Nations resolutions.

On this ominous anniversary, the OIC calls on the international community, especially the actors in the international arena, to correct the historical injustice inflicted on the Palestinian people by ending the Israeli colonial occupation and enabling the Palestinians to regain their legitimate rights, including their right to return, and the establishment of their independent state on the borders of June 4, 1967, with East Al-Quds as its capital, and the realization of the vision of the two-state solution based on the relevant United Nations resolutions and the Arab Peace Initiative, which still represents, with all its elements and natural sequence, a political and legal reference and a historic opportunity to achieve peace.

As the OIC expresses, on this occasion, its appreciation and admiration for the Palestinian people who are steadfast in their land defending their sanctities, it reaffirms its solidarity and unwavering support for its legitimate national rights and calls for strengthening support, solidarity, and support for the city of Al-Quds and its stationed people.

XI. IMF STRESSES BLEAK OUTLOOK FOR PALESTINIAN ECONOMY AFTER MISSION TO WEST BANK AND GAZA

On 22 August, the International Monetary Fund issued the following [press release](#).

End-of-Mission press releases include statements of IMF staff teams that convey preliminary findings after a visit to a country. The views expressed in this statement are those of the IMF staff and do not necessarily represent the views of the IMF's Executive Board. This mission will not result in a Board discussion.

- Amid a deteriorating security, political, and social environment, the growth momentum is abating while inflation is projected to ease. Persistently high unemployment and poverty add to macroeconomic fragilities.
- Under entrenched challenges and tight policy space, traction for public expenditure reforms remains limited, and public finances as well as debt unsustainable. Despite a commendable revenue performance, the liquidity squeeze continues, undermining the delivery of essential government services.
- Boosting economic growth and putting public finances in order are interrelated goals. They will require easing constraints from Israel, ambitious structural and fiscal reforms,

including on the public wage bill, as well as garnering more support from donors. A fundamental change in prospects ultimately hinges on a political peace settlement.

Washington, DC: An International Monetary Fund (IMF) staff team led by Ms. Kerstin Gerling held discussions from August 8 to 18, 2023, to assess recent economic developments in West Bank and Gaza. The team met with Prime Minister Mohammad Shtayyeh, Finance Minister Shukry Bishara, Palestine Monetary Authority (PMA) Governor Feras Milhem, Palestinian Central Bureau of Statistics President Ola Awad, and other members of the Palestinian economic team, as well as Israeli officials and representatives of the Palestinian private sector, donors, and international organizations.

At the end of the visit, Ms. Gerling issued the following statement:

“The outlook for the Palestinian economy remains bleak amid a volatile political and security situation, with downside risks persisting. Together with lower regional growth, the increasingly difficult environment is weighing on both the supply and demand side of the economy. Following the post-pandemic rebound in 2021, growth nearly halved to 3.9 percent in 2022 and is expected to further decline to 3.0 percent in 2023. Projections point to a gradual reduction of per capita incomes over the medium term amid a continued widening of the already large gap in living standards between the West Bank and Gaza. Weakening activity and lower international commodity prices are contributing to easing inflation, projected at 3.2 percent in 2023 and 2 percent over the medium term. Persistently high unemployment and poverty add to fragilities and social tensions.”

“The fiscal crisis continues under broadly unchanged policies, undermining the delivery of basic government services. Despite the Ministry of Finance’s continued strong revenue performance in a very challenging socioeconomic environment, the Palestinian Authority (PA) has suffered from increased Israeli deductions from clearance revenues in the first half of the year, as well as the persistently lackluster support from the international community. An ever-binding liquidity crunch has led to a cash-based execution of the 2023 budget and constrained the full payment of public sector wages and pensions (persisting since late 2021) and cash transfers to the most vulnerable. The government has also limited bank borrowing. Arrears continue to accumulate and, without substantial adjustment policies, public debt remains unsustainable.”

