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The situation in the Middle East

Advisory opinion of the International Court of Justice on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of the continued presence of Israel in the Occupied Palestinian Territory

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to General Assembly resolution [ES-10/24](#), in which the Assembly requested the Secretary-General to submit to it a report on the implementation of resolution [ES-10/24](#) within three months of the adoption of the resolution, including on any actions taken by Israel, other States and international organizations for the implementation of its provisions or for any violations thereof.

II. Background and methodology

2. On 30 December 2022, the General Assembly adopted resolution [77/247](#), in which it decided, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, to render an advisory opinion on the following questions:

(a) What are the legal consequences arising from the ongoing violation by Israel of the right of the Palestinian people to self-determination, from its prolonged occupation, settlement and annexation of the Palestinian territory occupied since 1967, including measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem, and from its adoption of related discriminatory legislation and measures?

(b) How do the policies and practices of Israel referred to above affect the legal status of the occupation, and what are the legal consequences that arise for all States and the United Nations from this status?



3. On 19 July 2024, the International Court of Justice delivered its advisory opinion on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of the continued presence of Israel in the Occupied Palestinian Territory. The Court concluded, *inter alia*, that “the State of Israel’s continued presence in the Occupied Palestinian Territory is unlawful” and that “the State of Israel is under an obligation to bring to an end its unlawful presence in the Occupied Palestinian Territory as rapidly as possible”.

4. On 18 September 2024, the General Assembly adopted resolution [ES-10/24](#), in which it, *inter alia*, welcomed the advisory opinion and made several demands of and requests to Member States, observers and international organizations, including the United Nations. The operative paragraphs of the resolution include the following: a demand that Israel end without delay its unlawful presence in the Occupied Palestinian Territory, which constitutes a wrongful act of a continuing character entailing its international responsibility, and do so no later than 12 months from the adoption of that resolution, and to comply without delay with all its obligations under international law, including as stipulated by the International Court of Justice (Assembly resolution [ES-10/24](#), paras. 2 and 3); a call upon all States to comply with their obligations under international law, *inter alia*, as reflected in the advisory opinion (*ibid.*, para. 4); a call upon international organizations, including the United Nations, and regional organizations not to, *inter alia*, recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory and to distinguish, in their relevant dealings, between Israel and the Occupied Palestinian Territory and not to recognize, or cooperate with or assist in any manner in, any measures undertaken by Israel to exploit the natural resources of the Occupied Palestinian Territory or to effect any changes in the demographic composition or geographic character or institutional structure of the Territory (*ibid.*, para. 6); and a call upon the United Nations, and its bodies and organs, to respect and act in a manner consistent with the determinations made by the International Court of Justice, including in relation to all relevant maps, statements and reports, as well as in their respective programmes and actions (*ibid.*, para. 7). The Assembly, in paragraph 17 of resolution [ES-10/24](#), requested the Secretary-General to submit to it a report on the implementation of the resolution within three months of its adoption.

5. The territorial scope of the Palestinian territory occupied since 1967 encompasses the West Bank, including East Jerusalem, and the Gaza Strip. United Nations organs and bodies refer to this territory as the Occupied Palestinian Territory, frequently referring to its different constituent parts, including the West Bank or the Gaza Strip, as applicable. The same practice has been followed in the present report. However, as recalled by the International Court of Justice in its advisory opinion, from a legal standpoint, “the Occupied Palestinian Territory constitutes a single territorial unit, the unity, contiguity and integrity of which are to be preserved and respected”.

6. On 11 October 2024, the Secretary-General sent a note verbale to the Permanent Representatives of all Member States, the Permanent Observer of the State of Palestine and all observers of the General Assembly in New York, drawing their attention to the relevant provisions of the resolution and requesting any pertinent information concerning any action taken or envisaged in relation to its implementation. Responses were received from 32 Member States, the State of Palestine and two regional organizations: the League of Arab States and the Organization of Islamic Cooperation. The responses from all States and regional organizations are reproduced in annexes I and II, respectively.

7. On 17 October 2024, the Secretary-General addressed a communication to the heads of United Nations entities, specialized agencies and related organizations

inviting them to contribute to the preparation of the present report, including through the submission of any information concerning the implementation of the relevant provisions of resolution [ES-10/24](#) by the respective United Nations entity, specialized agency or related organization. The United Nations entities, specialized agencies and related organizations consulted are listed in annex III.

8. On 16 October, the Office of the United Nations High Commissioner for Human Rights (OHCHR) sent a note verbale to the Permanent Missions of all Member States, the Permanent Observer of the State of Palestine and all observers of the General Assembly in Geneva inviting them to share their views on proposals for the establishment of a mechanism to follow up on the violations by Israel of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination identified by the International Court of Justice in its advisory opinion, in accordance with paragraph 14 of resolution [ES-10/14](#). A total of six responses were received, which are reproduced in annex IV of the present report.

III. Member States and observers of the General Assembly

9. The responses received from 32 Member States and observers refer to several economic, political and legal measures that they are undertaking, including with a view to ending the unlawful occupation by Israel of the Palestinian territory occupied since 1967, which encompasses the West Bank, East Jerusalem and the Gaza Strip, and supporting Palestinian rights and sovereignty, as provided for in the advisory opinion. Some of these measures are enumerated below.

10. Economic measures mentioned in the responses of Member States and observers include the following:

- Distinguishing between goods originating in Israel and those originating in the Israeli settlements in the Occupied Palestinian Territory, including through compulsory differentiated labelling of products
- Publishing guidance for companies and citizens on the legal, financial and reputational risks associated with engaging in business dealings with Israeli settlements in the Occupied Palestinian Territory
- Ensuring that corporations registered in the relevant corporate databases of Member States are not in the database developed by OHCHR pursuant to Human Rights Council resolutions [31/36](#) and [53/25](#)
- Establishing a database of all business enterprises involved in specified activities related to settlements in the Occupied Palestinian Territory
- Imposing sanctions on settlement-related enterprises, including banning goods originating in the Israeli settlements
- Including territorial clauses in bilateral agreements, including trade and investment agreements, that clearly state that the territory of the State of Israel does not extend to any part of the Occupied Palestinian Territory, including East Jerusalem
- Imposing bilateral trade restrictions on Israel aimed at ending its presence in the Occupied Palestinian Territory
- Supporting Palestinian institutions, businesses and communities in the Occupied Palestinian Territory to promote livelihoods, build public infrastructure, improve education and promote other sustainable development initiatives by Palestinians for their communities.

11. Political or diplomatic measures mentioned in the responses of the Member States and observers include the following:

- Recognizing, and establishing full bilateral relations with, the State of Palestine
- Supporting the application of the State of Palestine for membership in the United Nations
- Maintaining separate diplomatic representations for Israel and the State of Palestine and managing diplomatic relations separately with Israeli and Palestinian officials, respectively
- Imposing sanctions or restrictive measures, including asset freezes and travel bans, against “extremist” Israeli settlers or settler organizations
- Reviewing applications for export licences for arms, munitions and related equipment that may be used in the Occupied Palestinian Territory, including on the basis of the relevant provisions of the Arms Trade Treaty, and restricting arms transfers to Israel accordingly
- Supporting the adoption of internationally coordinated sanctions against “extremist” Israeli settlers and the formation of a special mechanism to monitor and enforce sanctions on listed individuals and entities accordingly
- Initiating or joining international initiatives in support of a just and comprehensive peace, such as the Global Alliance for the Implementation of the Two-State Solution, launched during the high-level week of the General Assembly at its seventy-ninth session, and the joint letter calling for a halt to arms transfers to Israel sent by over 50 Member States and regional organizations to the Secretary-General on 1 November 2024.

12. Legal measures seeking accountability for violations of international law as mentioned in the responses received from Member States and observers include the following:

- Providing written or oral submissions in support of ongoing legal proceedings that seek accountability for violations of international law in the Occupied Palestinian Territory, including in the International Court of Justice, and ensuring cooperation with the International Criminal Court
- Supporting the establishment of an “international register of damage” as provided for in paragraph 10 of resolution [ES-10/24](#)
- Advocating for reparations for damages, loss or injury arising from the internationally wrongful acts of Israel in the Occupied Palestinian Territory
- Strengthening legislative frameworks to support Palestinian self-determination and carrying out legal actions for violations of international law, including war crimes and crimes against humanity, through domestic and international courts.

IV. United Nations entities and specialized agencies

13. On 11 October 2024, the Secretariat sent a communication to relevant United Nations entities, specialized agencies and related organizations informing them of the adoption of resolution [ES-10/24](#) and drawing their attention to its implementation in accordance with the relevant operative paragraphs therein. In the communication, the Secretariat requested that all United Nations entities review any relevant programmes, actions and practices and make adjustments as necessary to ensure consistency with the relevant provisions of resolution [ES-10/24](#), notably its paragraphs 6, 7 and 16. United Nations entities are in the process of reviewing their respective programmes,

actions and practices in that regard, including relevant terminologies, maps, statements and reports, as well as, inter alia, procurement policies and practices.

14. United Nations specialized agencies and related organizations are governed by independent intergovernmental bodies and operate autonomously from United Nations entities. Some have noted, inter alia, that they do not, in their respective programmes and activities, recognize the legality of the presence of Israel in the Occupied Palestinian Territory and that pertinent steps are being considered in relation to the implementation of resolution [ES-10/24](#). The State of Palestine is a member, and a party to the constituent instruments, of some specialized agencies (United Nations Educational, Scientific and Cultural Organization and United Nations Industrial Development Organization) and related organizations (International Criminal Court, International Seabed Authority, International Tribunal for the Law of the Sea and Organisation for the Prohibition of Chemical Weapons).

V. International conferences

15. In paragraph 12 of resolution [ES-10/24](#), the General Assembly called for the convening of a Conference of High Contracting Parties to the Fourth Geneva Convention relative to the protection of civilian persons in time of war on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem. In this regard, the Assembly invited the Government of Switzerland, in its capacity as the depositary of the Geneva Conventions, to convene such a conference within six months of the adoption of the resolution. The Government of Switzerland has accepted the invitation of the Assembly to organize such a conference within the prescribed time frame and is holding consultations with the High Contracting Parties, with a view to determining the necessary preparatory measures. The Government of Switzerland will announce the date and venue of the conference in due course.

16. In paragraph 13 of resolution [ES-10/24](#), the General Assembly decided to convene during its seventy-ninth session an international conference under the auspices of the Assembly for the implementation of the United Nations resolutions pertaining to the question of Palestine and the two-State solution for the achievement of a just, lasting and comprehensive peace in the Middle East. The modalities for convening the conference were decided upon by the Assembly in its resolution [79/81](#) of 3 December 2024. The conference will be called the “High-level International Conference for the Peaceful Settlement of the Question of Palestine and the Implementation of the Two-State Solution” and will be held in June 2025 in New York. It will be preceded by one or more preparatory meetings, as needed. The conference will be co-chaired by France and Saudi Arabia.

VI. Proposals for a mechanism to follow up on violations of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination

17. In paragraph 14 of resolution [ES-10/24](#), the General Assembly requested the Secretary-General, in consultation with the United Nations High Commissioner for Human Rights and Member States with relevant experience and expertise, to present proposals for the establishment of a mechanism to follow up on the violations by Israel of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination identified by the International Court of Justice in its advisory opinion.

18. Drawing on the responses from Member States and observers, as reproduced in annex IV regarding proposals for the establishment of a mechanism to follow up on the violations by Israel of article 3 of the Convention, two options for such a mechanism may be:

(a) To establish a stand-alone mechanism, based on the model of the United Nations Special Committee against Apartheid as established by the General Assembly in its resolution 1761 (XVII) and reinforced in subsequent resolutions, notably resolution 2671 (XXV). Such a mechanism would be composed of Member States, with its membership based on the principle of equitable geographical distribution;

(b) To provide a mandate to the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, established by the Human Rights Council by its resolution S-30/1 to undertake the follow-up referred to in paragraph 14 of General Assembly resolution ES-10/24. The Commission of Inquiry is composed of independent experts, reports to the Assembly on an annual basis and is mandated, inter alia, to investigate “all underlying root causes of recurrent tensions, instability and protraction of conflict, including *systematic discrimination and repression based on national, ethnic, racial or religious identity*”,¹ and to make recommendations, in particular on accountability measures and on measures to be taken by third States.² In March 2024, the Human Rights Council adopted two resolutions in which it requested the Commission to analyse and report on specific additional elements.³

VII. Conclusions and observations

19. A just and comprehensive peace in the Middle East is contingent upon the end of the protracted Israeli occupation and resolution of the Israeli-Palestinian conflict. Progress toward peace must address and fully realize the fundamental and legitimate rights of the Palestinian people, including the right to self-determination. It must also address the legitimate security concerns of Israel and the State of Palestine. I welcome the advisory opinion of the International Court of Justice on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem. I also welcome the sustained engagement of the General Assembly on the matter, which is centrally shaping progress towards tangible, irreversible steps to end the occupation as rapidly as possible and achieve a viable two-State solution.

20. I appreciate the contributions received for the present report from more than 30 States, the League of Arab States and the Organization of Islamic Cooperation, in particular given the time constraints for the report. Several requests for more time for the compilation and submission of contributions were received which, unfortunately, could not be accommodated because of the mandated time frame for the report. The responses reflect support for the conclusions of the International Court of Justice in its advisory opinion and for the implementation of General Assembly resolution ES-10/24, including that the continued presence of Israel in the Occupied Palestinian Territory is unlawful and must end as rapidly as possible. In resolution ES-10/24, the Assembly demanded that Israel end its unlawful presence no later than 12 months from the adoption of that resolution on 18 September 2024. I urge Israel to heed the

¹ Human Rights Council resolution S-30/1, para. 1 (emphasis added).

² Most recently, the Commission of Inquiry issued a legal analysis and recommendations on implementation of the International Court of Justice advisory opinion (see www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper_co-israel.pdf).

³ See Human Rights Council resolutions 55/32, para. 14, and 55/28, para. 43.

demands of the Assembly to comply without delay with all its legal obligations under international law, including as stipulated by the International Court of Justice.

21. Israeli policies and practices, in particular the relentless expansion of illegal Israeli settlements, are systematically altering the landscape and demography of the Occupied Palestinian Territory, creating dangerous dynamics for the safety, security and prosperity of Israelis and Palestinians. These policies and practices pose an existential threat to the two-State solution. Settlement expansion, State and settler violence, and recent Israeli administrative steps and large-scale State land declarations are fundamentally fragmenting the landscape of the Occupied Palestinian Territory and further entrenching the unlawful occupation by Israel. I call on all Member States to help stop and reverse this alarming trajectory.

22. The responses received from Member States for the present report reflect their strong commitment to supporting Palestinian rights and sovereignty, with many referring to several political, diplomatic, economic and legal tools that could facilitate an end to the unlawful occupation by Israel and ensure accountability for violations of international law by Israel in the Occupied Palestinian Territory. I regularly report on some of these measures. For example, my quarterly reports on the implementation of Security Council resolution [2334 \(2016\)](#) include developments related to the policies of Member States on distinguishing, in their relevant dealings, between the territory of the State of Israel and the territories occupied since 1967. In the same reports, I have also highlighted sanctions imposed on violent Israeli settlers, relevant legal proceedings in international courts and the establishment of diplomatic relations with the State of Palestine or with the State of Israel.

23. The responses from Member States and observers also illustrate their collective commitment to peace, justice and accountability. These include the initiation of or support for legal proceedings in international courts, the launching of global initiatives and collective advocacy aimed at ending the occupation and achieving a viable two-State solution. In this regard, the advocacy of the League of Arab States and the Organization of Islamic Cooperation, in particular through the ministerial committee of the Joint Arab Islamic Extraordinary Summit, is welcome and commendable. The Global Alliance for the Implementation of the Two-State Solution, launched during the high-level week of the General Assembly at its seventy-ninth session, is also an important positive initiative. I encourage Member States and regional organizations to support such initiatives until the unlawful presence of Israel in the Occupied Palestinian Territory is brought to an end and a viable two-State solution is achieved.

24. I recognize that the 19 July 2024 advisory opinion of the International Court of Justice, requested by the General Assembly in December 2022, was rendered in a drastically different context – nine months after the horrifying 7 October 2023 attacks, which dramatically altered the dynamics for Israelis and Palestinians. Decisive actions are urgently needed to secure an immediate and unconditional ceasefire in Gaza; this is long overdue. I note that, in response to the catastrophic levels of death and destruction unleashed on Gaza since 7 October 2023, there have been mounting calls by Member States and others for the suspension of the transfer of arms, munitions and related equipment that Israel may be using for its military operations in the Occupied Palestinian Territory and for restricting arms transfers to Israel accordingly. I note, in this context, that on 1 November I received a letter from a cross-regional group of more than 50 Member States calling for “immediate steps to be taken to halt the provision or transfer of arms, munitions and related equipment to Israel, the occupying Power, in all cases where there are reasonable grounds to suspect that they may be used in the Occupied Palestinian Territory, including East Jerusalem, as stipulated in General Assembly resolution [ES-10/24](#)”. I urge Member States to ensure that any arms transfers to Israel are in accordance with their obligations under

international law, including common article 1 of the four Geneva Conventions and the relevant provisions of the Arms Trade Treaty, as applicable.

25. I reiterate my strong condemnation of the horrific 7 October attacks by Hamas and other Palestinian armed groups in Israel and the continued holding of more than 100 hostages in Gaza. I also, once again, strongly and unequivocally condemn the horrific killing and maiming of Palestinian civilians as a result of the unrelenting military operations of Israel. I reiterate my call for the immediate and unconditional release of all remaining hostages. Palestinians arbitrarily detained in Israel must either be released without delay or detained on such grounds and in accordance with such procedures as are established by law. Pending their release, all must be treated humanely and allowed to receive visits and assistance from the International Committee of the Red Cross. All parties must respect international law. Appropriate steps must be taken to ensure accountability in accordance with international law.

26. Israel, as the occupying Power, must abide by all of its obligations under international law. I call on Israel to immediately allow the passage and delivery of desperately needed humanitarian assistance in the Occupied Palestinian Territory, including at scale across the Gaza Strip. In this regard, I also recall the provisional measures indicated earlier this year by the International Court of Justice in the case *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*. I have repeatedly urged Israel to ensure the protection of the Palestinian population across the Occupied Palestinian Territory and to investigate and hold perpetrators of all attacks accountable. These include lethal attacks by Israeli settlers, who are rarely held accountable, including when such attacks occur in the proximity, or with the support, of Israeli security forces. I take note of the complementary efforts of Member States in this regard, in particular the increasing number that have started imposing sanctions against violent and extremist settlers and settler-related enterprises.

27. I note that, in its advisory opinion, the International Court of Justice noted that it was of the view that “the regime of comprehensive restrictions imposed by Israel on Palestinians in the Occupied Palestinian Territory constitutes systemic discrimination based on, inter alia, race, religion or ethnic origin, in violation of articles 2, paragraph 1, and 26 of the [International Covenant on Civil and Political Rights], article 2, paragraph 2, of the [International Covenant on Economic, Social and Cultural Rights] and article 2 of [the International Convention on the Elimination of All Forms of Racial Discrimination]”. The Court further observed that “Israel’s legislation and measures impose and serve to maintain a near-complete separation in the West Bank and East Jerusalem between the settler and Palestinian communities” and considered “[f]or this reason ... that Israel’s legislation and measures constitute a breach of article 3 of [the International Convention on the Elimination of All Forms of Racial Discrimination]”. The present report provides the General Assembly with two proposals for the establishment of a mechanism to follow up on the violations of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination, as requested by the Assembly in its resolution [ES-10/24](#), for its consideration.