“The banking sector has remained broadly resilient, with adequate system-wide capital and liquidity buffers. However, early signs of asset quality deterioration are emerging and continued vigilance is required in view of rising interest rates and accumulating domestic PA arrears. The PMA continues to lead the efforts to strengthen the anti-money laundering and countering terrorism financing (AML/CFT) framework. MENAFATF’s repeated delays of its planned onsite visit that would inform this agenda are unfortunate in this regard. The PMA has made significant progress in bolstering its financial stability toolkit and should continue working to further strengthen its risk-based supervisory framework. Together with the Bank of Israel (as well as other Israeli authorities and entities involved), the PMA should also keep up efforts to operationalize new long-term correspondent banking arrangements and find solutions for the excess physical shekel cash in the Palestinian banking system.”

“Achieving higher economic growth requires coordinated efforts from the PA, Israel, and the international community. Boosting economic growth and improving Palestinian employment

and real incomes hinges critically on the easing of Israeli-imposed restrictions on movement, access, and investment—including in Area C—and opening up of Gaza. In this regard, the Government of Israel’s recently adopted measures, including expanding the door-to-door trade program and increasing the number of permits for Palestinians from both the West Bank and the Gaza Strip to work in Israel, are welcome modest steps, but more measures are needed. Faster Palestinian growth also requires further improving the business climate, advancing the digital transformation of the economy, and stepping up critical energy infrastructure projects. Increased donor grants would provide support and facilitate the PA’s reform efforts, allowing to pace fiscal consolidation and alleviate the burden on the most vulnerable.”

“Deep policy reforms are necessary to restore fiscal sustainability and free up resources for development and social spending. Higher economic growth would greatly contribute to support public finances, and would support the much-needed expenditure reform. In this respect, public sector wage bill reform remains the highest priority, but progress has been erratic. The authorities’ commitment to hire only 1 new employee for every 2 employees that leave the public service (a 1-for-2 rule) is commendable and should be implemented as planned. However, significant wage increases negotiated in early 2023 following prolonged strikes work in the opposite direction and will worsen public finances. Further reforms to address net lending, including at the local government level, and health spending are also needed. Over the medium term, the authorities should also consider public pension reform that balances fiscal and social considerations. Following the halving of the handling fee charged on Palestinian fuel imports and recent procedural progress with the Israeli legislation mandating the use of the e-VAT system for Israeli traders, further tangible outcomes on the other outstanding fiscal files are warranted. These should include eliminating the handling fee on fuel completely and aligning it on other products with actual costs, transferring the tax revenue on economic activity in Area C (outside settlements and military locations) to the PA, transferring the Palestinian share of the Allenby crossing fees, and transferring customs authority.”

“The IMF team would like to thank the Palestinian authorities, as well as representatives from the Central Bank and Government of Israel, the Palestinian private sector, and the international community for frank and constructive discussions. The IMF team will remain closely engaged with all interlocutors to help address the myriad challenges the Palestinian economy faces.”

XII. DIPLOMATS CONDEMN SETTLER VIOLENCE AND SCHOOL DEMOLITION DURING A VISIT TO BURQA AND RAS AT-TIN

On 24 August, Representatives from the United Kingdom, the European Union, France, Germany, Italy, Spain, Finland, Belgium, Sweden, Canada and Norway visited the Palestinian community of Burqa and the site of the recently displaced community of Ras at-Tin. The following [statement](#) was issued.

Representatives from the United Kingdom, the European Union, France, Germany, Italy, Spain, Finland, Belgium, Sweden, Canada and Norway visited the Palestinian community of Burqa and the site of the recently displaced community of Ras at-Tin amid accelerating rates of settler

violence and following the demolition by Israeli authorities of donor-funded humanitarian structures, including a school in the nearby community of Ein Samiya. Ireland and Denmark also support this statement.

In Burqa, diplomats learned how the community have endured harassment and intimidation from settlers. They also observed the aftermath of Ras at-Tin's displacement due to settler attacks and how these attacks intensified after the establishment of an illegal outpost near the community.

The delegation was extremely alarmed by the growth of settler violence, which alongside demolitions has displaced over 400 Palestinians this year and resulted in several casualties across the West Bank, most recently the death of 19 year-old Qusai Maatan, who was killed in Burqa earlier this month.

The diplomats strongly condemned settler violence. While they noted some steps taken by the Israeli authorities, including arrests, they urged Israel, as the occupying power, to do more to hold to account and prevent those who have made the lives of Palestinians – such as in the communities of Al Qaboun and Al Mughayyir – intolerable. They underlined the prohibition of forcible transfers in International Humanitarian Law, in particular article 49 of Geneva Convention IV. They reaffirmed their opposition to settlements, which are illegal under international law, result in increased settler violence, and undermine the two-state solution and prospects for a lasting peace.

Additionally, diplomats strongly condemned the recent demolition of Ein Samiya school, which was funded by donors as humanitarian relief, emphasizing Israel's breach of international humanitarian law. They called on Israel, as the occupying power, to halt all confiscations and demolitions and to give unimpeded access to humanitarian organisations in the occupied West Bank. They reaffirmed their commitment to Palestinian rights and assisting vulnerable populations in Area C. Through official channels, the consortium of donors have called on Israel to return or compensate for all humanitarian items which they have funded.

The abovementioned representatives condemned the killing of Palestinians and Israelis alike, while stressing the record high number of individuals killed this year in the West Bank, including East Jerusalem.

XIII. PALESTINIAN RIGHTS COMMITTEE LAUNCHES STUDY ON LEGALITY OF ISRAELI OCCUPATION

On 30 August, at the [413th UN Palestinian Rights Committee meeting](#), Professor Michael Lynk presented an independent [study](#) on the Legality of the Israeli Occupation of the Occupied Palestinian Territory, Including East Jerusalem, it commissioned. The study was prepared by the Irish Centre for Human Rights of the National University of Ireland. The executive summary of the study is reproduced below.

Part I

This study examines two central questions. First, it asks whether Israel's *de facto* and *de jure* annexation measures, continued settlement and protracted occupation of the Palestinian territory – the West Bank, including East Jerusalem, and the Gaza Strip – render the occupation illegal under international law. Second, the study examines the question raised by the implications arising from a finding of illegal occupation. If an occupation can become illegal, what would be the legal consequences that arise for all States and the United Nations, considering, inter alia, the rules and principles of international law, including, but not limited to, the Charter of the United Nations; the Fourth Geneva Convention; international human rights law; relevant Security Council, General Assembly and Human Rights Council resolutions; and the advisory opinion of the International Court of Justice of 9 July 2004?

The study establishes that there are two clear grounds in international law establishing when a belligerent occupation may be categorized as illegal. First, where a belligerent occupation follows from a prohibited use of force amounting to an act of aggression, such occupation is illegal *ab initio*. Second, where a belligerent occupation follows from a permitted use of force in self-defence under Article 51 of the Charter of the United Nations but is subsequently carried out *ultra vires* the principles and rules of international humanitarian law and in breach of peremptory norms of international law, the conduct of the occupation may amount to an unnecessary and disproportionate use of force in self-defence. The study examines Israel's breaches of peremptory norms of international law, the prohibition of the acquisition of territory through force, the right to self-determination, and the prohibition on racial discrimination and apartheid, as indicative of an occupation being administered in breach of the principles of necessity and proportionality for a use of force in self-defence.

Part II – The nature of belligerent occupation

Part II of the study provides a thematic introduction to the legal nature of belligerent occupation and the divergent approach of Israel to the occupation of Palestine. In doing so, it broadly examines the principles underpinning the laws governing belligerent occupation, presents the theory of belligerent occupation as illegal under the *jus bello*, and highlights international practice and jurisprudence classifying belligerent occupations as illegal under the *jus ad bellum*. Further, the study introduces the central tenets of Israel's official policies and positions on the nature of the belligerent occupation of Palestine, its settlement enterprise and its annexation of Palestinian territory.