28. United Nations entities are in the process of reviewing their respective programmes, policies and practices with a view to the implementation of resolution [ES-10/24](#), including relevant terminologies, maps, statements and reports, and making relevant adjustments, as needed, including in reports of the Secretary-General. Further adjustments, as relevant, will be undertaken by United Nations entities in due course. I urge all United Nations specialized agencies and related organizations, in line with their respective mandates and subject to the decisions of their governing bodies, to make any necessary adjustments to their relevant programmes, policies and practices.

29. The United Nations is steadfast in its commitment to support ending the unlawful occupation by Israel of the Palestinian territory as rapidly as possible and supporting Palestinians and Israelis in resolving the conflict in line with international law, relevant United Nations resolutions and bilateral agreements in pursuit of the achievement of the two-State solution, with Israel and a fully independent, democratic, contiguous and sovereign State of Palestine, of which the Gaza Strip is an integral part, living side by side in peace and security within secure and recognized borders, on the basis of the pre-1967 lines, with Jerusalem as the capital of both States.

30. To this end, I commit to continuing to support the implementation of resolution [ES-10/24](#) and look forward to the High-level International Conference to be held in June 2025 under the auspices of the General Assembly, which will be aimed at advancing the implementation of the United Nations resolutions pertaining to the question of Palestine and the two-State solution for the achievement of a just, lasting and comprehensive peace in the Middle East.

Annex I

Replies received from States

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Austria

[Original: English]
[8 November 2024]

Austria strongly supports a just, comprehensive and lasting peace based on a negotiated two-State solution where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders, consistent with international law and relevant United Nations resolutions.

Austria will not recognize any changes to the 1967 borders unless agreed by the parties. Austria considers the Israeli settlements in the Occupied Palestinian Territory to be contrary to international law.

Austria clearly distinguishes between Israel and the Occupied Palestinian Territory.

As a member State of the European Union, Austria's economic and trade dealings are defined and shaped by European Union policy and legislation. The European Union operates an established policy to differentiate between Israel in the borders of 1967 and the Occupied Palestinian Territory. For example, the Occupied Palestinian Territory is not included in the preferential trade relations with Israel but there is a distinct agreement concluded with the Palestine Liberation Organization (PLO) for Palestine.

In the same vein, the international agreements Austria has concluded with Israel do not extend to the Occupied Palestinian Territory and apply only to Israel within its internationally recognized borders.

Austria is represented in Israel by an embassy in Tel Aviv in line with Security Council resolution 478 (1980) of 20 August 1980. It also established early relations with the PLO. In 1980, the Palestine mission to the international organizations in Vienna was also notified bilaterally to Austria. In 1998, Austria opened a Representative Office in Ramallah. Austria does not recognize Palestine as a State bilaterally but supports a negotiated two-State solution in the Middle East peace process.

Austria supported the adoption of European Union sanctions on a number of extremist Israeli settlers in the occupied West Bank and East Jerusalem, as well as on violent activists blocking humanitarian aid to Gaza. On 17 October 2024, the European Union decided to take work forward on further restrictive measures against extremist settlers and against entities and organizations which support them.

Bahrain

[Original: Arabic]
[12 November 2024]

- The Kingdom of Bahrain reaffirms its commitment to the legitimate rights of the Palestinian people to self-determination and to establish an independent and sovereign State on the basis of the 4 June 1967 borders, with East Jerusalem as its capital, in accordance with the two-State solution, the relevant internationally recognized resolutions and the Arab Peace Initiative. In addition, it supports recognition of and full membership of the United Nations for the State of Palestine, as that is the pathway to de-escalation and establishing a just, comprehensive and enduring peace.
- The Kingdom of Bahrain has called for the convening of an international conference to resolve the Palestinian question on the basis of the two-State

solution. That initiative was adopted by the Council of the League of Arab States at the summit level at the thirty-third ordinary session of League, which was held in May 2024 in Bahrain.

- The Kingdom of Bahrain condemns the expansion of settlement activity, because such activity is a blatant violation of the principles of international law and internationally recognized resolutions.

Belgium

[Original: English]

[8 November 2024]

Belgium recognizes the right of the Palestinian people to self-determination and has a long-standing commitment to the two-State solution, supporting European Union and Arab joint efforts to that end. Last September, Belgium joined the Global Alliance for the Implementation of the Two-State Solution and will host the second meeting of the Alliance in Brussels on 28 November 2024. Belgium recognizes Israel within its 1967 internationally recognized borders and has been steadfast in considering as unlawful the presence of Israel in the Occupied Palestinian Territory. Belgium has an embassy in Tel Aviv with competence for Israel and a Consulate General in Jerusalem which has consular competence over Jerusalem (*corpus separatum*), the West Bank and Gaza.

Belgium carefully implements the differentiation policy, arising among others from Security Council resolution [2334 \(2016\)](#). All treaties signed with Israel contain the so-called territorial clause. Belgium carries out strengthened controls of goods imported from Israel and raises awareness of Belgian travellers or private companies envisaging to go to the Occupied Territory. No Belgian company is currently listed in the database developed by the Office of the United Nations High Commissioner for Human Rights pursuant to Human Rights Council resolutions [31/36](#) and [53/25](#).

Since 2009 in the context of the Israeli operation Cast Lead in the Gaza Strip, the competent authorities in Belgium have decided not to issue licences authorizing arms exports that have the armed forces of Israel as end user.

Belgium supported the listing of individuals and entities of violent Israeli settlers under the European Union human rights sanctions regime and is in favour of adopting additional internationally coordinated sanctions.

Belgium supports the work of the West Bank Protection Consortium, which is committed to protecting the rights of the Palestinians and to providing assistance to vulnerable populations in their current place of living in Area C of the West Bank. Within the framework of the West Bank Protection Consortium donor community, Belgium complains against demolitions by the Coordination of Government Activities in the Territories of Palestinian infrastructure in Area C which leads to forced displacements. Belgium is a long-standing humanitarian and development donor for the Palestinian people, civil society organizations, the Palestinian Authority and the United Nations system present in the occupied Palestinian territories.

Brazil

[Original: English]
[8 November 2024]

Diplomatic relations

Brazil officially recognized the State of Palestine in December 2010, within the 1967 borders, comprising the West Bank, including East Jerusalem, and the Gaza Strip.

Brazil maintains full diplomatic relations with Palestine, which has an embassy in Brasília. Brazil maintains a Representative Office in Ramallah, which is so named in light of the Oslo Accords. In practice, the Office functions as an embassy, in view of the recognition by Brazil of the State of Palestine in 2010.

The Representative Office of Brazil in Ramallah is responsible for bilateral relations with Palestine. It also serves the Brazilian community living in the West Bank, including East Jerusalem, and the Gaza Strip. The residence of the head of the Office, as well as those of the other members of the diplomatic staff, are located in a Palestinian neighbourhood in East Jerusalem.

Brazil does not have a diplomatic mission in Jerusalem. The Embassy of Brazil in Israel is located in Tel Aviv, as is the residence of the Ambassador.

Promoting the right of the Palestinian people to self-determination

Brazil seeks to promote the realization of the right of the Palestinian people to self-determination in line with Brazil's long-standing stance in favour of implementing the two-State solution.

Brazil and Palestine have a structured dialogue, with a mechanism for political consultations, and a broad network of bilateral agreements in the areas of technical cooperation, culture, education, tourism, health and sports.

In conducting its foreign relations, Brazil advocates and seeks to promote the admission of Palestine to the United Nations as a full-fledged Member State.

Brazil traditionally supports General Assembly resolutions aimed at safeguarding the sovereignty of the State of Palestine and the rights of its population.

Position in relation to the Occupied Palestinian Territory

Brazil does not recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory.

Brazil does not recognize any changes in the physical character or demographic composition, institutional structure or status of the territory occupied by Israel.

On several occasions over the years, through public statements, Brazil has condemned the illegal actions associated with Israel's unlawful presence in the Occupied Palestinian Territory, such as the conduct by Israel of military operations in the aforementioned territory, the construction and maintenance of Israeli settlements, the imposition of barriers to the movement of peoples and goods, the attempts to change the status quo of holy sites, etcetera.

The outbreak of the war in Gaza in 2023 happened during Brazil's presidency of the Security Council for the month of October, under which the situation in Gaza was considered in five formal meetings, three of which were chaired by the Foreign Minister, Mauro Vieira. Brazil proposed a draft resolution seeking to promote the cessation of hostilities, the protection of the civilian population, the alleviation of the

humanitarian situation in the Gaza Strip, the unconditional and immediate release of the hostages and the implementation of the two-State solution. Put to a vote on 18 October, the draft was supported by 12 members but was not adopted due to a veto by the United States.

Brazil also organized a high-level open debate on the situation in the Middle East, including the Palestinian question, on 10 October. More than 20 foreign ministers and vice-ministers attended the meeting. It allowed all Member States to express their views on the developments in the crisis in Palestine and Israel, as well as on ways to contain the conflict and resume the peace process.

Brazil provided written and oral statements to the International Court of Justice, respectively in July 2023 and February 2024, in the advisory proceedings that resulted in the Court's 19 July 2024 advisory opinion on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, which forms the basis of General Assembly resolution [ES-10/24](#). Brazil argued that the occupation of the Palestinian territory is tantamount to annexation, elaborated on the legal consequences of such situation, and condemned discriminatory practices as well as other violations of the human rights and fundamental freedoms of Palestinians in the occupied territory.

In its diplomatic, political and legal relations with Israel, Brazil consistently distinguishes between the territory of Israel and the Occupied Palestinian Territory.

There are no bilateral agreements in force between Brazil and Israel in which Israel expressly purports to act on behalf of the Occupied Palestinian Territory or on matters expressly pertaining to the Occupied Palestinian Territory.

Brazil complies with the provisions of the Arms Trade Treaty, which provides, in article 7 (a) and (b), (i) and (ii), that the exporting country has an obligation to assess each arms export operation taking into account its possible impact on international peace and security, as well as its potential use to commit violations of international humanitarian law and international human rights law. Given the history of protracted conflict in the Gaza Strip and in the rest of the Occupied Palestinian Territory, Brazil considers that the supply of arms and ammunition to any of the parties directly involved in the conflict may facilitate their use for non-peaceful purposes and lead to violations of international law, including international humanitarian law and international human rights law.

Brazil was among the 52 countries and 2 international organizations that co-sponsored the joint letter calling for a halt to arms transfers to Israel, sent to the Secretary-General, the President of the General Assembly and the President of the Security Council, on 1 November 2024.

Between 18 September and 5 November 2024, in a number of international forums and meetings, high-level Brazilian officials advocated the respect of international law particularly in relation to the situation in the Occupied Palestinian Territory:

(a) On 24 September, at the opening of the seventy-ninth session of the General Assembly in New York, and on 23 October, at the open plenary session of the BRICS Summit, held in Kazan, President Lula reiterated appeals for a ceasefire in Gaza;

(b) On 26 September, in New York, during the high-level week of the seventy-ninth session of the General Assembly, Foreign Minister Vieira attended the ministerial meeting on the theme "The situation in Gaza and the implementation of the two-State solution as a path to a just and comprehensive peace". The meeting provided an opportunity to discuss concrete measures for implementing the two-State

solution, in light of the Arab Peace Initiative and United Nations resolutions, as well as to address the humanitarian situation in Gaza and promote an end to hostilities and respect for international law. On the occasion, the Foreign Minister stressed the urgency of establishing a permanent and comprehensive ceasefire in Gaza, which would allow for the unimpeded provision of humanitarian assistance to its population, as well as the release of all hostages. He also reaffirmed Brazil's defence of the two-State solution, with an independent and viable State of Palestine, living side by side with Israel, in peace and security, within the 1967 borders, which include the Gaza Strip and the West Bank, with East Jerusalem as its capital;

(c) On 29 October, Foreign Minister Vieira participated in the Security Council high-level open debate on the situation in the Middle East, including the Palestinian question. At the meeting, he strongly condemned the sharp escalation of violence in the Middle East since the Hamas terrorist attack of 7 October 2023 and the subsequent disproportionate and indiscriminate military response by Israel. He emphasized the priority of an immediate ceasefire to halt the humanitarian catastrophe. He stressed that all parties must strictly comply with their obligations under international law and international humanitarian law. He also condemned the disinformation campaign attacks by Israel against the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). He expressed concern about the recent approval of legislation by the Israeli parliament that affects UNRWA operations, against the backdrop, since October 2023, of 237 Agency employees killed and several of its facilities, including schools housing displaced civilians, attacked by the occupying power, in violation of international humanitarian law;

(d) Between 30 and 31 October, the Secretary for Africa and the Middle East of the Ministry of Foreign Affairs represented Brazil in the first senior follow-up meeting of the Global Alliance for the Implementation of the Two-State Solution, in Riyadh.

Brazil currently holds one of the two vice-presidencies of the UNRWA Advisory Commission and is expected to assume its presidency in 2025.

Defence of international humanitarian law

Brazil intends to be represented in the Conference of High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War, to be convened by Switzerland within six months of the approval of General Assembly resolution [ES-10/24](#).

With regard to paragraph 4 (e) of resolution [ES-10/24](#), Brazil has ratified the main multilateral treaties in the field of international humanitarian law, including the four Geneva Conventions of 1949 and their additional protocols. Brazil recognizes the competence of the International Humanitarian Fact-Finding Commission, provided for in the Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), and which has investigative powers. In relation to the domestic legal system, the crime of genocide is provided for in the Penal Code of Brazil.

During the high-level week of the seventy-ninth session of the General Assembly, Brazil, alongside China, France, Jordan, Kazakhstan and South Africa, with the support of the International Committee of the Red Cross, launched a new global initiative to promote international humanitarian law, to be developed over the next two years.

Cuba

[Original: Spanish]
[11 November 2024]

The Republic of Cuba is among the co-sponsors of General Assembly resolution [ES-10/24](#), adopted on 18 September 2024, during the resumed tenth emergency special session of the Assembly.

Our country is also among the main co-sponsors of General Assembly resolution [77/247](#) adopted on 30 December 2022, entitled “Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem”, through which the Assembly requested an advisory opinion of the International Court of Justice on the legal consequences of the prolonged Israeli occupation, its settlements and its annexation of the Occupied Palestinian Territory.

Cuba is sparing no effort to reach a comprehensive, just and lasting solution to the Israeli-Palestinian conflict, on the basis of the creation of two States, which would allow the Palestinian people to exercise their right to self-determination and to have an independent and sovereign State within the pre-1967 borders, with East Jerusalem as its capital and which would also guarantee the right of return of refugees.

The illegal Israeli occupation and the continued forced displacement of Palestinians from their own land continue to threaten this long-standing goal.

For more than 70 years, the Palestinian people have been denied their right to self-determination and subjected to a policy of ongoing genocide aimed at the clear extermination of their population. This policy has had particularly tragic moments, such as the current one, in which hundreds of thousands of innocent civilians, including girls, boys, women, older persons and humanitarian personnel, are being senselessly killed.

For the aforementioned reasons, on 21 June 2024, Cuba announced that it would intervene in the contentious proceedings initiated by the Republic of South Africa against the State of Israel before the International Court of Justice. The Government of the Republic of Cuba took this important decision in accordance with its firm and sustained commitment to support and contribute as much as possible to the legitimate international efforts to put an end to the genocide committed against the Palestinian people.

In accordance with the provisions of article 63 of the Statute of the International Court of Justice, and in strict observance of its obligations as a State party to the Convention on the Prevention and Punishment of the Crime of Genocide, Cuba will make use of its right to present, as a third State, its interpretation of the norms of the Convention that Israel has flagrantly violated by its actions in the illegally occupied Palestinian territory of the Gaza Strip.

The lawsuit filed with the principal judicial organ of the United Nations has as its main objective to stop the atrocities against the Palestinian people as a result of Israel’s disproportionate and indiscriminate use of force. Israel, with total impunity and protected by the complicity of the Government of the United States, is ignoring its obligations as an occupying Power under the Fourth Geneva Convention.

As Vice-Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, we will continue to promote, through joint or individual actions, the realization of that people’s right to self-determination, respect for which is an obligation *erga omnes*.

Cuba will never recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory, nor render aid or assistance in maintaining the situation created by the illegal presence of Israel in the Territory,

Cuba legally maintains that both Israel and its accomplices must be declared responsible under current international law for the genocide that the Palestinian people have lived through for decades, and live through today in a very aggravated form.

Genocide, apartheid, forced displacement and collective punishment can have no place in the modern world and cannot be tolerated by the international community. Justice and respect for the Charter of the United Nations and international law must prevail.

Egypt

[Original: English]
[8 November 2024]

Since the onset of the Palestinian-Israeli conflict, Palestine's right to independent statehood and self-determination on its territory occupied in 1967 has been at the forefront of Egypt's foreign policy priorities. The current contribution highlights some of the measures Egypt has taken recently, since the International Court of Justice's advisory opinion on the legal consequences of Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and the adoption of General Assembly resolution [ES-10/24](#).

Concerning Egypt's efforts to promote through joint and separate action the realization of the right of the Palestinian people to self-determination, not to recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory, and not to render aid or assistance in maintaining the situation created by Israel's illegal presence in the territory:

(a) Egypt, with a number of other Arab States, led efforts to adopt resolution 9063 of 10 September 2024 by the Council of Foreign Ministers of the League of Arab States, which called upon the international community to implement the advisory opinion on the legality of Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, which found, inter alia, that Israel is under an obligation to bring to an end its unlawful presence in the Occupied Palestinian Territory as rapidly as possible, to cease immediately all new settlement activities, and to evacuate all settlers from the Occupied Palestinian Territory, and that all States are under an obligation not to recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory and not to render aid or assistance in maintaining this unlawful situation;

(b) The above-mentioned resolution condemned all Israeli policies and practices in the West Bank and Gaza that seek to obstruct the achievement of Palestinian independent statehood, including through annexation and settlements, displacement and transfer of the Palestinian population, systematic destruction of Palestinian cities, villages, property and infrastructure, killing and injury of Palestinian civilians, and unlawfully detaining thousands of Palestinians in inhumane conditions, thus obstructing the exercise by Palestinians of their right to self-determination. The resolution called on Israel to withdraw immediately and fully from the Gaza Strip and affirmed the unity of the Palestinian Occupied Territory;

(c) The resolution further requested the secretariat of the League of Arab States to devise a plan of action to operationalize the advisory opinion, and support Palestine in its bid for full membership of the United Nations;

(d) Egypt also participated in the emergency ministerial meeting of the Organization of Islamic Cooperation held on 27 September 2024, which culminated in a joint communiqué to coordinate and follow up on General Assembly resolution [ES-10/24](#), and led efforts to establish the core group of the Organization of Islamic Cooperation ambassadors to the United Nations in New York to identify necessary actions for the implementation of resolution [ES-10/24](#);

(e) Egypt, in coordination with Qatar and the United States, is mediating between the Israelis and Palestinians, with a view to reaching a permanent ceasefire in Gaza that would allow the resumption of humanitarian access and reconstruction of the Gaza Strip. It is also advocating the necessity of empowering the Palestinian Authority in order to unite Gaza and the West Bank under one single authority, as part of our efforts to consolidate the State of Palestine as a single territorial unit for the purposes of achieving self-determination for the Palestinians;

(f) Egypt is organizing an international conference on enhancing the humanitarian response to Gaza on 2 December 2024, in cooperation with the relevant United Nations agencies and the Senior Humanitarian and Reconstruction Coordinator for Gaza. Egypt continues through this and other efforts to advocate the indispensable role of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the need to scale up humanitarian assistance and rapid, safe, unhindered and unimpeded humanitarian access and distribution to and throughout Gaza. In this regard, Egypt has done its utmost, since the outbreak of the current conflict in the Gaza Strip, to provide humanitarian assistance to Gaza through the Rafah border crossing and was at the forefront of efforts to adopt Security Council resolution [2720 \(2023\)](#);

(g) In furtherance of its policy to support Palestine's international recognition and full membership of international organizations, particularly the United Nations, Egypt, among other Arab countries, led efforts to adopt a decision on 31 October 2024 by the governing body of the International Labour Office, at its 352nd session, to recommend that the International Labour Conference consider at its 113th session (in 2025) the adoption of a resolution to upgrade Palestine's status within the International Labour Organization to a non-member observer State;

(h) Egypt will participate next week in the Arab-Islamic summit due to take place in Riyadh to discuss the developments in the Occupied Palestinian Territory and Lebanon, where it will continue to advocate, inter alia, a permanent ceasefire in Gaza, the resumption of humanitarian access, consolidating the Palestinian Authority and unified Palestinian State institutions, and the indispensable role of UNRWA.