The laws governing belligerent occupation establish a number of important principles, including the temporary or *de facto* nature of occupation enshrined in Article 42 of the Hague Regulations (1907), which finds that “[t]erritory is considered occupied when it is actually placed under the authority of the hostile army”. As such, although governmental authority may be “temporarily disrupted or territorially restricted” during a belligerent occupation, the “State remains the same international person”. The occupying Power therefore does not acquire sovereignty over the occupied territory, but rather, is obliged to administer the territory weighing the best interests of the occupied population with those of military necessity, under the limitative conservationist principle. Significantly, the present study highlights the positions of leading authorities on international law which consider that the practice of “prolonged occupation” has related to occupations of no more than four or five years in length, such as Germany's four-year

occupation of Belgium during World War I, or Germany's five-year occupation of Norway in World War II. Former United Nations Special Rapporteur Michael Lynk observes that modern occupations compliant with the principles of occupation law "have not exceeded 10 years, including the American occupation of Japan, the Allied occupation of western Germany and the American-led occupation of Iraq".

That belligerent occupations may be considered illegal is not unique to Israel. For example, in Case Concerning Armed Activities on the Territory of the Congo (2005), the International Court of Justice held that Uganda's occupation of Ituri "violated the principle of non-use of force in international relations and the principle of non-intervention". Concomitantly, the United Nations Security Council condemned Iraq's "illegal occupation" of Kuwait, and South Africa's "illegal administration" in Namibia. The United Nations General Assembly, meanwhile, called on Third States to not "recognize as lawful the situation resulting from the occupation of the territories of the Republic of Azerbaijan" and condemned Portugal for "perpetuating its illegal occupation" of Guinea-Bissau. Similarly, the United Nations Commission on Human Rights denounced Vietnam's "continuing illegal occupation of Kampuchea". In 1977, the General Assembly expressed its deep concern "that the Arab territories occupied since 1967 have continued, for more than ten years, to be under illegal Israeli occupation and that the Palestinian people, after three decades, are still deprived of the exercise of their inalienable national rights". Likewise, the preambles to successive United Nations Economic and Social Council resolutions refer to the "severe impact of the ongoing illegal Israeli occupation and all of its manifestations".

Finally, section II concludes with a presentation of Israel's policies and positions on the nature of its administration of the Palestinian territory, the legality of settlements and its annexation of Jerusalem. For instance, Israel's Ministry of Foreign Affairs considers there to be "competing claims" over the West Bank which "should be resolved in peace process negotiations", including the settlements. However, Israel's High Court of Justice, in *Gaza Coast Regional Council v Knesset of Israel*, held that "the legal outlook of all Israel's governments" is that the "areas are held by Israel by way of belligerent occupation". Nevertheless, Israel does not apply the Fourth Geneva Convention (1949) to the occupied territory as it has not been transposed into its domestic law; also, politically, Israel disputes the application of the Convention premised on its theory of the "missing sovereign". Meanwhile, Israel considers occupied Jerusalem "the eternal undivided capital of Israel" and explains that Jerusalem was "reunified" in 1967 "as a result of the six-day war launched against Israel by the Arab world".

Part III – Legality of the occupation

Part III presents two separate grounds under the *jus ad bellum* where a belligerent occupation may be considered illegal, whether from the outset or beginning at some subsequent point in the occupation. First, an occupation arising from an act of aggression is illegal *ab initio*. Article 2(4) of the United Nations Charter requires that "[a]ll Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations". Criminal liability may arise for aggressive acts of occupation; for example, the International Military Tribunal at Nuremberg considered Austria to be "occupied pursuant to a common plan of aggression".

Second, a belligerent occupation may be conducted in a manner that amounts to an unnecessary and disproportionate use of force in self-defence. Here the caselaw of the International Court of Justice provides useful guidance on proportionality. For example, in Nicaragua, the International Court of Justice considered, “the reaction of the United States in the context of what it regarded as self-defence was continued long after the period in which any presumed armed attack by Nicaragua could reasonably be contemplated”. Further, in Nuclear Weapons the International Court of Justice suggested that a use of force should meet “in particular the principles and rules of humanitarian law” to be a lawful use of force in self-defence. This study suggests that the occupying Power’s breach of the principles and rules of international humanitarian law and peremptory norms of international law provide a strong indicator that a use of force is disproportionate. Such breaches include *de facto* and *de jure* annexations of territory, illegal acquisition of territory through use of force, the denial of the right of self-determination, and the administration of the occupied territory in breach of the prohibition of racial discrimination and apartheid.

Having established the two grounds for illegal occupation under the *jus ad bellum*, the study proceeds to examine, as a separate and subsequent ground of illegality, the occupying Power’s breach of the external right of self-determination of Palestine as Mandate territory. Article 1(2) of the United Nations Charter provides for the right of self-determination of peoples, a *jus cogens* norm of international law which has obligations on States *erga omnes*. The right of self-determination has special resonance for Mandate territories, whose right of self-determination is held internationally as a “sacred trust” until full independence. As such, the colonial process can only be considered to be fully brought to a complete end once the right of self-determination has been exercised by the inhabitants of the colony. The South West Africa advisory opinion provides the leading example of an illegal occupation of Mandate territory, considered by the International Court of Justice to be illegal *ab initio*. However, whereas South West Africa was mandated territory, held under occupation after the termination of the Mandate, it can be distinguished from Palestine, which is mandated territory held under belligerent occupation in the context of an international armed conflict. Nevertheless, if the occupation is administered in a way that denies the exercise of the right of the people to external self-determination and sovereignty, this may similarly be considered in breach of the “sacred trust”. Depending on the circumstances giving rise to the breach of self-determination, the occupation could be illegal either *ab initio* or at some point thereafter.

Part IV – Evidence to support a finding that the Israeli occupation has become illegal

Part IV provides the factual basis to support the finding that Israel’s occupation is illegal. The study presents clear and compelling evidence that Israel attacked Egypt first, in an act of aggression, making the consequent occupation illegal from the outset. At the Security Council meeting on the subject in 1967, the argument of anticipatory self-defence was rejected as inconsistent with the United Nations Charter. Israel premised its self-defence arguments on two grounds: first, that Egypt’s blockade of the Strait of Tiran amounted to an act of aggression; and second, that its actions were in response to cross-border attacks by Egyptian armoured columns. However, Egypt’s blockade of the Strait of Tiran was essentially an Egyptian blockade on its own sea in response to a threatened attack from Israel, as distinct from “the blockade of the ports or coasts” of Israel. As Schwarzenberger notes, “Article 51 of the Charter permits preparation for

self-defence”. The preparatory measures taken by a State in consideration of self-defence include special precautionary measures in its territorial waters. Nonetheless, Israel’s Ministry of Foreign Affairs openly published that it pre-emptively attacked Egypt, stating, “Israel pre-empted the inevitable attack, striking Egypt’s air force while its planes were still on the ground”. Given the prohibition on pre-emptive strikes, Israel’s attack on Egypt may amount to an unlawful use of force, rendering the subsequent occupation illegal.

The study further examines Israel’s breach of three peremptory norms of international law as indications that the belligerent occupation is being administered in a manner which breaches the principles of necessity and proportionality for self-defence. First, the study establishes that in 1967, Israel *de jure* annexed East Jerusalem with the adoption of the Municipalities Ordinance (Amendment No. 6) Law, 5727-1967; then, in 1980, under its quasi-constitutional “Basic Law: Jerusalem”, Israel made a constitutional claim to the City as the “the capital of Israel”, thereby demonstrating an *animus* to acquire the territory permanently. The study further concludes that Israel has *de facto* annexed Area C of the West Bank. In 1967, the legal adviser to Israel’s Ministry of Foreign Affairs, in a classified cable, conveyed the annexationist reasons why Israel could not apply the Fourth Geneva Convention (1949): “we have to leave all options regarding borders open, we must not acknowledge that our status in the administered territories is simply that of an occupying power”. For decades successive Israeli governments have implemented master plans to settle the West Bank. By 1992, out of the 70,000 hectares of Palestinian land in Area C, only 12 per cent remained for Palestinian development after Israel appropriated it as “State land”. At the same time, Israel radically altered the demography of Area C, transferring in over 500,000 Israeli Jewish settlers – an irreversible measure with permanent consequences, and one indicative of sovereign expression. Meanwhile Israel applies a number of its domestic laws directly to the West Bank, including the Higher Education Law and Administrative Affairs Court Law.