Concerning Egypt's efforts not to recognize any changes in the physical character, demographic composition or status of the Occupied Palestinian Territory, and to distinguish in all dealings with Israel between Israel and the Occupied Palestinian Territory:

(a) Egypt does not recognize any measures that seek to transform the legal, factual or demographic reality in the Occupied Palestinian Territory, including with regard to Jerusalem. It has no treaties with Israel in which the latter purports to act on behalf of the Occupied Palestinian Territory or a part thereof, and no investments or economic or trade dealings with Israel concerning the Occupied Palestinian Territory or its illegal settlements there, or which assist Israel in maintaining its illegal presence in the Occupied Palestinian Territory;

(b) Egypt has diplomatic relations with the State of Palestine and numerous treaties with the State of Palestine fully recognizing Palestinian sovereignty over its territory, wealth and natural resources.

Concerning Egypt's efforts, as a State party to the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), to ensure compliance with international humanitarian law as embodied in that Convention:

(a) Egypt, with a number of other States, led efforts to strengthen the language on ensuring compliance with international humanitarian law in resolution 1 adopted on 31 October 2024 by the thirty-fourth International Conference of the Red Cross and Red Crescent Societies, including by demanding that all parties to armed conflicts, including situations of occupation, fully comply with their obligations under international humanitarian law, including but not limited to rules pertaining to the protection of civilians, the protection of humanitarian personnel and rules pertaining to humanitarian access;

(b) Egypt also proposed language to strengthen paragraph 10 of resolution 1 through incorporating language from the above-mentioned advisory opinion of the International Court of Justice, insisting that States refrain from encouraging, aiding or assisting violations of international humanitarian law by other States and act to promote compliance with international humanitarian law by other States, including by convincing parties to armed conflicts to put an end to violations of international humanitarian law, seeking the commitment of States at the highest levels of civilian and military leadership to comply with international humanitarian law, and complying with obligations under applicable international treaties and laws regulating the use and transfer of arms;

(c) Egypt also cooperated with Spain to issue a joint statement on the obligation to respect and ensure respect for international humanitarian law as set out in common article 1 of the 1949 Geneva Conventions, and advocated this obligation in its capacity as the Arab Group Coordinator for Humanitarian Affairs;

(d) In the lead-up to General Assembly resolution [ES-10/24](#), Egypt, in its capacity as Arab Group Coordinator for Humanitarian Affairs, also led efforts to address a letter to Switzerland, in its capacity as depository for the Geneva Conventions, calling for the convening of a meeting of the High Contracting Parties to the Fourth Geneva Convention.

Concerning Egypt's efforts to ensure that its nationals and companies and entities under its jurisdiction do not render aid or assistance in maintaining the situation created by Israel's illegal presence in the Occupied Palestinian Territory, ceasing the importation of goods originating from settlements and the provision or transfer of arms, munitions and related equipment to Israel in cases where there are reasonable grounds to suspect they will be used in the Occupied Palestinian Territory, to maintain sanctions, travel bans and asset freezes against natural and legal persons maintaining the situation created by Israel's illegal presence in the territory, and to support accountability efforts for victims:

(a) Egypt does not import any products originating in Israeli settlements and does not provide or transfer arms, munitions or related equipment to Israel;

(b) Egypt, in cooperation with other Arab States, led efforts to adopt resolution 9063 of the Council of Foreign Ministers of the League of Arab States, which provides in paragraph 20 for the implementation of the Arab Summit resolution 854 of 16 May 2024 requiring member States to list all Israeli extremist organizations linked to settlement activities in national counter-terrorism lists and to boycott international corporations involved in illegal Israeli settlements;

(c) Egypt supported General Assembly resolution [ES-10/24](#) and subsequent efforts by the Organization of Islamic Cooperation to put in place the international register of damage, stipulated in paragraph 10 of that resolution, to serve as a record,

in documentary form, of evidence and claims information on damage, loss or injury to natural and legal persons;

(d) In its support for accountability efforts for victims, Egypt facilitated the entry of all United Nations organizations and agencies, as well as international non-governmental organizations, seeking entry into the Gaza Strip through the Rafah border crossing. Egypt also facilitated meetings between representatives of those organizations and Palestinian victims and witnesses being treated at Egyptian hospitals.

Finland

[Original: English]
[8 November 2024]

Finland refers to the contribution of the European Union for the present report. Finland's policy is in line with the measures contained in the input of the European Union.

The Ministry of Foreign Affairs of Finland updated its guidelines to Finnish companies in April 2024 to remind them of the legal status of Israeli settlements, associated business risks and the established European Union policy to differentiate between Israel in the borders of 1967 and the Occupied Palestinian Territory.

France

[Original: French]
[7 November 2024]

France reiterates its unwavering support for a negotiated solution, with two States living side by side within secure and recognized borders, based on the lines of 4 June 1967, and with Jerusalem as the capital of both. For France, only a two-State political solution will make it possible to satisfy both the right of Israelis to security and the legitimate aspirations of Palestinians for an independent, viable and contiguous State, living in peace and security alongside Israel. To achieve this, France calls for a decisive and credible relaunch of the peace process.

France is committed to respect for international law and reiterates its full support for the International Court of Justice. As the latter stated in its advisory opinion of July 2024, settlement activity in Palestinian territories, including East Jerusalem, constitutes a violation of international law.

France reiterates its firm condemnation of the illegal settlement policy implemented by Israel. This policy, which also includes the eviction of Palestinian families and the destruction of Palestinian structures, must cease. France will never recognize the illegal annexation of territories or the legalization of unauthorized settlements.

Policy of differentiation

France ensures compliance with Security Council resolution [2334 \(2016\)](#), which aims to establish the distinction between the internationally recognized territory of Israel and the territories occupied since 1967.

With a view to differentiating between the territory of the State of Israel within its borders of 4 June 1967 and the occupied Palestinian territories, France is implementing specific measures adopted at the European level in accordance with international law.

Along with several of its European partners, France publishes recommendations for companies and citizens on the legal, financial and reputational risks involved in doing business with settlements.

In addition, since 2014, European Commission guidelines have applied that exclude Israeli entities active in settlements from all European funding. Moreover, under European Union law, Israeli products from settlements cannot benefit from the customs preferences reserved for products originating in the territory of Israel. The policy of differentiation implemented within the European framework is also reflected in the compulsory labelling of food products from Israeli settlements.

France is also extremely vigilant in the application of its bilateral agreements with Israel.

Sanctions against violent Israeli settlers

France has adopted sanctions against Israeli settlers who are found guilty of violence against Palestinian civilians in the West Bank. It will continue to do so, and to mobilize the European Union in this direction, until these acts cease.

Votes by France in the General Assembly and in the Security Council

On 18 September 2024, France voted in favour of General Assembly resolution [ES-10/24](#) on the advisory opinion of the International Court of Justice of 19 July 2024.

The President of the French Republic welcomed the General Assembly's adoption of this resolution, which France fully supported.

At the same time, France has supported the admission of Palestine to the United Nations as a full Member and the enhancement of its rights in the Security Council and in the General Assembly:

- France voted in favour of the draft resolution submitted to the Security Council proposing the admission of Palestine to the United Nations as a full Member (18 April 2024).
- France voted in favour of General Assembly resolution [ES-10/23](#) on enhancing the rights of Palestine (10 May 2024).

Lastly, France voted in favour of the four resolutions adopted by the Security Council on the situation in Gaza since 7 October 2023:

- (i) Resolution [2712 \(2023\)](#) of 15 November 2023;
- (ii) Resolution [2720 \(2023\)](#) of 22 December 2023;
- (iii) Resolution [2728 \(2024\)](#) of 25 March 2024;
- (iv) Resolution [2735 \(2024\)](#) of 10 June 2024.

Germany

[Original: English]
[8 November 2024]

Germany recognizes and promotes the realization of the right of the Palestinian people to self-determination and the Palestinian people's endeavours to obtain their own State as part of a negotiated two-State solution. Germany has been leading and engaging in various formats, including the Munich format and other bilateral and multilateral engagements with Western and Arab countries, to promote concrete steps towards the realization of the right of the Palestinian people to self-determination. As one of Palestine's largest bilateral donors, Germany furthermore contributes to

building infrastructure, improving education, work programmes and establishing a sustainable economy for the Palestinian people. Germany is firmly convinced that the goal of an independent, democratic and viable Palestinian State existing side by side in peace and security with Israel can only be achieved through negotiations.

Germany does not recognize any changes to the 4 June 1967 lines other than those agreed by the parties through negotiations and distinguishes, in its relevant dealings, between the territory of the State of Israel and the territories occupied since 1967.

In line with this position, Germany abstains from the establishment of diplomatic missions in Jerusalem or any diplomatic missions that would recognize as legal Israel's presence in the Occupied Palestinian Territory. Germany further considers the Israeli settlements in the occupied territories to be unlawful under international law, an obstacle to peace, and a threat to the foundations of the two-State solution.

Germany follows the practices established by the European Union to differentiate between Israel and the Occupied Palestinian Territory in the field of trade and economic relations and, with regard to eligibility for funding, in the fields of culture, education and research.

Germany continuously calls for strict compliance with international humanitarian law and the law of belligerent occupation. Germany furthermore calls upon Israel to investigate any possible breach of international humanitarian law in order to ensure accountability. Germany abides by the European Union's human rights sanctions regime. This includes the full implementation of European Union sanctions against Israeli settlers.

Germany thoroughly assesses licence applications for exports of military technology and equipment, including to Israel, on a case-by-case basis, under careful consideration of foreign and security policy aspects and in line with its obligations under international law. Licensing decisions are based on national, European and international law, including Council of the European Union Common Position 2008/944/CFSP and the Arms Trade Treaty. Respect for human rights in the recipient country and compliance with international humanitarian law are decisive factors in the national decision-making process.

Indonesia

[Original: English]
[8 November 2024]

Introduction

On 18 September 2024, the General Assembly adopted resolution [ES-10/24](#) entitled "Advisory opinion of the International Court of Justice on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel's continued presence in the occupied Palestinian Territory".

In paragraph 17 of resolution [ES-10/24](#), the General Assembly requests the Secretary-General to submit a report to the Assembly within three months on the implementation of the resolution, including any actions taken by Member States for the implementation of its provisions or for any violations thereof.

The Secretariat, by a note verbal of 11 October 2024, then requested Member States to provide information on any steps their governments had taken, or envisaged

taking, concerning the implementation of the relevant provisions of the resolution, notably paragraphs 4, 5 and 10, which are addressed to Member States.

The following information summarizes actions taken or envisaged by the Government of the Republic of Indonesia to safeguard and ensure effective implementation of the resolution, with the following structure:

- (a) Guiding vision and objectives;
- (b) Steps taken by the Government of Indonesia;
- (c) Requests for further actions by the Secretary-General.

A. Guiding vision and ultimate objectives

The Government of the Republic of Indonesia envisions perpetual peace, security and stability in the region, in which the people of the State of Palestine could live and thrive in dignity with full sovereignty and independence, and stand as equal among other nations.

Indonesia believes that the very same vision is enshrined in the aforementioned advisory opinion and the resolution.

In order to attain such a vision, the global community of nations, under the United Nations, must work together to attain the objectives of:

(a) **First, securing full and unconditional recognition of the State of Palestine.** Such recognition for the State of Palestine is of paramount importance, as it upholds the rights of the Palestinian people to sovereignty and self-determination. In addition, the State of Palestine's full membership at the United Nations will ensure that both Israel and Palestine will stand on equal footing in peace negotiations;

(b) **Second, safeguarding the two-State solution,** in line with international agreements and United Nations resolutions and rejecting any attempts by Israel and any others to deny, disregard or diminish the feasibility of the two-State solution;

(c) **Third, in view of the ongoing crisis in Gaza, immediate actions must be taken to secure a ceasefire,** including through halting all arms transfers to Israel and bringing an end to the ongoing violence and genocide. The ceasefire must also ensure the unimpeded flow of scaled-up humanitarian assistance, which is vital for alleviating the suffering on the ground.

In the wider Occupied Palestinian Territory, immediate actions must be taken to halt and reverse illegal settlements, end deliberate and systematic apartheid policies and actions of the Israeli Government, and ensure the fulfilment of the right to self-determination of the Palestinian people;

(d) **Fourth, defending the United Nations along with its bodies and agencies, including the protection of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)** and ensuring effective functioning of all its mandates, and upholding the sanctity of the International Court of Justice in both its decisions and advisory opinions;

(e) **Fifth, ending impunity and securing accountability for atrocity crimes committed,** and addressing the double standards that have allowed violations of international law and international humanitarian law to persist. Justice demands the enforcement of international law without exception.

B. Steps taken by the Government of Indonesia

Resolution [ES-10/24](#), paragraph 4: steps taken by Indonesia in complying with its obligation under international law as reflected in the advisory opinion

Indonesia has been galvanizing international efforts to prioritize and enable effective implementation of the resolution, among other things:

(a) Under the General Assembly, Indonesia has consistently upheld its commitment to support all resolutions addressing the situation in Palestine following the developments of 7 October 2023. This steadfast position reflects Indonesia's dedication to multilateral efforts aimed at achieving peace, security and the protection of Palestinian rights within the principles of international law and the Charter of the United Nations;

(b) As a member of the Organization of Islamic Cooperation and as part of the joint Arab-Islamic ministerial committee on Gaza, Indonesia continues to exert efforts on behalf of the Organization of Islamic Cooperation and the League of Arab States to sensitize key world leaders and actors about the necessity to implement the actions set out in the International Court of Justice advisory opinion. Indonesia's role was evident, among other instances, when Indonesia's Foreign Minister was requested to strengthen the group's international campaign to advocate the Palestinian people's right together with a few select foreign ministers of the Organization of Islamic Cooperation;

(c) As a member State of the Non-Aligned Movement and its Committee on Palestine, Indonesia steadfastly encourages fellow member States to harness their influence to foster broader international recognition of Palestine. Indonesia further advocates reinforced multilateral efforts to advance the implementation of the measures articulated in the advisory opinion of the International Court of Justice, as reaffirmed in General Assembly resolution [ES-10/24](#);

(d) As the Vice-Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Indonesia continues to work with the Committee to push for effective implementation of resolution [ES-10/24](#) in the Committee's 2025 programme of work, including but not limited to:

- (i) Securing full recognition of the State of Palestine;
- (ii) Calling on all States to impose an arms and ammunition embargo on Israel;
- (iii) Exploring mechanisms to revive the Special Committee against Apartheid and address apartheid in Israel;

(e) As a current member of the Human Rights Council, Indonesia places the resolution of the Palestinian issue as its top priority. Indonesia consistently voices its support for Palestinian independence and its opposition to Israel's illegal occupation across all relevant Human Rights Council agenda items.

Indonesia urges for an immediate ceasefire, calls for the consistent application of international law and international humanitarian law without double standards, urges the opening of humanitarian access for affected populations and supports an enhanced role for the Human Rights Council in addressing human rights violations in Palestine. Furthermore, Indonesia reaffirms that the advisory opinion of the International Court of Justice prescribes obligations for all United Nations Member States and pushes for its effective implementation;

(f) In various statements at various forums, Indonesia has reiterated the need for immediate and effective implementation of resolution [ES-10/24](#). In this regard, Indonesia has been calling for an immediate ceasefire in Gaza along with scaled-up

and unhindered humanitarian aid, safeguarding the two-State solution, and ending the ongoing genocide, apartheid and other forms of humanitarian atrocities by Israel, as well as ending and reversing Israeli illegal settlements, among other measures;

(g) Indonesia's unwavering commitment to the Palestinian cause remains steadfast under the new Indonesian administration. On 20 October 2024, both the newly inaugurated People's Consultative Assembly and the President of the Republic of Indonesia reaffirmed Indonesia's dedication to supporting and advocating the rights of the Palestinian people. Indonesia upholds principles of anti-colonialism and anti-oppression and stands in solidarity with the global community to defend those who face injustices worldwide. In alignment with these principles, Indonesia fully supports the realization of an independent and sovereign State of Palestine.

Resolution ES-10/24, paragraph 4 (a): promote the Palestinian right to self-determination and end any obstacles caused by Israel's illegal presence in the Occupied Palestinian Territory

Consistent with the mandate of the 1945 Constitution of the Republic of Indonesia, which states its firm position against all forms of colonialism, and in alignment with its historical advocacy of and dedication to global justice and human rights, Indonesia's position remains clear: it firmly opposes Israel's illegal occupation in the Occupied Palestinian Territory and violations of human rights and fundamental freedoms of the people of Palestine, including the Palestinians' right to self-determination.

Indonesia is proud to be among the first countries that recognized the independence of the State of Palestine on 15 November 1988.

Indonesia emphasizes that the root cause of the Israel-Palestine conflict is Israel's illegal occupation. In this regard, Indonesia has taken an active role in galvanizing international support to end the illegal occupation. In addition to the steps stated in the preceding paragraphs, Indonesia has also undertaken, among other things:

(a) In June 2020, the Indonesian House of Representatives initiated a joint statement signed by the global parliamentarians against the Israeli annexation of Palestinian territories;

(b) On 16 May 2021, Indonesia, together with Malaysia and Brunei Darussalam, issued the Joint Leaders Statement on the Escalation of Violence by Israelis in the Occupied Palestinian Territory, which among other things:

(i) Condemns the illegal expansion of settlements and the demolitions as well as seizures of Palestinian-owned structures across the occupied West Bank, including East Jerusalem;

(ii) Urges parties to accept a temporary international presence in the City of Al-Quds, to monitor the cessation of hostilities in the Occupied Territory of Palestine.

As part of the Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Indonesia supports the Bureau's decision to explore the potential for holding the forthcoming International Conference on the Question of Jerusalem in 2025 to discuss the impact of Israeli settlement policies on the Palestinian population in Jerusalem.

Ever since the adoption of resolution ES-10/24 on 19 September 2024, Indonesia's Foreign Minister has been actively advocating the Palestinian cause in numerous international meetings, such as the Organization of Islamic Cooperation,

the Non-Aligned Movement and the high-level week of the General Assembly, and in bilateral engagements with the Foreign Ministers of Iran, Jordan and Saudi Arabia.

Indonesia's assistance to Palestine in support of the Palestinian right to self-determination

Palestine is among the largest recipients and the main focus of Indonesia's development and humanitarian assistance, technical cooperation and foreign aid programmes. Indonesia's assistance to Palestine is provided with the following aims:

- (a) Support capacity-building and human resources development of the State of Palestine to ensure its effective functioning as a sovereign and independent State;
- (b) Help to alleviate the sufferings and improve the humanitarian conditions of Palestinian people, particularly Palestinian refugees;
- (c) Help to ensure the implementation and attainment of the Sustainable Development Goals for the Palestinian people, hence ensuring Palestinians are not left behind and can live in dignity.

This assistance has been provided in many forms and through many channels, including bilaterally, through the United Nations (particularly through UNRWA), through trilateral cooperation schemes and through many other initiatives, such as the New Asian-African Strategic Partnership.

Indonesia, reaffirming its commitment to Palestine's economic self-determination, signed in 2017 and ratified in 2018 a memorandum of understanding on trade facilitation for Palestinian products, exempting tariffs on dates and olive oil. Since its entry into force, the import value of Palestinian dates has increased by 130.98 per cent. Indonesia is now working to expand this preferential trade arrangement to include more Palestinian commodities, strengthening economic ties in solidarity with Palestine.

In response to the crisis in Gaza, Indonesia has also stepped up its humanitarian support and contributions in many ways.

Indonesia's support to humanitarian organizations in Gaza comprises:

- (a) Indonesia's contribution to UNRWA:
 - (i) Since the Gaza crisis in October 2023, Indonesia has raised its annual contribution to \$600,000 in 2023 from previously \$200,000 a year;
 - (ii) Starting in 2024, this contribution has been further increased to \$1,200,000;
 - (iii) In addition, to respond to the dire humanitarian situation in Gaza and the UNRWA flash appeal for the period April to December 2024, Indonesia will provide a grant of \$2 million that will be channelled through UNRWA;
 - (iv) Indonesia has also provided a number of voluntary contributions to UNRWA on several occasions;
- (b) Indonesia has signed a grant agreement with the International Committee of the Red Cross to provide assistance and protection for people affected by armed conflict and violence in the occupied Palestinian territories, amounting to \$2,000,000;
- (c) In line with its commitment, Indonesia has allocated a voluntary contribution of \$60,000 to the Office of the United Nations High Commissioner for Human Rights, specifically earmarked for Human Rights Council activities and mechanisms related to the Palestinian issue.

The provision and delivery of Indonesia's humanitarian aid for Gaza comprises:

(a) The Indonesian Government has delivered humanitarian aid to Gaza in several stages, including:

- (i) 90.41 tons of supplies (food, clothing, sanitation, basic medical supplies);
- (ii) Approximately 242 tons of goods valued at over \$1.5 million (food, clothing, medical supplies) delivered by an Indonesian Navy ship;
- (iii) 900 parachutes used in airdrop operations to deliver aid to Gaza and 20 pallets of aid weighing 3,200 kg via a logistic air drop in collaboration with Jordan;
- (iv) Emergency medical assistance amounting to \$1 million through Egypt;

(b) Humanitarian assistance from Indonesia is also being provided through various non-governmental organizations. The total aid from Indonesia (government and non-governmental) amounts to 4,553.1 tons of supplies or \$11,047,663 in value;

(c) Indonesian non-governmental organizations and volunteers also continue to operate the Indonesian Hospital in Gaza, amid very challenging situations;

(d) The Indonesian military medical task force for Gaza has also been actively pursuing its humanitarian mission in the conflict zone by providing healthcare services at the UAE Field Hospital in Rafah, Palestine, and the UAE Floating Hospital in El Arish, Egypt:

- (i) The healthcare services not only offer routine medical services, but also perform surgeries and provide physiotherapy, further supporting comprehensive healthcare delivery for Palestinian patients;
- (ii) To date, the hospitals in Rafah and El Arish have treated 48,704 patients and conducted 1,780 surgeries, exemplifying Indonesia's commitment to aiding the Palestinian people;

(e) Indonesia has also expressed its intention to send additional medical teams and deploy hospital ships to Gaza, as well as to provide aid through airdrops:

- (i) Indonesia is also committed to evacuate up to 1,000 patients to Indonesian hospitals, offering treatment until they recover and can safely return to Gaza;
- (ii) Indonesia also stands ready to support possible evacuation of children, including orphans, to provide trauma care and education. Indonesia will ensure the safe return of these children to Gaza once the situation stabilizes;

(f) Indonesia has also extended humanitarian assistance to Gaza in partnership with the Jordan Hashemite Charity Organization. A total of 60 tons of aid, valued at approximately 15 billion Indonesian rupiah, was dispatched via land routes through Jordan. This aid package includes essential food supplies, hygiene and sanitation kits, tents and medical supplies, reflecting Indonesia's steadfast solidarity with the people of Gaza;

(g) Indonesia has pledged a grant of \$500,000 for Palestine through the International Labour Organization emergency response plan that aims to support the recovery of the employment sector in Gaza and the West Bank, which has been severely impacted by the conflict with Israel. Indonesia is committed to delivering this grant by the end of 2024, underscoring its steadfast commitment to contributing to Palestine's resilience and recovery efforts.

Resolution ES-10/24, paragraph 4 (b): not to recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory

Indonesia will continue to advocate a two-State solution in line with United Nations resolutions and internationally agreed parameters, while firmly affirming its commitment to non-recognition of unilateral changes to the status of the Occupied Palestinian Territory by Israel.

Indonesia reaffirms that any changes to the status of the Occupied Palestinian Territory will only be acknowledged if they result from direct negotiations between the concerned parties, as underlined by the Security Council in resolution [2334 \(2016\)](#).

Indonesia, as part of the Organization of Islamic Cooperation, will work with the League of Arab States to push for an early convening of a Conference of High Contracting Parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War to ensure its enforcement in the Occupied Palestinian Territory.

In addition, the Organization of Islamic Cooperation will intensify efforts with regional organizations and key stakeholders to accelerate the convening of an international conference aimed at ending the Israeli occupation and achieving the two-State solution.

Resolution ES-10/24, paragraph 4 (c): not to render aid or assistance in maintaining the situation created by Israel's illegal presence in the Territory

Indonesia is committed to apply strict measures to ensure that Indonesian nationals and companies and entities under its jurisdiction do not engage in any actions that could be interpreted as recognition of or support for Israel's illegal presence in the Occupied Palestinian Territory.

Indonesia initiated the Jakarta Declaration on Palestine and Al-Quds Al-Sharif, adopted during the Fifth Extraordinary Islamic Summit on Palestine and Al-Quds Al-Sharif on 7 March 2016, containing commitments to pursue concrete actions to be collectively taken towards the realization of the inalienable rights of the Palestinian people, including calls upon the international community to support the boycott of products produced in or by the illegal Israeli settlements. The Declaration served as the impetus of Organization of Islamic Cooperation resolution 1/44-IBO on the Islamic Office for the Boycott of Israel.

Resolution ES-10/24, paragraph 4 (d): not to recognize any changes in the physical character or demographic composition, institutional structure or status of the territory occupied by Israel on 5 June 1967

Indonesia does not maintain diplomatic relations with Israel, reflecting its commitment to a just resolution of the Palestinian issue in accordance with international law. Pursuant to Security Council resolution [478 \(1980\)](#), Indonesia does not recognize Israel's claim over Jerusalem.

Resolution ES-10/24, paragraph 4 (e): comply with international humanitarian law (including the Fourth Geneva Convention)

Indonesia has stepped up its humanitarian assistance to the Palestinian people as explained above. Indonesia has also condemned every act of violations of international humanitarian law, including attacks on innocent civilians as well as

humanitarian workers, premises and civilian objects, particularly hospitals, schools and refugee camps.

Indonesia regrets that some parts of the international community continue to show a double standard that has allowed such gross violations of international humanitarian law continue to take place against the Palestinian people.

Indonesia continues to assert that what is happening in Gaza at the moment is genocide: deliberate, intentional and systematic acts undertaken by Israel to destroy, in whole or in part, a national, ethnical, racial or religious group (in this context, the Palestinian people), as defined by article II of the Convention on the Prevention and Punishment of the Crime of Genocide.

The death toll that has surpassed 43,300 (as at 2 November 2024), along with deliberate targeting of civilians and civilian infrastructures (including hospitals, schools and refugee camps), as well as deliberately obstructing and attacking humanitarian aid, humanitarian workers and humanitarian facilities, is clear evidence of such genocide.

The fundamental importance of the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the rights of Palestinian refugees, including their right of return as a key pillar of the two-State solution

Indonesia continues to advocate the irreplaceable role of UNRWA. UNRWA is a lifeline for refugees in the Occupied Palestinian Territory, Jordan, Lebanon and Syria, a pillar of stability in the region and a source of hope for the Palestinian people.

Indonesia reaffirms its commitment to continue supporting UNRWA in discharging its mandate. On top of increasing its contributions to UNRWA as stated above, Indonesia is also part of the core group for the statement of shared commitments on UNRWA, currently supported by 123 countries, which emphasizes continued political support for UNRWA in the fulfilment of its mandate.

In a bid to reaffirm the rights of the Palestine refugees, in accordance with international law and General Assembly resolution [194 \(III\)](#), and reaffirm the international community's long-standing support for UNRWA and its operations and programmes, aimed at ensuring the well-being, protection and development of the Palestine refugees, in light of their prolonged displacement and continued deprivation of rights and pending the achievement of a just solution to their plight, Indonesia plays a leading role as the main sponsor of the following resolutions under the agenda item on UNRWA in the Fourth Committee of the General Assembly:

- (a) Assistance to Palestine refugees at the seventy-second, seventy-third, seventy-fourth, seventy-fifth, seventy-sixth, seventy-seventh and seventy-eighth sessions of the Assembly;
- (b) Palestine refugees' properties and their revenues at the seventy-second, seventy-third, seventy-fourth, seventy-fifth, seventy-sixth, seventy-seventh and seventy-eighth sessions of the Assembly;
- (c) Operations of UNRWA at the seventy-second, seventy-third, seventy-fourth, seventy-fifth, seventy-sixth and seventy-seventh sessions of the Assembly;
- (d) Persons displaced as a result of the June 1967 and subsequent hostilities at the seventy-second, seventy-third and seventy-fourth sessions of the Assembly.

Indonesia strongly condemns the decision by Israel's Parliament (Knesset) to ban UNRWA activities in Israel. Indonesia underlines that the mandate of UNRWA is decided by the General Assembly and is not subject to unilateral decisions of any

State. Indonesia also underlines the serious humanitarian risks if UNRWA operations are halted or restricted.

Indonesia views such a decision as an assault on the United Nations and its agencies and Charter (including Articles 2 and 105) and a violation of international norms and conventions, particularly the Fourth Geneva Convention.

Indonesia also views that such a decision goes beyond humanitarian issues, which in itself is already a very serious concern, but also attacks the very heart of the two-State solution, namely the recognition of the legal status of Palestinian refugees and their right to return.

In addition, the bills clearly demonstrate Israeli policy that considers the Occupied Palestinian Territory, including East Jerusalem, as under Israeli sovereignty and legal jurisdiction. This is another clear example of Israel's denial of the two-State solution.

The right to food

Indonesia views that the imposition of conditions leading to an imminent famine demonstrates Israel's intent to eliminate Palestinian populations, fulfilling the criteria of genocide under international conventions.

In this context, Indonesia hosted a briefing of the Special Rapporteur on the right to food with United Nations Member States on 16 October 2024, discussing the Rapporteur's findings on the use of food as a weapon of war by Israel and agreeing to bring this issue to the Third Committee of the General Assembly.

Resolution [ES-10/24](#), paragraph 4 (f): to end systemic discrimination based on race, religion or ethnic origin, including to prevent, prohibit and eradicate the violations of the International Convention on the Elimination of All Forms of Racial Discrimination

As a party to the International Convention on the Elimination of All Forms of Racial Discrimination, Indonesia condemns any violation of the principles enshrined in the Convention and key United Nations resolutions, including Security Council resolution [2334 \(2016\)](#).

As part of the Bureau of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Indonesia endorsed the Bureau's decision to explore mechanisms to revive the Special Committee against Apartheid and address apartheid in Israel.

Resolution [ES-10/24](#), paragraph 5

Indonesia consistently adheres to its obligations under international law.

Resolution [ES-10/24](#), paragraph 5 (a): steps taken by Indonesia to ensure that its nationals and companies and entities under its jurisdiction, as well as their authorities, do not act in any way that would entail recognition or provide aid or assistance in maintaining the situation created by Israel's illegal presence in the Occupied Palestinian Territory

The Government of Indonesia will take proactive steps to prevent trade or investment relations that may reinforce the illegal situation created by Israel in the Occupied Palestinian Territory. This includes monitoring and limiting any activities that could contribute to the economic viability of settlements or associated infrastructure.

For this reason, Indonesia fully supports Human Rights Council resolution [31/36](#), entitled “Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan”, which mandates the creation of a database of all business enterprises involved in specified activities related to Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem. This database is crucial for ensuring accountability and transparency regarding economic activities that support illegal settlements.

Resolution [ES-10/24](#), paragraph 5 (b): steps taken by Indonesia to stop importing products from Israeli settlements and transferring arms to Israel

Indonesia also reaffirms its commitment to strongly calling for the cessation of the transfer of arms, munitions and related equipment to Israel, especially if there is a possibility that they may be used within the Occupied Palestinian Territory.

During the fifty-fifth session of the Human Rights Council, Indonesia, as part of the Organization of Islamic Cooperation, played a key role in advancing a resolution at the Council (resolution [55/28](#)) concerning the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, in which the Council called on all States to prevent the forcible transfer of Palestinians and to cease the sale, transfer and diversion of arms, munitions and other military equipment to Israel, the occupying Power, to prevent further violations of international humanitarian law and human rights abuses.

Indonesia continues to call for the cessation of arms and ammunition transfers to Israel. Indonesia is a core group member alongside Türkiye in the joint letter to stop arms transfers to Israel, following the adoption of resolution [ES-10/24](#) concerning the advisory opinion of the International Court of Justice.

Resolution [ES-10/24](#), paragraph 5 (d): steps taken by Indonesia to ensure accountability efforts for all victims

Indonesia remains committed to supporting accountability mechanisms for all victims of the occupation. This includes full support for independent investigations, promoting transparency and endorsing the role of international bodies, including the International Court of Justice, in ensuring justice for violations committed in the Occupied Palestinian Territory. This also includes extending Indonesia’s full support to UNRWA as the guardian of Palestinian refugees, including as archives holder for many pieces of evidence of the gross violations against the rights and properties of Palestinian refugees.

Resolution [ES-10/24](#), paragraph 10: steps taken by Indonesia in recognizing the need for the establishment of an international mechanism for reparations for all damage, loss or injury arising from the internationally wrongful acts of Israel in the Occupied Palestinian Territory

Indonesia fully supports and stresses the importance of the establishment of an international mechanism for reparations to address the damages, losses and injuries caused by Israel’s internationally wrongful acts in the Occupied Palestinian Territory.

Indonesia emphasizes the significant role of two key mechanisms in the Human Rights Council focused on the Palestinian issue, namely: (a) the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel; and (b) the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967.

Indonesia’s support for these mechanisms is grounded in the critical need to ensure that human rights violations and breaches of international law in the Occupied

Palestinian Territory are investigated impartially and transparently. Indonesia urges all States to end any form of intimidation directed at these mechanisms and to ensure the safety and protection of the investigators and officials involved.

C. Request for further actions by the United Nations Secretary-General

First, Indonesia urges the Secretary-General to collaborate closely with Switzerland as the depository for the Geneva Conventions to immediately convene a Conference of the High Contracting Parties to the Fourth Geneva Convention. This conference would reaffirm commitments to international humanitarian law and strengthen protections under the Convention (resolution [ES-10/24](#), para. 12).

Second, Indonesia calls on the Secretary-General to mobilize support, both within and beyond the United Nations system, and undertake necessary steps towards the holding of an international conference during the seventy-ninth session of the General Assembly, as indicated in paragraph 13 of resolution [ES-10/24](#). Such a conference would provide a vital platform for coordinated global responses whose aims should include: (a) reviving the Middle East peace process; (b) safeguarding the two-State solution; and (c) addressing non-compliance of Israel with relevant international law and international humanitarian law.

Third, Indonesia requests the Secretary-General to establish a comprehensive mechanism to mobilize and scale up support and resources for UNRWA. This is essential for strengthening UNRWA programmes and ensuring sustainable support.

Fourth, Indonesia calls on the Secretary-General to expedite the full implementation of Human Rights Council resolution [31/36](#), which mandates the creation of a database of business enterprises engaged in activities tied to Israeli settlements in the occupied territories.

Fifth, Indonesia requests the Secretary-General to immediately undertake a review and develop a registry on actions that have been mandated by the General Assembly, the Security Council, the Economic and Social Council and the International Court of Justice to all agencies and entities within the United Nations system but that have not been implemented, in addressing all forms of injustices to the Palestinian people arising from the illegality of Israel's continued presence in the Occupied Palestinian Territory. Indonesia also requests the Secretary-General to prepare a report on any challenges and obstacles in implementing the mandates.

Conclusion

The Government of the Republic of Indonesia is fully committed to and has always been in full compliance with its obligation under international law, as reflected in the advisory opinion of the International Court of Justice on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel's continued presence in the Occupied Palestinian Territory.

Indonesia calls upon all Member States to fulfil their legal obligations arising from the advisory opinion of the International Court of Justice, as well as all relevant United Nations resolutions and decisions related to the illegal Israeli occupation of the Occupied Palestinian Territory. An important part of this is to avoid a double standard in upholding international law and international humanitarian law.

Indonesia underlines that effective implementation of and follow up to the advisory opinion of the International Court of Justice and General Assembly resolution [ES-10/24](#) requires not only actions taken by Member States, but also further actions by the United Nations Secretary-General, as explained in part C of this submission. Indonesia also believes that effective implementation of and follow up to

the advisory opinion of the Court and the resolution must be guided by the vision and ultimate objectives as contained in part A of this submission.

Iran (Islamic Republic of)

[Original: English]

[11 November 2024]

The Islamic Republic of Iran, as part of its contribution in accordance with General Assembly resolution [ES-10/24](#), entitled “Advisory opinion of the International Court of Justice on the legal consequences arising from Israel’s policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel’s continued presence in the Occupied Palestinian Territory”, emphasizes its strong and long-standing commitment to support the realization of the right to self-determination of the Palestinian people. In this vein, the Islamic Republic of Iran’s Parliament has passed several enactments, including the Law to Counter the Hostile Actions of the Zionist Regime against Peace and Security, of 21 May 2020, the Law on Supporting the Islamic Revolution of the Palestinian People, of 9 May 1990, and the Act Obliging the Government to Provide Comprehensive Support to the Oppressed Palestinian People, of 31 December 2008.