Second, Israel’s conduct in administering occupied Palestine, characterized by the prolonged nature of the occupation and by its policies and plans of settlement construction, further evinces a breach of the right of self-determination. Taking the considerable length of Israel’s belligerent occupation, now some 56 years on from Security Council resolution 242 (1967) calling for its “withdrawal”, 45 years on from the Camp David accords ending the conflict with Egypt, and 39 years on from the Jordan peace agreement, it is clear that the original alleged threat prompting Israel’s use of force in pre-emptive self-defence has completely and irrevocably ended. At the same time, Israel’s zoning of Palestinian immovable property for residential, agricultural, industrial and tourist settlements, nature and archaeological reserves, and military firing zones, has seen the appropriation of over 100,000 hectares of private and public Palestinian land and the demolition of over 50,000 Palestinian homes since 1967. Israel’s alteration of facts on the ground, erasure of the Palestinian presence and interference in the democratic process are carried out, it will be argued, to compromise Palestine’s viability as an independent State, denying the collective right of the Palestinian people to self-determination.

Third, there is currently a mounting body of recognition that Israel is carrying out discriminatory apartheid policies and practices against Palestinians on both sides of the Green Line. Notably, Israel confers rights on Israeli Jews and systematically discriminates against Palestinians. The Land Acquisition Law, 5713-1953, for example, facilitates the alienation of confiscated Palestinian lands to various Israeli State institutions, including the Development

Authority. Parastatal organizations, such as the Jewish Agency and the World Zionist Organization, are chartered to carry out material discrimination, including through the allocation of confiscated Palestinian lands to Israeli Jews. At the same time, Israeli Jews can pursue ownership claims to Palestinian residential properties in occupied East Jerusalem under the Legal and Administrative Matters Law (1970). The quest to engineer a Jewish majority demographic and reduce and remove Palestinians has been advanced by successive governments. Under Israel's Law of Return (1950), "every Jew has the right to come to this country as an *oleh*" and Israeli citizenship is "granted to every Jew who has expressed his desire to settle in Israel". At the same time, some seven million Palestinian refugees are denied their right of return, including 450,000 Palestinians displaced as refugees during the Naksa arising from the 1967 Six Day War. Such practices *inter alia* indicate that Israel is administering the Occupied Palestinian Territory under a regime of systematic racial discrimination and apartheid.

The section concludes that Israel's breach of the prohibition on annexation, denial of the exercise of the right of self-determination, and application of an apartheid regime in occupied Palestine may together be indicative of a *mala fide* illegal administration of the occupied territory, in breach of the principles of immediacy, necessity and proportionality for self-defence. The study then examines the consequent effects of a *mala fide* occupation on the exercise of the external right to self-determination of peoples. Because of Palestine's status as a former mandated territory, the international community continues to hold an international obligation, as a "sacred trust" to the Palestinian people, "not to recognize any unilateral change in the status of the territory". The idea that either occupied territories or former Mandate territories would revert back to a colonial status was dispositively dispensed with in the South West Africa advisory opinion. There, the International Court of Justice explained that "[t]o accept the contention of the Government of South Africa on this point would have entailed the reversion of mandated territories to colonial status, and the virtual replacement of the mandates régime by annexation, so determinedly excluded in 1920." Importantly, the situation in Palestine has been recognized as a case "concerning the right to self-determination of peoples under colonial or alien domination" which has not yet been settled. As such, Israel's *mala fide* occupation of the Palestinian territory, treating it as a "disputed territory" with a "missing sovereign", and replete with *de jure* and *de facto* annexations, demographic manipulation and settlement enterprise, among other breaches, violates the continuing right of self-determination and sovereignty of the Palestinian people as a Mandate territory.