General commitment

According to article 1 of the Law to Counter the Hostile Actions of the Zionist Regime against Peace and Security, all executive bodies of the country are obligated to counter the hostile actions of the Zionist regime against the oppressed people of Palestine, Islamic countries and the Islamic Republic of Iran, and the destructive role of this illegitimate regime in destabilizing regional and international peace and security. This includes widespread and systematic violations of human rights, such as warmongering, terrorist acts, electronic warfare, use of heavy and prohibited weapons against civilians, human blockade, settlement building, displacement of the Palestinian people, attempts to annex other parts of Palestinian land, and the continued occupation of Palestinian land as well as parts of Syria (Golan), Lebanon and other occupied territories.

In addition, article 13 of this law stipulates that the Government must support the activities of other Governments, nations and domestic and international non-governmental organizations that support the liberation of Jerusalem and condemn, restrict and sanction the Zionist occupation.

Prohibition of trade cooperation with Israel

In the prohibition of trade cooperation with the Israeli regime, article 4 of the Law to Counter the Hostile Actions of the Zionist Regime against Peace and Security states that the issuance of any licence for the direct or indirect participation of natural or legal persons, including companies, organizations, institutions or non-governmental organizations, affiliated with the Zionist occupation regime in exhibitions, domestic and international conferences or gatherings, is prohibited.

Article 5 of this law prohibits the use of hardware produced by the Zionist regime in Iran and the operation of software platforms belonging to this regime in the country. In addition, any provision of services by Iranian companies to these platforms is also prohibited.

Article 8 prohibits any actions such as security, military, political, cultural, media, propaganda and direct and indirect economic and financial assistance that are knowingly aimed at confirming or strengthening the Zionist regime.

Article 9 elaborates on this prohibition by stating that the entry and passage of goods from companies affiliated with the Zionist occupation regime through the territory of the Islamic Republic of Iran is prohibited. Furthermore, all Zionists subject to the Zionist occupation regime, including natural or legal persons who are citizens of the Zionist regime, are prohibited from entering the Islamic Republic of Iran. Similarly, article 10 states that it is forbidden for Iranian nationals to travel to occupied Palestine.

In line with this, article 8 of the Law on Supporting the Islamic Revolution of the Palestinian People reiterates the prohibition of establishing economic, commercial and cultural relationships with Zionist-affiliated companies and institutions worldwide. Article 5 of the Act Obliging the Government to Provide Comprehensive Support to the Oppressed Palestinian People emphasizes that the Government is obligated to make arrangements to prevent the import of goods and the conclusion of contracts with companies whose main shareholders are Zionist companies.

Fighting against impunity

Article 11 of the Law to Counter the Hostile Actions of the Zionist Regime against Peace and Security requires the Attorney General of the country, in collaboration with the Ministry of Foreign Affairs and the Office of Presidential Legal Services, to utilize the resources of domestic, foreign and international authorities and institutions to support the Palestinian people and other victims. This support includes filing complaints, initiating trials and punishing the criminal leaders of the Zionist occupation regime for crimes against humanity, war crimes, genocide, crimes of aggression and terrorist acts within and outside the occupied territories. These legal actions will take place in both domestic and foreign courts, tribunals and the International Court of Justice.

Article 3 of the Act Obliging the Government to Provide Comprehensive Support to the Oppressed Palestinian People states that the crimes committed in Gaza are clear examples of crimes against humanity and genocide according to international law. The Government is mandated to pursue the trial of the leaders of the occupying Jerusalem regime in the International Criminal Court and domestic courts as criminals against humanity and perpetrators of genocide. This pursuit will involve international forums, such as the United Nations Security Council.

Providing humanitarian aid to the Palestinian people

Based on article 1 of the Act Obliging the Government to Provide Comprehensive Support to the Oppressed Palestinian People, the Government is required to utilize all regional and international resources to deliver humanitarian aid from the Iranian nation to the oppressed Palestinian people, particularly in the occupied territories and the besieged land of Gaza. The Government must also uphold and defend the Palestinian cause, the oppressed population, the Palestinian fighters and refugees, and the Palestinian Islamic resistance until their rights are achieved.

In accordance with article 2 of the Law on Supporting the Islamic Revolution of the Palestinian People, the Government of the Islamic Republic of Iran has the authority to establish a humanitarian aid fund to assist the Palestinian people. This fund will gather contributions from Muslims and supporters of freedom worldwide to bolster and empower Palestinian refugees and the oppressed individuals fighting for their rights. Similarly, article 3 of this law mandates the Martyrs Foundation of the Islamic Republic of Iran to provide both spiritual and material assistance to the families of Palestinian martyrs, veterans, prisoners and missing persons in the occupied territories.

Ireland

[Original: English]
[8 November 2024]

Positions and policies

Ireland has a long-standing commitment to a just and sustainable peace in the Middle East based on a two-State solution. Ireland has consistently maintained that it will not recognize changes to the 1967 borders unless agreed by the parties.

Ireland has consistently regarded Israel's settlements and associated activities in the Occupied Palestinian Territory as illegal and in May 2024 Ireland took the historic step of recognizing the State of Palestine, alongside Norway and Spain, to protect the viability of a two-State solution and the equal rights of Palestinians and Israelis to self-determination, peace, security and dignity.

Ireland continues to engage with fellow European Union member States on re-framing European Union policy, including trade policy, in respect of Israel and the Occupied Palestinian Territory to fully align with the obligations contained in the advisory opinion. In the interim, and in the context of the obligations set out in the advisory opinion, Ireland is examining what measures could be taken at a national level with regard to trade with the settlements in the Occupied Palestinian Territory. It is Ireland's intention that any measures adopted should focus solely on the illegal settlements in the Occupied Palestinian Territory. This will, therefore, maintain and revisit as necessary in light of the advisory opinion, Ireland's longstanding policy of differentiation between the State of Israel on the one hand and territories in which Israel's continued presence is illegal on the other.

As a member State of the European Union, Ireland applies European Union restrictive measures against a number of extremist Israeli settlers in the occupied West Bank and East Jerusalem, as well as on violent activists blocking humanitarian aid to Gaza. Ireland strongly supports the consideration of further such measures.

Japan

[Original: English]
[8 November 2024]

Japan has long been working to advance the Middle East peace process and will continue to call on all parties concerned to act appropriately based on international law, including by taking into account the recently adopted General Assembly resolution [ES-10/24](#).

Japan has been repeatedly urging Israel to fully freeze its settlement activities based on the position that settlement activities are in violation of international law and undermine the viability of a two-State solution.

In particular, amid a rapid increase in violent acts by Israeli settlers in the West Bank since the terror attacks against Israel by Hamas and others on 7 October 2023, the Government of Japan introduced asset freeze measures under the Foreign Exchange and Foreign Trade Act, based on the Cabinet Understanding entitled "Asset freeze for Israeli settlers involved in violent acts".

Japan will continue to consider necessary measures taking into account the relevant international and domestic laws and regulations.

Jordan

[Original: Arabic]
[8 November 2024]

With regard to paragraphs 4, 5 and 10 of the General Assembly resolution [ES-10/24](#), the Hashemite Kingdom of Jordan states the following:

- The Hashemite Kingdom of Jordan is in compliance with the Opinion's provisions. It does not recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory. The Palestinian cause is at the heart of the foreign policy priorities of Jordan, which focuses its diplomatic efforts on protecting the fraternal Palestinian people and bringing about the realization of their right of to self-determination and the establishment of an independent sovereign State along the borders of 4 June 1967, with occupied Jerusalem as its capital, in accordance with the Arab Peace Initiative and relevant United Nations resolutions, and on the basis of the two-State solution, which is the only way to bring about a just, lasting and comprehensive peace.
- Jordan considers the Israeli occupation of Palestinian territory occupied since June 1967 to be illegal. All measures taken by Israel to annex that territory in whole or in part, including East Jerusalem, or to establish settlements therein, are null and void.
- The Jordanian Government will not hesitate to draw attention to the invalidity and illegality of the actions of the Israeli occupation forces in the Palestinian territories occupied since 1967, including East Jerusalem. That includes settlement construction and expansion, land confiscation and seizure, home demolition, the displacement of Palestinians from their lands, direct attacks on their property, and the terrorist campaigns being conducted by extremist settlers against Palestinians in the West Bank, against whom Jordan calls for national and international sanctions. These Israeli actions constitute violations by Israel of international law, international humanitarian law, Security Council resolution [2334 \(2016\)](#), and the relevant international terms of reference.
- Jordan works bilaterally and collectively with the Arab and Islamic communities and other countries to push for an end to the Israeli occupation of the Occupied Palestinian Territory and the realization of the Palestinian people's right to self-determination. Over the past year, this has been exemplified, inter alia, by the close coordination and tireless work of the ministerial committee charged by the extraordinary joint Arab-Islamic summit to stop the brutal aggression against the Gaza Strip, end the humanitarian suffering, end the Israeli occupation, push for the establishment of an independent, sovereign Palestinian State, and urge States that have not yet done so to recognize the State of Palestine.
- Jordan will continue to take part, along with the members of the ministerial committee and other international partners, in the launch of the Global Alliance for the Implementation of the Two-State Solution in support of the right of Palestinians to establish their own State. The Kingdom is also determined to mobilize support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East to continue providing basic services to Palestinian refugees in all its areas of operation. It will also provide protection for that Agency against the Israeli occupation's campaigns against it, and for refugees against Israeli efforts to rob them of their rights to return and compensation, in violation of international law and the relevant United Nations resolutions.

- The territorial scope of treaty relations and bilateral agreements between Jordan and Israel does not include the Palestinian Territory occupied since 1967. Legally speaking, Israel is treated as the occupying Power in the Occupied Palestinian Territory. Jordan recognizes the State of Palestine. Its treaty relations and bilateral agreements relating the Occupied Palestinian Territory are with the State of Palestine. The 1994 Treaty of Peace between the State of Israel and the Hashemite Kingdom of Jordan provides that the international boundary between Israel and Jordan is set out without prejudice the status of any territories that came under Israeli military government control in 1967.
- The Jordanian embassy in Tel Aviv does not handle bilateral relations connected with the Occupied Palestinian Territory, including East Jerusalem. It deals with Israel as an occupying power in that territory. Diplomatic relations connected with the Occupied Palestinian Territory are conducted with the State of Palestine and its governmental institutions.
- Jordan bars Jordanian individuals, entities and companies from supporting the Israeli occupation of the Occupied Palestinian Territory, dealing with Israeli settlements in any way, or importing or exporting goods to or from those settlements. At the same time, it reinforces support for the Palestinian people in the Occupied Palestinian Territory by ensuring that they have access to goods and materials.
- Jordanian law prohibits any legal transaction, including sales of real estate and immovable property, in the Occupied Palestinian Territory, so as to make sure that neither Israel nor any legal or natural Israeli person can acquire property, establish or perpetuate settlements, or annex or exploit Palestinian land.
- Jordan continues to reject all attempts by the Israeli occupation to change the demographic makeup, character or status of the Occupied Palestinian Territory, including East Jerusalem. Such attempts to create new facts on the ground are null and void. Jordan stresses that any Israeli steps to annex occupied Jerusalem are in violation of international law, Security Council resolutions and the recent advisory opinion of the International Court of Justice. Such measures cannot alter the fact that the Israeli presence in Gaza and the West Bank, including East Jerusalem, is an illegal occupation that must come to an end.
- Jordan stresses the need for Israel to respect the historical status quo of holy sites in Jerusalem, which Jordan will continue to administer and protect under its historical Hashemite custodianship over Islamic and Christian holy sites in Jerusalem. Any Israeli measures in Jerusalem aimed at obliterating its identity and demographic character are null and void, and contravene the relevant conventions on the protection of cultural property and cultural heritage, and the relevant resolutions of the United Nations and the United Nations Educational, Scientific and Cultural Organization. Jordan will support the inhabitants of Jerusalem in their steadfast efforts to remain on their land and protect their property.
- The Government of the Hashemite Kingdom of Jordan supports the establishment of an international mechanism for reparation for all damage, loss or injury arising from the internationally wrongful acts of Israel in the Occupied Palestinian Territory. The Jordanian Government stands ready to coordinate with the United Nations and its relevant bodies to create an international register of damage.

Kuwait

[Original: Arabic]
[8 November 2024]

Steps taken by Kuwait to implement the provisions of General Assembly resolution [ES-10/24](#)

First and foremost, Kuwait is committed to the Charter of the United Nations, international law and international humanitarian law. It continues to work to support the Palestinian cause and to take legal, political and humanitarian action towards the establishment of an independent State of Palestine on the borders of 4 June 1967, with East Jerusalem as its capital.

The State of Kuwait had the honour to make written and oral submissions before the International Court of Justice in The Hague, the highest judicial organ in the world, when the Court considered and rendered an advisory opinion on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem. Kuwait welcomes the advisory opinion rendered by the International Court of Justice on 19 July 2024.

As will be clear from its oral submission before the Court, Kuwait wholeheartedly supports the contents of the advisory opinion. The occupying Power must immediately put an end to the occupation that has been in place since 1967. It must rescind its arbitrary measures against the Palestinian people in occupied territory, return the property to its legitimate owners and provide compensation to those affected by its illegitimate practices.

Kuwait is fully committed to implementing all the measures set forth in General Assembly [ES-10/24](#) of 18 September 2024 entitled "Advisory opinion of the International Court of Justice on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel's continued presence in the Occupied Palestinian Territory". Such measures include realizing the right of the Palestinian people to self-determination, refraining from recognizing the Israeli occupation of the Occupied Palestinian Territory, and refraining from establishing relations with the occupying Power.

Kuwait welcomes the adoption of General Assembly resolution [ES-10/24](#) and, in particular, the provisions concerning the establishment of an international mechanism for reparation for damage arising from the violations committed by the occupying Power. The latter must fully assume its responsibility to provide reparation to the Palestinian people for its illegal policies and practices. Kuwait supports the establishment of an international register of damage to serve as a record, in documentary form, of evidence and claims information on damage, loss or injury to all natural and legal persons concerned, as well as to the Palestinian people, caused by the internationally wrongful acts of Israel in the Occupied Palestinian Territory, as well as to promote and coordinate evidence-gathering and initiatives aimed at securing such reparation by Israel.

The State of Kuwait has never recognized as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory, as it consists of an illegal occupation and flagrantly violates the property rights of the Palestinian people over their own land, which was taken by force and whose inhabitants were displaced and have yet to be compensated. Nor does Kuwait recognize any changes in the physical character or demographic composition of the occupied territory. Kuwait has no diplomatic, political, legal, military, economic, commercial or financial dealings with the occupying Power.

Kuwait does not recognize the occupying Power at all, and therefore has no treaty relations with it in any case. It abstains from entering into economic or trade dealings with it concerning the Occupied Palestinian Territory or parts thereof which may entrench its unlawful presence in the territory, including with regard to the settlements and their associated regime. Kuwait does not recognize the occupying Power and forbids trade or investment relations that assist in the maintenance of the illegal situation created by that Power in the Occupied Palestinian Territory, including with regard to the settlements and their associated regime.

Kuwait is committed to international law and calls on States parties to the Fourth Geneva Convention that provide support to the occupying Power to refrain from doing so. Kuwait believes that the practices of the occupying Power in the Occupied Palestinian Territory go beyond apartheid and amount to systematic genocide.

Kuwait ensures that its nationals and companies, and all entities and authorities, do not in act in any way that would entail recognition or provide aid or assistance in maintaining the situation created by the occupying Power's illegal presence in the Occupied Palestinian Territory. Kuwait does not import any products originating in the settlements of the occupying Power.

Kuwait does not admit any natural persons, or deal with any legal persons, who are engaged in maintaining the occupying Power's unlawful presence in the Occupied Palestinian Territory, including in relation to settler violence.

Kuwait, in keeping with its deep belief in the Charter of the United Nations, international law, international law and human rights, will work side by side with the international community to ensure justice and redress for the Palestinian people. Kuwait supports any additional steps that could strengthen the international mechanism and improve its effectiveness.

Malaysia

[Original: English]
[8 November 2024]

Malaysia aligns itself with inputs submitted by the Organization of Islamic Cooperation on the implementation of General Assembly resolution [ES-10/24](#) and submits the following inputs in its national capacity.

Initiatives

Malaysia unequivocally supports the right of the Palestinian people to self-determination. In supporting and assisting the Palestinian people in the early realization of this inalienable right, Malaysia has always supported the mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to assist Palestine refugees in achieving their full potential in human development, in accordance with paragraph 16 of resolution [ES-10/24](#).

Since October 2023, Malaysia has contributed \$5.2 million to UNRWA. Malaysia is also contributing an additional amount of \$1 million for the term of five years from 2021 to 2025 (\$200,000 each year). In addition, Malaysia also makes other financial contributions and humanitarian aid through the humanitarian trust fund for the people of Palestine and non-governmental organizations.

Bilaterally, Malaysia has arrangements to deliver humanitarian assistance to Palestine through special government to government mechanisms with Egypt and Jordan.

At other platforms such as the Non-Aligned Movement, the Organization of Islamic Cooperation, the Association of Southeast Asian Nations and the Commonwealth, Malaysia has called for recognition of Palestine's right to statehood and support for the mandate of UNRWA in providing protection and essential services to Palestinians. Malaysia's advocacy also continues bilaterally.

On 16 August 2024, 127 Palestinians, including 41 wounded individuals and 86 family members, arrived in Malaysia to receive medical treatment. These wounded individuals were previously treated in Egypt and are now receiving medical care at the Malaysian Armed Forces Hospital. Malaysia is the first Asian country to host injured Palestinians.

Malaysia has condemned the legislation of the Israeli Knesset banning UNRWA from operating in the Occupied Palestinian Territory through a press statement dated 30 October 2024. In relation to this, on 31 October 2024, Malaysia joined the core group on the draft resolution of the General Assembly to seek the advisory opinion of the International Court of Justice on the obligations of Israel towards the United Nations and its agencies and bodies, other international organizations and third States in the Occupied Palestinian Territory.

Malaysia strongly supports international legal processes aimed at ending Israel's impunity including at the International Court of Justice. Malaysia has participated in two advisory opinion processes:

- (a) Advisory opinion in respect of the Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, in February 2024;
- (b) Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, in 2004.

Malaysia is a member of the core group on the joint letter dated 1 November 2024 to the United Nations Secretary-General, the President of the General Assembly and the President of the Security Council on the halting of the supply of arms to Israel.

Reflecting our continuing strong commitment to the Palestinian cause, Malaysia is also a member of the following core groups/mechanisms:

- (a) Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories;
- (b) Committee on the Exercise of the Inalienable Rights of the Palestinian People;
- (c) Global Alliance for the Implementation of the Two-State Solution;
- (d) Member of the Organization of Islamic Cooperation Committee of Six on Palestine;
- (e) Member of the Non-Aligned Movement Ministerial Committee on Palestine.

Malaysia does not have diplomatic relations with Israel. This helps to inhibit economic relations with and travel by entities that are involved with maintaining Israel's unlawful presence in the Occupied Palestinian Territory.

In December 2023, Malaysia prohibited an Israeli-based shipping company, Zim Integrated Shipping Services, Ltd., and any Israeli-flag vessel from entering any Malaysian ports. Furthermore, Malaysia does not allow any vessel on its way to Israel from loading cargo in Malaysian ports. This measure was again imposed by Malaysia in June 2024. This measure is consistent with paragraph 4 (d) of General Assembly resolution [ES-10/24](#).

Recommendations

On 28 September 2024, at the general debate of the seventy-ninth session of the General Assembly, Malaysia urged for the reinstatement of the Special Committee against Apartheid. Drawing from our experience of being part of the Committee previously in the case of South Africa, Malaysia views the Committee as an appropriate mechanism that would compel Israel to cease its apartheid policies and practices against the Palestinian people in the Occupied Palestinian Territory.

Malaysia supports any compliance measures pursued by States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to address Israel's violations of article 3 of the Convention, in line with the advisory opinion of the International Court of Justice of 19 July 2024.

In line with the spirit of paragraph 11 of resolution [ES-10/24](#), Malaysia will continue its support of all international legal processes, including at the International Court of Justice. Since December 2023, Malaysia has expressed support to South Africa in its case on the application of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (*South Africa vs. Israel*).

On 28 September 2024, at the general debate of the seventy-ninth session of the General Assembly, Malaysia called on the Security Council to invoke its mandate under Chapter 7 of the Charter of the United Nations to impose an immediate arms embargo on Israel. Malaysia proposes that the Secretary-General, using powers conferred on him under Article 99 of the Charter, to urge the Council to impose measures against Israel pursuant to Chapter 7 of the Charter, among others, economic sanctions and an arms embargo.

Malaysia supports the strengthening of United Nations human rights mechanisms, such as the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, through the provision of additional resources, in order to discharge their mandates effectively.

The United Nations system must ensure that human rights mechanisms and mandates that highlight the illegality of Israel's presence in the Occupied Palestinian Territory and call for its immediate end are protected against acts of intimidation, harassment and reprisal.

Suspension of Israel's membership from United Nations bodies should be considered if violations of international law and the Charter of the United Nations persist and no efforts are made to bring its unlawful presence in the Occupied Palestinian Territory to a rapid end.

The General Assembly may also consider further measures, within its prerogative and authority, such as to limit Israel's participation in relevant United Nations bodies. The establishment of an international register of damage to record evidence and information on damage, loss or injury caused by Israel's aggression against Palestine, for remedy and reparation purposes, merits consideration. The precedence created in General Assembly resolution [ES-11/5](#) could serve as a basis for this proposal.

Mexico

[Original: Spanish]
[8 November 2024]

Pursuant to paragraph 17 of General Assembly resolution [ES-10/24](#), adopted on 18 September 2024, at its tenth emergency special session, in which the Assembly requested the Secretary-General to submit a report on the implementation of the aforementioned resolution, including any actions taken by States for the

implementation of its provisions or for any violations thereof, the Government of Mexico hereby provides the following information:

1. Regarding paragraph 4, which calls upon all States to comply with their obligations under international law through the measures indicated in subparagraphs (a) to (f), the Government of Mexico wishes to point out the following actions:

- Mexico voted in favour of General Assembly resolution [67/19](#) of 29 November 2012, in which Palestine was admitted as an observer State in the United Nations and thereby made a tacit recognition of the Palestinian State, as it did by agreeing to convert the Palestinian Representative Office in Mexico into an Embassy as of June 2023.
- On the occasion of the vote on resolution [67/19](#), Mexico delivered an explanation in which, among other elements, it highlighted the following:
 - Mexico reiterated its full and unconditional support for General Assembly resolution [181 \(II\)](#) of 29 November 1947, in which it was decided to establish two States: one Arab and one Jewish
 - Mexico declared that Israel and Palestine have the right to live as independent and democratic States, living side by side in peace within secure and internationally recognized borders
 - Mexico expressed its support for the leadership of the Palestinian National Authority as the sole and legitimate representative of the Palestinian people
- Mexico voted in favour of General Assembly resolution [ES-10/23](#), by which the Assembly determined that Palestine is qualified for membership in the United Nations in accordance with Article 4 of the Charter of the United Nations and recommended that the Security Council favourably reconsider Palestine's application for full membership in the United Nations.
- The unequivocal position of Mexico on the question of Palestine is therefore in line with the content of paragraph 4 of resolution [ES-10/24](#), with regard to supporting the leadership of the Palestinian National Authority as the sole and legitimate representative of the Palestinian people and maintaining its support for a political and comprehensive solution to the Israeli-Palestinian conflict, on the basis of two States, which would address Israel's security concerns and allow for the consolidation of a politically and economically viable Palestinian State, living side by side within secure and internationally recognized borders, in accordance with United Nations resolutions.
- The participation of Mexico in the first meeting of the Global Alliance for the Implementation of the Two-State Solution, held in Riyadh, Saudi Arabia, on 30 and 31 October 2024, is also part of promoting the realization of the right of the Palestinian people to self-determination, in accordance with paragraph 4 of resolution [ES-10/24](#).
- Regarding subparagraphs (e) and (f) relating to the obligations derived from the 1949 Geneva Conventions and the International Convention on the Elimination of All Forms of Racial Discrimination, Mexico is a party to these treaties and therefore must comply with their provisions.

2. With respect to the measures referred to in paragraph 5, the Ministry of Foreign Affairs of Mexico shall inform the competent Mexican authorities that are members of the High-level Specialized Committee on International Disarmament, Terrorism and Security (CANDESTI), whose membership includes the Ministry of the Interior (National Institute of Migration), the Ministry of Finance and Public Credit (Financial Intelligence Unit) and the Ministry of the Economy, about the adoption of resolution [ES-10/24](#) and, specifically, about the provisions it contains of an economic and

commercial nature, and about restricting the transit and freezing the assets of persons and companies that contribute to the current situation in the Occupied Palestinian Territory, in order to implement the measures that allow the respective observance of such provisions, within the scope of their competences and in accordance with applicable Mexican legislation.

3. With regard to paragraph 10, Mexico supports existing United Nations efforts such as the Board of the Office for the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory, which could constitute an initial effort to collect evidence of damage, loss and injury resulting from the occupation of the Occupied Palestinian Territory.

The Mexican State has already initiated legal actions that promote the determination of both State and individual criminal responsibility in the context of the situation in the Occupied Palestinian Territory. This is in order to promote accountability for the victims of this situation. These actions include the referral of the situation in Palestine to the International Criminal Court; as well as the declaration of intervention in the South African case against Israel before the International Court of Justice.

Netherlands (Kingdom of the)

[Original: English]

[8 November 2024]

On 19 July 2024, the International Court of Justice issued an advisory opinion to the General Assembly of the United Nations on the matter of Israel's actions in the Occupied Palestinian Territory. The House of Representatives requested a letter from the Government in which it explains how it interprets that ruling and what consequences that ruling will have for government policy on Israel and the Palestinian Territories, including the policy of dissuasion.

While not legally binding, advisory opinions of the International Court of Justice are authoritative because they represent the views of the supreme judicial body of the United Nations on the relevant international law. In its advisory opinion of 19 July, the Court applied the pertinent law to the facts that came to the Court's attention in part as a result of the work of various United Nations bodies and special rapporteurs.

In its advisory opinion, the Court states that Israel's actions in the Occupied Palestinian Territory violate various rules of international law:

- (a) The prohibition of the use of force by States, in light of Israel's annexation of the Occupied Palestinian Territory;
- (b) Humanitarian law, including the law of occupation;
- (c) Human rights, including the prohibition of discrimination and the right to self-determination.

In the Court's opinion the violation of the prohibition of annexation and the fact that the Palestinian people are unable to exercise their right to self-determination lead to the conclusion that Israel's ongoing presence in the Occupied Palestinian Territory, and thus the ongoing occupation of this territory, is unlawful.

The Court attaches a number of legal consequences to Israel's violations, as follows:

- (a) Israel must bring an end to its presence in the Occupied Palestinian Territory as rapidly as possible, immediately halt the expansion of settlements and

evacuate all settlers from the Occupied Palestinian Territory. In addition, Israel must provide reparation to all natural and legal persons who have suffered damage as a consequence of Israel's unlawful actions;

(b) Under international law, other States (including the Netherlands) have the obligation not to recognize the situation arising from Israel's unlawful occupation of the Palestinian Territories and not to render any aid or assistance that would help to maintain the unlawful situation. Pursuant to the Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), all States have an obligation to ensure that Israel complies with international humanitarian law, as enshrined in that treaty;

(c) Under international law, international organizations also have the obligation not to recognize the situation arising from Israel's unlawful occupation of the Palestinian Territories. This also applies to the Security Council. Furthermore, the Court instructs the General Assembly and the Council to consider what further steps are necessary in order to put a swift end to Israel's unlawful occupation.

The Court offers an in-depth analysis of Israel's actions in the Occupied Palestinian Territory and the resultant violations of international law. The Court goes on to conclude that the occupation of the Palestinian Territories by Israel is unlawful because it is a violation of the prohibition of annexation and frustrates the Palestinian people's right to self-determination.

The advisory opinion also confirms that despite the withdrawal of its armed forces from Gaza in 2005, Israel has ongoing obligations under the law of occupation with regard to Gaza.

In its advisory report the Court also concludes that Israel's actions in the Occupied Palestinian Territory constitute a violation of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination. This article provides that States parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction. In a previous letter to the House of Representatives on this subject,¹ the Government took the position that apartheid is a specific legal term and that it falls to a court to determine whether the term applies in a given case. In its advisory opinion, the Court is clear that Israel is in violation of article 3 of the International Convention, but it does not offer a clear answer to the question of whether there is only racial segregation or also apartheid in the Occupied Palestinian Territory.

The Court also discusses the Oslo Accords (Oslo I Accord and Oslo II Accord). The Court acknowledges that Israel and the Palestinian Liberation Organization (PLO) made agreements by means of the Oslo Accords about their powers and responsibilities regarding the areas occupied by Israel. Under the Oslo Accords, Israel has authority over a large part of the occupied territory until Israel and PLO make further agreements and a two-State solution is ultimately arrived at. All this is to be done with due regard for internationally accepted norms and principles of human rights and the rule of law. The United Nations resolutions (e.g. General Assembly resolution 77/126 and Security Council resolutions 1515 (2003), 2334 (2016) and 2735 (2024)) respect the Oslo Accords and the associated two-State solution. The Court states that the legitimate rights of the Palestinian people that are recognized in the Oslo Accords encompass the right to self-determination. The Court also notes that the Oslo Accords (Oslo II Accord, art. XXXI (7)) prohibit the parties from initiating

¹ See, inter alia, Kingdom of the Netherlands, House of Representatives, Parliamentary Paper 2022/23, 30 950, No. 320 (available from <https://zoek.officielebekendmakingen.nl/behandelddossier/kst-23432-489.html>).

or taking any step that would change the status of the West Bank and the Gaza Strip pending the outcome of the permanent status negotiations. The Court also remarks that in interpreting the Oslo Accords, it is necessary to take account of article 47 of the Fourth Geneva Convention, which provides that protected persons cannot be deprived of the benefits of the Convention by an agreement between the authorities of the occupied territory and the occupying power. In summary, the Court concludes that the Oslo Accords do not release Israel from its obligations under the law of occupation. Examples of violations of the law of occupation identified by the Court are the forced displacement of persons, the transfer of Israelis into occupied territory and the destruction of property.

Even before the Court handed down this advisory opinion, the Netherlands and other States considered the settlements and the construction of a wall in the Occupied Palestinian Territory to be unlawful. Israeli sovereignty over the Occupied Palestinian Territory has never been recognized. The Netherlands has consistently and emphatically articulated this position. In support of this, a policy framework was developed consisting of the measures outlined below:²

(a) Since 2006 the Dutch Government has pursued a policy of dissuasion with regard to activities engaged in by Dutch companies either within or for the benefit of Israeli settlements in occupied territory. In line with this policy the Dutch Government does not provide any services to Dutch companies with regard to activities that contribute directly to the construction and maintenance of settlements or that directly facilitate settlements. If Dutch companies make inquiries with the Government about the possibilities of engaging in activities in occupied territory, they are informed about possible risks, including those related to human rights. The Government's policy of dissuasion is over and above companies' own social responsibility to respect human rights. The Government expects companies to do business in line with the Organisation for Economic Co-operation and Development *OECD Guidelines for Multinational Enterprises on Responsible Business Conduct*. Companies are free to decide what activities they wish to engage in;

(b) Because Israel has never acquired sovereignty over the land it has occupied since June 1967, the Netherlands takes a strict line when it comes to the validity of bilateral treaties between itself and Israel: treaties concluded by Israel in its own name are not permitted to be applied to the occupied territory; these treaties apply only within Israel, on the basis of that country's internationally recognized borders. An example of this is the Convention on social security between the Netherlands and Israel, which does not apply in the territory occupied by Israel. Under the Export of Benefits (Restrictions) Act (*Wet beperking export uitkeringen*), which is premised on the principle that the Netherlands can only export social security benefits to countries with which it has concluded a treaty, there are restrictions on the export of Dutch social security payments to benefit claimants residing in Israeli settlements;

(c) At the European Union level, further steps have been taken in order to clarify the difference between the areas. For example, in 2013 the European Commission adopted "Guidelines on the eligibility of Israeli entities and their activities in the territories occupied by Israel since June 1967 for grants, prizes and financial instruments funded by the EU from 2014 onwards" (2013/C 205/05), under which only Israeli entities based within the pre-1967 borders are eligible for grants, prizes and financial instruments. When European Union legislation on indication of origin is applied, a distinction is made between products made in Israel and products made in settlements in the Occupied Palestinian Territory. In 2015, the European

² See also Kingdom of the Netherlands, House of Representatives, Parliamentary Paper 2018/19, 23 432, No. 471.

Commission published an interpretative notice on the applicability of European Union legislation on indication of origin, which applies generally, regardless of the country or area where a given product comes from, to goods from territories occupied by Israel since June 1967. In its judgment of 12 November 2019, the Court of Justice of the European Union confirmed in a preliminary ruling that the fact that foodstuffs originate from an Israeli settlement can influence the purchasing decisions of consumers. Failure to indicate this might therefore mislead the consumer. This is a legally binding judgment, in line with Dutch policy of recent years.³ The Netherlands Food and Consumer Product Safety Authority is responsible for applying European Union legislation so as to ensure that indications of origin are accurate and not misleading. Goods originating in territory occupied by Israel since June 1967 are not eligible for tariff preferences. Only products originating in Israel proper are eligible for preferential treatment within the framework of the Association Agreement between the European Union and its member States on the one side and Israel on the other.

Furthermore, the Netherlands is greatly concerned about increasing instability in the occupied West Bank. This is the result of a number of factors, including settler violence. To prevent escalation, the Netherlands has been actively pressing the European Union to impose human rights sanctions against individuals and entities that engage in such violence. With these sanctions (such as travel and trade restrictions and the freezing of European Union bank accounts), European Union countries send the clear message that they are greatly concerned about this issue, and that this violence has consequences. Two packages of sanctions have now been adopted.

The Court's advisory opinion justifies upholding these measures. In the coming period the Government will conduct further analysis to determine whether there are grounds to amend the current policy framework on the basis of the Court's advisory opinion. This analysis must be done with care, which will take some time. In the coming period the possible consequences of the Court's advisory opinion will be the subject of international discussion. The Government considers it important to hear other countries' views and will raise this and other matters in the discussions that will be held during the ministerial week at the upcoming session of the General Assembly (high-level week). The Government will therefore inform the House at a later time about any changes to the current policy framework.

Nicaragua

[Original: English and Spanish]
[7 November 2024]

The Government of Reconciliation and National Unity of the Republic of Nicaragua defends and promotes multilateralism, building relations based on respect, equality, solidarity, mutual cooperation and self-determination of the peoples, enforcing and complying with international law and the principles and purposes of the Charter of the United Nations.

Nicaragua advocates unrestricted respect for the sovereignty, territorial integrity, independence and right to self-determination of our peoples.

The Government of Nicaragua reaffirms its firm commitment to the rule of law at the international level and the search for a desired understanding and peaceful coexistence between nations, and continues to promote the culture of peace, basing

³ See also Kingdom of the Netherlands, House of Representatives, Parliamentary Paper 2019/20, 23 432, No. 475.

its international relations on friendship, solidarity and reciprocity between peoples, recognizing the principle of the peaceful solution of international disputes through the means provided by international law.

Nicaragua shares historical bonds and mutual expressions of fraternity and solidarity with Palestine, being the first Central American country to establish diplomatic relations with the Palestine Liberation Organization (PLO) in 1979 and one of the first countries to officially recognize Palestine as an independent State.

Since then, the State of Palestine has maintained an embassy in Managua. Nicaragua also maintains an embassy in Ramallah, Palestine, through which we strengthen our mutual relations of cooperation and solidarity.

In 2008, the General Assembly approved the appointment of Nicaragua as a member of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, and in 2013, on the occasion of the first expansion of its Bureau, Nicaragua was elected Vice-President of the Committee.

Nicaragua has played an active and constructive role, especially at critical moments in history for the Palestinian people in their unwavering will to exercise their inalienable rights to self-determination and sovereignty, and their right to the materialization of the Palestinian State, free and independent, in accordance with the 1967 borders and with East Jerusalem as its capital.

The Government of Nicaragua has always maintained a firm and solidarity position in support of Palestine.

Nicaragua, as well as the international community, considers that the actions undertaken by Israel constitute clear violations of the Convention on the Prevention and Punishment of the Crime of Genocide.

In January 2024, the Government of Nicaragua, as a State party to the Genocide Convention, in accordance with its obligation to prevent genocide and to cooperate to that end with the other contracting parties, submitted to the International Court of Justice a request to participate in the case initiated by South Africa against Israel on 29 December 2023, related to the application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip.

Nicaragua's request to participate in this process was made under Article 62 of the Statute of the International Court of Justice, as a State party to the merits of the case, and not as a participant in the interpretation of the Convention, reflecting the commitment of the Government of Reconciliation and National Unity and the People of Nicaragua to international law, in particular to the obligations of States to prevent genocide, put an end to this scourge and contribute to the struggle of the Palestinian people for their freedom and their right to be a full member of the United Nations.

In February 2024, the Government of Nicaragua informed the Governments of the United Kingdom, Germany, the Netherlands and Canada of its decision to hold them accountable under international law for the flagrant and systematic violations of the Convention on the Prevention and Punishment of the Crime of Genocide, international humanitarian law and customary law, including the law of occupation in the Occupied Palestinian Territories, in particular the Gaza Strip.

The Government of Nicaragua is taking all legal actions to contribute to stopping the genocide of the Palestinian People and ending Israel's illegal occupation of the Occupied Palestinian Territories.

In March 2024, the Government of Reconciliation and National Unity filed a complaint to the International Court of Justice against the Federal Republic of Germany, for violations of the Convention on the Prevention and Punishment of the

Crime of Genocide, the Geneva Conventions of 1949 and their additional protocols, the intransgressible principles of international humanitarian law and other peremptory norms of general international law in relation to the Occupied Palestinian Territory, in particular the Gaza Strip.

Nicaragua adopted this decision in accordance with its obligations under international law to guarantee respect for fundamental international texts and customary international law.

In its request to the high court, Nicaragua made two main requests: first, that Germany suspend its military support to Israel, and second, that it renew its financial support to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).

The Government of Nicaragua acknowledged the Court's decision to remind all States of their international obligations regarding the transfer of arms to Israel, including Germany. The above-mentioned reaffirmed that no State can ignore its obligations regarding the risk of genocide in Gaza and other violations of international law.