Part V – Obligation to bring the illegal occupation to an end

The international law on State responsibility requires Israel to cease internationally wrongful acts and to offer "appropriate assurances and guarantees of non-repetition". Significantly, the International Court of Justice held that South Africa had an obligation to "withdraw its administration from the Territory of Namibia", and similarly, encouraged in Chagos that the British administration of the Chagos Archipelago end "as rapidly as possible". For Palestine, appropriate restitution may thus take the form of the release of Palestinian political prisoners; the returning of properties, including cultural property seized by the occupying authorities; the dismantlement of unlawful Israeli settlements in the occupied West Bank and East Jerusalem; the lifting of the blockade of the Gaza Strip; the dismantling of the institutionalized regime of discriminatory apartheid laws, policies and practices; and the dismantling of the occupying

administration. Given Israel's non-implementation of the prior advisory opinion on the construction of the Annexation Wall, assurances and guarantees of non-repetition may be an insufficient remedy. It might also be necessary to establish a neutral arbitral claims commission to examine mass claims arising from the consequences of the occupying Power's violations. Notably, a 2019 study by the United Nations Conference on Trade and Development concluded that the cumulative fiscal costs to the Palestinian economy from Israel's occupation in the period 2000–2019 is an estimated USD \$58 billion. In the Gaza Strip, the economic costs of occupation in the period 2007–2018 were estimated at USD \$16.7 billion. Exploitation and prevented development of natural resources has cost the Palestinian economy USD \$7.162 billion over 18 years in gas revenues from the Gaza Marine and USD \$67.9 billion in oil revenues from the Meged oil field at Rantis. Overall, since 1948, the losses to Palestine are estimated to exceed USD \$300 billion.

The study outlines that there are international consequences for Israel's illegal occupation and its breaches of peremptory norms of international law, and Third States and the international community are obliged to bring the unlawful administration of occupied territory to an end. In doing so, this study underscores the requirements for the full de-occupation and decolonization of the Palestinian territory, starting with the immediate, unconditional and total withdrawal of Israeli occupying forces and the dismantling of the military administration. Critically, withdrawal, as the termination of an internationally wrongful act, cannot be made the subject of negotiation. Full sanctions and countermeasures, including economic restrictions, arms embargoes and the cutting of diplomatic and consular relations, should be implemented immediately, as an *erga omnes* response of Third States and the international community to Israel's serious violations of peremptory norms of international law. The international community must take immediate steps towards the realization of the collective rights of the Palestinian people, including refugees and exiles in the diaspora, starting with a plebiscite convened under United Nations supervision, to undertake the completion of decolonization.

Notably, Security Council resolution 2334 (2016) urged, without delay, international and diplomatic efforts to put an "end to the Israeli occupation that began in 1967". However, such diplomatic efforts since the 1990s appear to be premised on a dubious "land for peace" formula, which, if used to deprive the protected Palestinian population of their inalienable rights to self-determination and permanent sovereignty over national resources, would also constitute an internationally wrongful act. As such, the obligation for State withdrawal from illegally occupied territory is unqualified, immediate and absolute. General Assembly resolutions include important qualifications for Israel's "unconditional and total withdrawal", meaning that withdrawal is not to be made the subject of negotiation, but is rather the termination of an internationally wrongful act.

Conclusion

The most prescient road map for the de-occupation and decolonization of the Palestinian territory comes in the form of the rich tapestry of Third State and international recommendations advanced in the Chagos and Namibia cases. It is also clear that the general law on State responsibility for grave violations of peremptory norms of international law can draw from the resolutions of the Security Council "as a general idea applicable to all situations created by serious breaches", including the prohibition of aid or assistance in maintaining the illegal regime.

Naturally, the most appropriate forum for examining the legality of the occupation is the International Court of Justice. Whether the occupation is illegal *ab initio* or becomes illegal, the consequences should be the immediate, unconditional and total withdrawal of Israel's military forces; the withdrawal of colonial settlers; and the dismantling of the military administrative regime, with clear instructions that withdrawal for breach of an internationally wrongful act is not subject to negotiation. Full and commensurate reparations should be accorded to the affected Palestinian individuals, corporations and entities for the generational harm caused by Israel's land and property appropriations, house demolitions, pillage of natural resources, denial of return, and other war crimes and crimes against humanity orchestrated for the colonialist, annexationist aims of an illegal occupant.