Nicaragua has supported all initiatives at the United Nations aimed to achieve justice and accountability and to put an end to the impunity for war crimes and genocide against the Palestinian people.

Nicaragua has voted in favour of all resolutions on the question of Palestine in the General Assembly, as well as all such resolutions in its main committees, as well as resolution [ES-10/24](#).

Consequently, the Government of Nicaragua, in permanent solidarity with the people and Government of Palestine, with the peoples who suffer martyrdom, destruction and barbarism, and in strict adherence to international law and the conventions that govern civilized relations between States and Governments of the world, decided on 11 October 2024 to break all diplomatic relations with the Government of the State of Israel.

Nicaragua does not recognize as legal the situation arising from Israel's illegal presence in the Occupied Palestinian Territory, nor does it provide any kind of help or assistance to maintain the situation created by Israel's illegal presence in the Territory.

Nicaragua believes that it can contribute to carrying out concrete actions, whether in the International Court of Justice, or in the General Assembly and all its multilateral bodies.

Nicaragua believes that all the studies and investigations carried out by the different mechanisms of the United Nations are required in order to prove that Israel practices a system of segregation and apartheid imposed against the entire Palestinian people, throughout the Palestinian geography and against Palestinian refugees.

In the face of this apartheid policy, it is necessary, as some countries have pointed out, to reactivate the United Nations Special Committee against Apartheid, to consider the situation of apartheid in Palestine.

As you are aware, there is a global demand that the United Nations should implement the same measures applied to Israel for its apartheid policy which were applied to South Africa, including the suspension of Israel from the General Assembly.

The Government and People of Nicaragua will remain firm in fulfilling their international obligations, in respect and defence of international law and the Charter of the United Nations, the resolutions of the General Assembly and in the sovereign

exercise of their rights to maintain international relations with the Governments and peoples of the world in conditions of equality and solidarity.

Oman

[Original: Arabic]
[8 November 2024]

The Sultanate of Oman reaffirms that it abides by the Charter of the United Nations and international humanitarian law and continues to support the Palestinian cause by various legal and humanitarian means, with a view to establishing an independent Palestinian State within the 1967 borders, with East Jerusalem as its capital.

It also wishes to state that it is fully committed to implementing all the measures that are set out in the resolution, including by working to realize the right of the Palestinian people to self-determination, not recognizing the occupation by Israel of the occupied territories and refraining from establishing relations with the Zionist entity.

The Sultanate of Oman welcomes the recognition by the General Assembly in its resolution [ES-10/24](#) of the need to establish an international mechanism for reparations for the violations committed by Israel and reiterates that Israel must assume full responsibility for making reparations for the harm that it has caused to the Palestinian people as a result of its illegal policies and practices.

The Sultanate of Oman, in keeping with its deep belief in international law and human rights, will work side by side with the international community to ensure justice and redress for the Palestinian people. Oman supports any additional steps that could strengthen the international mechanism and ensure its effectiveness.

Pakistan

[Original: English]
[8 November 2024]

Pakistan welcomed the advisory opinion by the International Court of Justice on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem.

The Court's ruling clearly establishes that Israel's unlawful policies and practices in the Occupied Palestinian Territory are in breach of Israel's obligation to respect the right of Palestinian people to self-determination, and that Israel is under an obligation to end its unlawful occupation, cease its illegal settlement activities, and make reparation for the damage caused.

It may be recalled that Pakistan had made a written submission to the International Court of Justice on the case in July 2023 and later also shared a rejoinder with the Court. Pakistan also participated in the oral public hearing held by the Court on the case in February 2024. In its submissions to the Court, Pakistan reiterated its strong and unwavering support for the right to self-determination of the Palestinians and highlighted the illegality of the Israeli occupation.

Actions taken by the Government of Pakistan to implement General Assembly resolution [ES-10/24](#), adopted on 18 September 2024, are as follows:

(a) The Government of Pakistan remains steadfast in upholding international law, particularly as reflected in the Court's advisory opinion and General Assembly resolution [ES-10/24](#), in its statements at relevant international forums, including the

Assembly and the Security Council, has consistently advocated the Palestinian people's right to self-determination, including statements from the President and the Prime Minister. Pakistan has also expressed support for Palestine in its statements at other forums, including at the Organization of Islamic Cooperation and the Non-Aligned Movement;

(b) Pakistan has actively participated in the General Assembly's discussions on the ongoing situation, providing full support to the Palestinian delegation;

(c) Pakistan has further affirmed its non-recognition of any changes to the physical, demographic, institutional or legal status of the Occupied Palestinian Territory, including East Jerusalem, imposed by Israel. In line with this stance, Pakistan has ensured that national policies and practices, as well as activities of entities under its jurisdiction, do not aid or assist in sustaining the situation created by Israel's continued presence in the Occupied Palestinian Territory;

(d) Pakistan also joined a Türkiye-led initiative along with 53 other signatories sending a joint letter to the Security Council urging it to take immediate action to halt the flow of weapons and ammunition to Israel. The letter expressed deep concerns about the unprecedented and escalating violence and violation of international law, including international humanitarian law, in the Gaza Strip and called for immediate steps to be taken to halt the provision or transfer of arms, munitions and related equipment to Israel as stipulated in resolution [ES-10/24](#);

(e) Owing to the absence of formal diplomatic relations with Israel, Pakistan has ensured that its nationals and companies and entities under its jurisdiction refrain from any actions that may imply recognition of or provide aid or assistance in maintaining Israel's illegal presence in the Occupied Palestinian Territory. Pakistan has taken steps to prevent indirect support, ensuring that businesses and individuals are informed of their responsibilities under international law;

(f) Pakistan has actively supported calls for accountability for all violations committed by Israel in the Occupied Palestinian Territory. It has advocated the establishment of an international mechanism to seek reparations for damage, loss or injury resulting from Israel's wrongful acts. Pakistan has also endorsed the creation of an international register of damage, in coordination with the United Nations and relevant bodies, to document harm suffered by the Palestinian people due to Israel's actions, as envisaged in resolution [ES-10/24](#);

(g) Pakistan participated in the ministerial-level meeting on the theme "The situation in Gaza and implementation of the two-State solution as a path to a just and comprehensive peace," organized by the Arab-Islamic ministerial contact group, in coordination with the European Union and Norway, on 26 September 2024. Pakistan called for Israel's immediate, complete and unconditional withdrawal from all occupied Palestinian territories within 12 months, as specified in resolution [ES-10/24](#), and an end to Israel's unlawful policies in the Occupied Palestinian Territory. As an outcome of this meeting, the Global Alliance for the Implementation of the Two-State Solution was launched to further mobilize international support for peace;

(h) Pakistan took an active role in the Organization of Islamic Cooperation coordination meeting at the foreign minister level and Committee of Six on Palestine, held on 25 and 26 September 2024 during the seventy-ninth session of the General Assembly. Pakistan reaffirmed its unwavering support for the inalienable rights of the Palestinian people, including the right to self-determination and sovereignty over occupied territories;

(i) Pakistan continues to advocate a broad-based international consensus to address the humanitarian, political and legal issues facing the Palestinian people. It has emphasized the importance of holding Israel accountable for its actions and

ensuring compliance with international law, including by encouraging other States to adopt similar measures that reinforce respect for United Nations resolutions and opinions of the International Court of Justice;

(j) Pakistan has also signed the statement of shared commitments on UNRWA initiated by Kuwait, Jordan and Norway among others. It recognizes the important and indispensable role of the Agency and expresses support for the Agency in light of the hardships and challenges it is facing;

(k) On 7 October 2024, an all-parties conference took place in Islamabad with the President, the Prime Minister and leaders of key Pakistani political parties in attendance. The conference called on the Organization of Islamic Cooperation to convene an emergency summit to address the situation in Palestine, with the Prime Minister announcing the formation of a special working group to engage with other Islamic countries in raising a collective voice against Israel's ongoing military campaign in Gaza. Earlier, the National Assembly and the Senate had also adopted several resolutions condemning Israel's persistent violations of international law and upholding the right of self-determination of the Palestinian people.

These inputs highlight Pakistan's commitment to upholding international law and the rights of the Palestinian people, while also demonstrating its active role in multilateral efforts to address the situation in the Occupied Palestinian Territories in accordance with resolution [ES-10/24](#).

Pakistan calls for the immediate and full implementation of the Court's advisory opinion. We hope that the Court's ruling will be an important step towards ending the Israeli occupation, realization of the inalienable right of the Palestinians to self-determination, and creation of a viable, secure, contiguous and sovereign State of Palestine on the basis of the pre-1967 borders and with Al-Quds Al-Sharif as its capital.

Portugal

[Original: English]
[8 November 2024]

Portugal voted in favour of resolution [77/247](#) of 30 December 2022, in which the General Assembly requested the International Court of Justice to render an advisory opinion regarding the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory.

In addition Portugal voted in favour of and welcomed the adoption by the General Assembly of its resolution restating the key aspects of the Court's advisory opinion and calling for concrete steps to enforce it. This vote, and the Court ruling itself, represented an overwhelming rejection of the normalization of the status quo as regards Israel's policies and practices in the Occupied Palestinian Territory.

In all relevant international forums, Portugal has consistently underlined Israel's obligations under the Charter of the United Nations, namely the need to abide by all relevant United Nations resolutions, reaffirming that Israel's presence in the Occupied Palestinian Territory is unlawful under international law and must come to an end.

We have reaffirmed our longstanding and ironclad commitment to international law, international humanitarian law and the fight against impunity. In this context, we have consistently reminded Israel of its obligation to facilitate the safe and unimpeded access of humanitarian aid that saves lives.

Portugal has underlined the need to ensure accountability for violations of international law and international humanitarian law in the Occupied Palestinian Territory through appropriate, fair and independent investigations at relevant levels.

Portugal has unreservedly condemned the legislation approved by the Israeli Parliament against UNRWA. We have further strengthened our commitment to continuing supporting the Agency, reaffirming that a strong UNRWA is a fundamental element in the equation for peace as well as towards building the two-State solution.

We have been among those urging Israel to ensure that UNRWA continues carrying out its crucial work in line with its mandate, as adopted by the General Assembly in 1949 and renewed since. We have continued to stress that all United Nations agencies embody, promote and respect international law as they uphold and implement both the letter and the spirit of the Charter of the United Nations, with which all United Nations Member States must abide.

Qatar

[Original: Arabic]
[8 November 2024]

Steps that the State of Qatar has taken or plans to take to implement paragraphs 4, 5 and 10 of General Assembly resolution ES-10/24

I. Steps the State of Qatar has taken or plans to take in accordance with paragraph 4 of the resolution

- In 2012, with Cabinet Decision No. 27 (2012), the State of Qatar established a National Committee for International Humanitarian Law. The Committee is charged with a number of duties, primarily promoting international humanitarian law and working to achieve the goals of international instruments and agreements.
- The State of Qatar is a party to 19 international humanitarian law conventions, including the conventions and protocols that constitute the main framework of international humanitarian law, which are as follows:

The four Geneva Conventions of 12 August 1949, and the two Additional Protocols thereto, namely, Protocol I Additional of 8 June 1977 relating to the Protection of Victims of International Armed Conflicts and Protocol II Additional of 8 June 1977 relating to the Protection of Victims of Non-International Armed Conflicts. As a party, the State of Qatar has been working to support implementation of the Geneva Conventions and Protocols thereto in the Occupied Palestinian Territory through the relevant mechanisms, in particular the Qatar Red Crescent, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies.

The State of Qatar will continue to work through these frameworks and platforms to advance efforts to implement the rules of international humanitarian law, with a focus on protecting the Palestinian people as a people living under occupation and aggression.

- The State of Qatar has accepted the jurisdiction of the International Humanitarian Fact-Finding Commission established under the 1977 Protocol I Additional to the Geneva Conventions of 1949.
- In 1976, the State of Qatar acceded to the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, and has brought its domestic

legislation into line with its obligations under that Convention. The State of Qatar has submitted periodic reports and taken part in the work of the Committee on the Elimination of Racial Discrimination through high-level delegations at its sessions in Geneva.

- The State of Qatar has held to an unwavering position of categorically refusing to recognize the illegal Israeli presence in the Occupied Palestinian Territory. It strictly prohibits any act, measure or endeavour that would aid or assist in maintaining the illegal Israeli presence in the Occupied Palestinian Territory. That is a consistent policy that the State of Qatar has declared publicly at the highest regional and international levels, including in the annual address delivered by of His Highness the Emir of the State of Qatar before the General Assembly general debate, and on the occasion of the International Day of Solidarity with the Palestinian People. In that connection, on 25 July 2023, Qatar submitted a written memorandum to the International Court of Justice regarding the advisory opinion on the ongoing Israeli occupation of Palestine.
- Qatar continues to urge governments to formally recognize the advisory opinion of the International Court of Justice and remain cognizant of its legal implications for the Israeli presence and practices in the Occupied Palestinian Territory. Qatar has released official statements and resolutions that reflect its acceptance of the advisory opinion and its commitment to act in accordance with its conclusions.
- The State of Qatar has been undertaking mediation efforts to de-escalate the situation in the Occupied Palestinian Territory, reach an immediate and permanent ceasefire in Gaza, bring about the release of prisoners and detainees, ensure uninterrupted humanitarian access, and protect civilians. The goal is to alleviate the suffering of our Palestinian brothers and pave the way for a comprehensive and just political solution to the conflict. This all stems from the unwavering position of the State of Qatar in support of the just Palestinian cause and the legitimate rights of the fraternal Palestinian people, above all their right to self-determination and the establishment of an independent State along the 1967 borders, with East Jerusalem as its capital.
- Qatar will continue to encourage the launch of comprehensive and serious peace talks, with the goal of a two-State solution that guarantees the right of self-determination, the right of return and the creation of an independent, fully sovereign Palestinian State in accordance with internationally recognized resolutions. Qatar joined the ministerial committee that was established following the Arab-Islamic summit on Gaza, and it is a contributor to the two-State solution initiative that the Arab-Islamic ministerial committee, the European Union and Norway launched at the high-level week of the General Assembly in September 2024.
- The State of Qatar was one of the sponsors of General Assembly resolution [ES-10/23](#) on the admission of Palestine to membership in the United Nations.
- Qatar has stepped up funding and support for organizations working to protect Palestinian rights, ensure that aid delivery complies with the guiding principles set forth by the International Court of Justice, and promote initiatives to document human rights violations and ensure accountability.
- The State of Qatar is one of the main countries that provide humanitarian and development assistance to help the brotherly Palestinian people to alleviate humanitarian suffering resulting from the Israeli aggression and occupation. That includes ongoing support for UNRWA. In September 2024, Qatar announced a pledge of \$100 million to address the humanitarian crisis in the

Gaza Strip, including support for UNRWA. Humanitarian and development assistance help to bolster the steadfastness of the Palestinian people on their land until such time as they establish an independent State and enjoy their right to self-determination.

- Qatar works with international partners to encourage States to adopt an approach that uses economic incentives and measures to promote compliance with international standards related to the Occupied Palestinian Territory. That includes trade restrictions on goods and products originating in the settlements, which are illegal under international law; economic cooperation initiatives that involve Palestinian communities directly; and sustainable development initiatives and efforts.

II. Steps the State of Qatar has taken or plans to take in accordance with paragraph 5 of the resolution

The State of Qatar has established a special committee to follow up and implement international sanctions. That includes monitoring and enforcing sanctions on individuals, States and entities subject to international sanctions. In keeping with the unwavering commitment of Qatar to strengthening international peace and security, that committee works to make sure that international sanctions are fully complied with. It takes steps to monitor any activities that might contravene such sanctions. Qatar takes care to abstain from entering into economic or trade dealings with Israel that relate to the Occupied Palestinian Territory, in line with its firm position in support of the rights of the Palestinian people.

III. Steps the State of Qatar has taken or plans to take in accordance with paragraph 10 of the resolution

The State of Qatar attaches the utmost importance to the establishment of an international mechanism for reparation for all damage, loss or injury arising from the internationally wrongful acts of Israel in the Occupied Palestinian Territory. The State of Qatar will work to help establish such a mechanism in coordination with the United Nations, its competent bodies and international partners. That includes by urging Member States to demonstrate the political will needed to take the measures and actions necessary for the establishment of such a mechanism, in order to address damages resulting from acts committed by the Israeli occupation and find solutions.

Russian Federation

[Original: Russian]
[11 November 2024]

In 1995, the Representative Office of the Russian Federation to the Palestinian National Authority was opened in the Gaza Strip. In 2004, it was relocated to Ramallah in the West Bank. The Russian Centre for Science and Culture also operates in Bethlehem.

The Russian Federation supports the functioning of the United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory (UNROD). The Russian Federation believes that the implementation of paragraph 10 of resolution [ES-10/24](#), through the establishment of another body or the empowerment of UNROD, falls within the purview of the United Nations Secretariat and should be addressed in coordination with the countries concerned, first and foremost the State of Palestine.

Saudi Arabia

[Original: English]
[8 November 2024]

The Kingdom of Saudi Arabia does not maintain diplomatic relations with Israel due to Israel's unlawful occupation of Palestinian lands. Furthermore, there are no economic or trade dealings or any other form of ties between the two countries.

The Kingdom of Saudi Arabia presented the Arab peace initiative, which is based on Security Council resolutions [242 \(1967\)](#) and [338 \(1973\)](#). First announced in 2002, the initiative presented a solution based on Israel's withdrawal from the lands occupied since 1967 in exchange for Arab normalization and it enjoys wide support from the international community.

In light of recent developments, the Kingdom hosted the Arab-Islamic summit on 11 November 2023 to stop the war on Gaza and condemn the Israeli aggression and its inhuman crimes, which resulted in the formation of a ministerial committee led by Saudi Arabia, which includes Qatar, Egypt, Jordan, Palestine, Turkey, Indonesia, Nigeria, the General Secretary of the Arab League and the Organization of Islamic Cooperation, to discuss the situation in Gaza and to move immediately and urgently to stop the ongoing violations by the Israeli occupation of international humanitarian law in a way that ensures full protection for civilians in the Gaza Strip. In addition, the Kingdom will host the next the Arab-Islamic summit on 11 November 2024 to follow up on the recent developments and efforts made by the ministerial committee, and to discuss further measures to stop the war on Gaza and condemn the Israeli aggression.

The Kingdom launched the Global Alliance for the Implementation of the Two-State Solution, on behalf of Arab and Islamic countries and European partners. The Alliance aims to revitalize the peace process between the Palestinians and the Israelis by placing all active components under the umbrella of a global alliance, seeking to unify international efforts and coordinate political and economic support for building the Palestinian State and developing a joint action plan that includes a clear timetable for implementing the two-State solution.

The Kingdom hosted the first high-level meeting of the Global Alliance for the Implementation of the Two-State Solution on 30 and 31 October 2024, with the participation of more than 90 countries and multiple international and regional organizations, to formalize a fixed time frame to materialize an independent Palestinian State and implement the two-State solution. The next meeting of the aforementioned Alliance is planned to take place in Brussels, by the end of November 2024.

Senegal

[Original: French]
[8 November 2024]

In accordance with paragraphs 4, 5 and 16 of General Assembly resolution [ES-10/24](#) of 18 September 2024, Senegal has pursued action within the United Nations, the Organization of Islamic Cooperation (OIC) and the African Union, for the realization of the right of the Palestinian people to self-determination and the immediate end to obstacles to the exercise of this right resulting from Israel's military presence in the Occupied Palestinian Territory.

I. Within the United Nations

In its national statements and as Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, Senegal has continued to advocate for an immediate and definitive ceasefire in Gaza; safe, unimpeded and non-discriminatory access to humanitarian aid for the Gazan population; an immediate and definitive end to Israel's occupation of Palestine; and recognition of the State of Palestine as a full Member of the United Nations in accordance with the two-State solution

The Senegalese delegation has therefore maintained its customary vote in favour of all resolutions adopted on the illegality of the Israeli occupation and Palestine's right to self-determination, including in the plenary of the General Assembly and in the Assembly's Second, Third and Fourth Committees.

Similarly, at the fifty-fifth session of the Human Rights Council, held from 26 February to 5 April 2024, Senegal also supported Council resolution 55/30, entitled "Right of the Palestinian people to self-determination", in which States were urged to adopt measures as required to promote the realization of self-determination of the Palestinian people, and Council resolution 55/32, entitled "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan", in which the illegality of Israeli settlements was reaffirmed.

Senegal has also taken an active part in international efforts against the Israeli military intervention in Palestinian territory. Accordingly, our country is taking part in the work of the core group initiated by Türkiye, which has asked the Secretary-General and the Presidents of the Security Council and the General Assembly to halt the supply to Israel of weapons, munitions and equipment that could be used in Gaza or the occupied territories in the Middle East.

As part of its efforts to combat the Israeli occupation, Senegal has contributed, in its capacity as Chair of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, to the recognition and defence of the rights of the Palestinian people. It is in this context that Senegal, which hosted the Committee's annual retreat from 4 to 7 December 2023, continues to show its leadership in how the Committee works.

Under the leadership of Senegal, the Committee on the Exercise of the Inalienable Rights of the Palestinian People organized an international conference on 3 and 4 April 2024, in Geneva, with the aim of mobilizing global civil society to promote a lasting ceasefire in Gaza and accountability for Israel's war crimes in the Occupied Palestinian Territory.

The same is true of the symposium on the question of Jerusalem entitled "Jerusalem and the Gaza war: Palestinian identity and existence under threat of erasure", held on 1 July 2024, in Jeddah (Saudi Arabia); a meeting that highlighted Israel's policies of forced displacement and dispossession of Palestinians in Jerusalem.

In addition, the Committee made a series of visits to countries that are members of the Caribbean Community (CARICOM), the Association of Southeast Asian Nations (ASEAN) and OIC, including Guyana, Indonesia and Saudi Arabia, to defend the rights of Palestinians.

Senegal has also joined all initiatives aimed at strengthening political and financial support for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). In that connection, our country sponsored the right of reply from the Movement of Non-Aligned Countries to the Israeli representative's statement accusing UNRWA of involvement in the Hamas attack of

7 October 2023. In the same vein, Senegal took part in the press conference organized by the group of signatories of “shared commitments” in support of UNRWA, held on 17 October 2024.

With regard to the actions that Senegal intends to take to implement General Assembly resolution [ES-10/24](#), our country, in addition to continuing its support for the realization of the Palestinian people’s right to self-determination, plans to focus on the following two aspects.

First, it will advocate for the reconstruction of the essential public infrastructure destroyed by Israel’s targeted attacks in Gaza, and will therefore continue to campaign for greater political support and funding for the mandate of UNRWA.

Second, Senegal will join relevant international and regional initiatives within international institutions aimed at holding the Israeli authorities accountable for the crimes perpetrated against the Palestinian people.

II. Within the Organization of Islamic Cooperation

In addition to participating in all the Organization’s meetings and decisions on the Palestinian question, Senegal has strongly supported OIC initiatives working for an immediate end to Israel’s occupation of Palestinian territory and a definitive end to the crimes that it has perpetrated against Palestine.

First, Senegal supported the establishment in 2023 of an Arab-Islamic Ministerial Group, chaired by the Kingdom of Saudi Arabia and comprising Palestine, Jordan, Egypt, Qatar, Türkiye, Indonesia and Nigeria, which is tasked with monitoring the implementation of relevant resolutions of the United Nations, OIC and other organizations that seek to put an end to the illegal occupation of the Palestinian territories and the crimes of genocide committed by Israel.

Second, Senegal endorsed the call for OIC member States to exert diplomatic, political and legal pressure on Israel, with a view to strengthening the international campaign to put a definitive stop to the crimes perpetrated by the Israeli occupier.

Lastly, Senegal welcomed the OIC invitation to its member States to impose sanctions against individuals and entities supporting Israel in its illegal military intervention in Palestine, and to support the international drive to bring to justice Israeli perpetrators of crimes committed in the Occupied Palestinian Territory.

III. Within the African Union

Within the African Union, Senegal has continually reaffirmed its support for the annual declaration on the situation in Palestine and the Middle East, adopted by the Assembly of Heads of State and Government of the African Union at its thirty-seventh ordinary session held in February 2024. The most recent such declaration is contained in document Assembly/AU/Decl.4(XXXVII).

Senegal also chaired the Assembly of Heads of State and Government of the African Union which, through decision 820 (XXXV) of 6 February 2022, established an Ad Hoc Committee at the level of Heads of State and Government to further consultations on the question of granting Israel observer status.

Slovenia

[Original: English]
[8 November 2024]

Slovenia consistently upholds international law, including relevant Security Council resolutions and International Court of Justice decisions. Slovenia supports

the two-State solution without any changes to the physical character or demographic composition, institutional structure or status of the territory occupied by Israel on 5 June 1967, including East Jerusalem. To support Palestinian self-determination Slovenia officially recognized Palestine on 4 June 2024, and the process of establishing a Palestinian Embassy in Slovenia is underway. Slovenia regularly calls for the establishment of an independent and sovereign Palestinian State and contributes to peace initiatives and humanitarian efforts in the region. Slovenia consistently includes these elements in its statements in different forums.

Slovenia actively participated in the discussions of the Security Council Committee on the Admission of New Members regarding the question of membership of Palestine in the United Nations in 2024. In April 2024, Slovenia supported and voted for the Council draft resolution on admission of the State of Palestine to membership in the United Nations ([S/2024/312](#)). As a non-permanent member of the Council, Slovenia actively participates in discussions and initiatives in the Council under the item on the situation in the Middle East.

Slovenia has participated in the advisory proceedings of the International Court of Justice on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, with our contribution focused on the *jus cogens* right for self-determination.

Slovenia believes that the United Nations system has a key role in facilitating the right of the Palestinian people to self-determination, including by ensuring the well-being, protection and human development of the Palestine refugees.

Slovenia is a member of the core group of the statement of shared commitments in support of UNRWA, a group of countries working on ensuring the support necessary to enable the Agency to fulfil its vital mandate. Slovenia is also committed to providing financial support to UNRWA, and contributed to 1.5 million euros to the Agency in 2024.

Furthermore, Slovenia is part of the core group of countries preparing an initiative seeking an advisory opinion on Israel's legal obligation to permit and facilitate the operations of the United Nations, its agencies, other international organizations and third States in the Occupied Palestinian Territory.

Slovenia participated in and supported the adoption of European Union sanctions against extremist settlers in the occupied West Bank and East Jerusalem under the European Union global human rights sanctions regime. Slovenia has also backed proposals within the European Union to impose additional sanctions on Israeli leaders accused of violating international law.

Slovenia ensures that in its diplomatic, economic and political relations, it distinguishes between the territory of the State of Israel and the Occupied Palestinian Territory. This includes implementing and monitoring the European Union 2015 Interpretative Notice on indication of origin of goods from the territories occupied by Israel since June 1967, which specifies that products from the Occupied Palestinian Territory cannot be labelled as "products of Israel" and provides guidelines to ensure accuracy and avoid misleading information. Furthermore, Slovenia adheres to the 2019 ruling of the European Union Court of Justice mandating clear and accurate labelling for products originating from illegal settlements. Slovenia supports European Union initiatives that call for preventing trade with businesses operating in illegal settlements.

Slovenia is a member of the European Union, bound by Council of the European Union Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment, and is a party to the Arms Trade Treaty (ATT).

As such, Slovenia follows a strict and due diligence approach while reviewing applications for export licences for arms, munitions and related equipment, particularly those that may be used in the Occupied Palestinian Territory.

South Africa

[Original: English]
[8 November 2024]

The Republic of South Africa notes that, on 19 September 2024, at an emergency special session, the General Assembly adopted resolution [ES-10/24](#), which, inter alia, welcomed the advisory opinion of the International Court of Justice on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel's continued presence in the Occupied Palestinian Territory.

Resolution [ES-10/24](#) furthermore demanded that the State of Israel abide by its international law obligations. Paragraph 17 of the resolution requests the Secretary-General to submit a report to the General Assembly within three months on the implementation of the resolution, including any actions taken by Israel, other States and international organizations, including the United Nations, for the implementation of its provisions or for any violations thereof. Paragraph 14 of the resolution requests the Secretary-General, in consultation with the United Nations High Commissioner for Human Rights and Member States with relevant experience and expertise, to present in the report requested in the resolution proposals for the establishment of a mechanism to follow up on the violations by Israel of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination identified by the International Court of Justice in its advisory opinion.

South Africa deems itself as a State with relevant experience and expertise as required in paragraph 14, based on its history of colonialism, racial discrimination and apartheid. South Africa wishes to make reference to its written statement to the International Court of Justice on 25 July 2023 on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel's continued presence in the Occupied Palestinian Territory. Reference is specifically made to paragraphs 91–118 of South Africa's written statement to the Court, which are reproduced below for ease of reference.

“91. The Palestinian reality evokes experiences of South Africa's own history of racial segregation and oppression. There exists in the Occupied Palestinian Territories an institutionalised and oppressive system of Israeli domination over Palestinians as a group. These policies have their genesis in the creation of the State of Israel in 1948 and have been extended to the Occupied Territories after the 1967 Six Day War.

“92. We concur with the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, in her most recent report, that ‘the recognition of Israeli apartheid must address the experience of Palestinian people in its entirety and in their unity as a people, including those who were displaced, denationalised and dispossessed in 1947–1949 (many of whom live in the occupied in Palestinian territory)’.

“93. While the Palestinian experience is not entirely identical to the South African one, a number of apartheid-style atrocities are being reproduced in Palestine, such as the permit system which applies only to Palestinians travelling to and from the Gaza Strip, annexed East Jerusalem and the rest of the West Bank. This includes the creation of a dual legal system consisting of

an intricate and obscure system of military orders and regulations, which “often racialised in implementation rather than on paper makes the depth of Israel’s systematic discrimination less immediately conspicuous than its counterpart in South Africa”.

“94. The Committee on the Elimination of Racial Discrimination concluded that there exists in the Occupied Palestinian Territory ‘two entirely separate legal systems and sets of institutions for Jewish communities in illegal settlements on the one hand and Palestinian populations living in Palestinian towns and villages on the other hand. The Committee is appalled at the hermetic character of the separation of the two groups, who live on the same territory but do not enjoy either equal use of roads and infrastructure or equal access to basic services, land and water resources. Such separation is materialised by the implementation of a complex combination of movement restrictions consisting of the wall, the settlements, roadblocks, military checkpoints, the obligation to use separate roads and a permit regime that impact the Palestinian population negatively’.

“95. South Africa submits that Israeli apartheid must be viewed in the context of the inherent illegality of the occupation as a whole; it being an additional breach of peremptory norms under an illegal situation. The fragmentation of Palestinian territory, the subjugation of its people, restrictions on movement, racial discrimination and state-sanctioned extrajudicial killings are all calculated to impede the right of the Palestinians to self-determination.

“96. For over seventy years, various United Nations resolutions, reports of Special Rapporteurs and human rights organisations have deplored the egregious discriminatory treatment of Palestinians in the Occupied Palestinian Territory, including in Gaza and East Jerusalem. These discriminatory laws and practices have only become more entrenched, systematic and deliberate as Israel’s illegal occupation continues.

“97. While the law of occupation allows different treatment, it does not permit grave breaches of human rights of the protected populations, nor to maintain a system of racial oppression and domination which would violate a peremptory norm of international law. The State of Israel is obligated to comply with international law, which prohibits discrimination on the basis of race, ethnicity, or nationality.

“98. Further, Article 85(4)(c) of the Protocol I to the Geneva Conventions lists ‘practices of apartheid and other inhuman and degrading practices involving outrages upon personal dignity, based on racial discrimination’ as grave breaches of the Geneva Conventions, when committed wilfully.

“99. The Court held in the *South West Africa Case* that to establish and enforce distinctions, exclusions, restrictions, and limitations exclusively based on the grounds of race, colour, descent or national or ethnic origin, constitute a denial of fundamental human rights and is a flagrant violation of the purposes and principles of the United Nations Charter. In 1980, the United Nations Security Council by means of [S/RES/471](#) ‘expressed deep concern that Israel, as the occupying Power, has failed to provide adequate protection of the civilian population in the occupied territories in conformity with the provision of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.’

“100. As recently as December 2022, the United Nations General Assembly adopted a resolution which demands that Israel ‘cease all measures contrary to international law, as well as discriminatory legislation, policies and actions in the Occupied Palestinian Territory’. The United Nations Special Rapporteur on

the right to adequate housing, in October 2022, referred to the ‘institutionalised regime of systematic racial oppression and discrimination’ which continues to lead to the destruction of Palestinian homes, calling it ‘nothing short of apartheid as defined under article 7(2)(h) of the Rome Statute’ and further referring to the forcible transfer of populations as satisfying the definition of persecution under Article 7(2)(g) of the Rome Statute.

“101. It is South Africa’s submission that not only does Israel continue to fail to provide adequate protection of a protected population with international status under international law, but that it in fact continues to impose an institutionalised regime of systematic racial oppression and discrimination against the people of Palestine which satisfies the prevailing evidentiary standard of the international crime of apartheid.

“102. As Dugard points out, apartheid has acquired a legal content that, while deriving from the South African experience, is at the same time independent from it, having permeated a number of branches of public international law. The International Law Commission in its draft conclusions on identification and legal consequences of peremptory norms of general international law (*jus cogens*), concluded that prohibition of racial discrimination and apartheid is a peremptory norm under international law.

“103. Three international treaties prohibit and/or explicitly criminalise apartheid as a crime against humanity: The International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the International Convention on the Suppression and Punishment of the Crime of Apartheid (Apartheid Convention) and the Rome Statute of the International Criminal Court (Rome Statute).

“104. The crime of apartheid is an international crime, not limited in territorial scope. While the Apartheid Convention refers to ‘southern Africa’, this reference is in relation to policies of racial segregation and discrimination similar to those practices in southern Africa indicating that its prohibition extends beyond the territorial scope of that region.

“105. The States of Palestine and Israel are both parties to the ICERD, while Palestine acceded to the Apartheid Convention in 2014. In 2015, by way of declaration under Article 12(3) of the Rome Statute, Palestine accepted the International Criminal Court’s jurisdiction as of 13 June 2014. It is South Africa’s submission that apartheid as a crime against humanity is a norm of *jus cogens* giving rise to obligations *erga omnes*. In the *Barcelona Traction Case*, the Court held that obligations *erga omnes* would arise in the case of the prohibition of racial discrimination as a norm of *jus cogens* and that these obligations would arise from ‘the principles and rules concerning the basic rights of the human person, including protection from slavery and from racial discrimination.’

“106. Turning to the definition of apartheid under international law, it is submitted that the Court is required to apply the definition for the crime of apartheid under customary international law. While ICERD defines racial discrimination and prohibits the practice of apartheid, it does not define its practice. Article 3 of ICERD imposes an obligation for ‘States Parties [to] particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories under their jurisdiction.’

“107. The Apartheid Convention affirms the categorization of apartheid as a crime against humanity. It designates a list of inhuman acts which amount to

apartheid ‘committed for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them.’

“108. It further enumerates the specific acts falling within the scope of apartheid, including murder, torture, inhuman treatment, and arbitrary arrest of individuals belonging to a particular racial group; deliberate imposition of living conditions upon a racial group with the intent to cause their physical destruction; legislative measures that discriminate in the realms of politics, society, economics and culture; actions that segregate the population along racial lines through the establishment of separate residential areas for racial groups; prohibition of interracial marriages; and persecution of individuals opposing apartheid.

“109. In respect of the crime of apartheid, Article 7(2)(h) of the Rome Statute refers to ‘inhumane acts of a character similar to those referred to in paragraph 1, committed in the context of an institutionalised regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime.’

“110. It is submitted that the Court should apply the list of practices as it appears in Article 2 of the Apartheid Convention, which, read with Article 7(2)(h) of the Rome Statute, may further amount to acts of apartheid when committed in a systematic manner by one racial group over any other racial group for the purpose of maintaining domination and oppression of that group.

“111. It is our contention that apartheid can be distinguished from other forms of prohibited discrimination, in that it involves an institutionalised element of law, policy and institutions and is state-sanctioned for the purpose of domination by one racial group over another. Israeli discriminatory and inhuman treatment of Palestinians has reached the threshold of apartheid within the meaning ascribed to it in the Apartheid Convention.

“112. This manifests in many ways, with evidence of differential and discriminatory treatment in land use, housing, access to natural resources, citizenship, residence, family reunification, freedom of movement, access to education and health, and freedom of association. The 2009 report of the United Nations Fact Finding Mission on the Gaza Conflict concluded that:

The systematic discrimination, both in law and in practice, against Palestinians, in legislation (including the existence of an entirely separate legal and court system which offers systematically worse conditions compared with that applicable to Israelis), and practice during arrest, detention, trial and sentence compared with Israeli citizens is contrary to ICCPR article 2 and potentially in violation of the prohibition on persecution as a crime against humanity.

“113. It is submitted for the purposes of the definition of apartheid under the Apartheid Convention, that Jewish Israelis and Palestinian Arabs are distinct groups. The Court has observed that ‘the definition of racial discrimination in the Convention includes “national or ethnic origin”. These references to “origin” denote, respectively, a person’s bond to a national or ethnic group at birth, whereas nationality is a legal attribute which is within the discretionary power of the State and can change during a person’s lifetime ... The Court notes that the other elements of the definition of racial discrimination, as set out in Article 1, paragraph 1, of ICERD, namely race, colour and descent, are also characteristics that are inherent at birth’.

“114. The inhuman acts specified in Article 2 of the Apartheid Convention are well documented by United Nations monitoring bodies and human rights organisations and it is not possible to enumerate them in this Statement. A number of reputable scholars and human rights organisations have concluded that the inhuman acts being perpetrated by Israel against Palestinians amount to apartheid under international law.

“115. The available evidence indicates that Israel is responsible for inhuman acts which fall within the ambit of Article 2(a), (c), (d) and (f) of the Apartheid Convention. This includes the right to life and liberty (Article 2(a)), given Israel’s excessive and disproportionate use of force against militants and civilians in Palestine, including arbitrary arrest and administrative detention. Palestinians as a group are further discriminated against through control of border crossings and permit and identity card systems, through the wall and checkpoints and separate roads within the West Bank (Article 2(c)). The fragmentation and expropriation of Palestinian land, the prevention of the return of Palestinian refugees have divided the Occupied Palestinian Territory into enclaves or Bantustans, similar to the then South African context (Article 2(d)). Israel’s systematic targeting of organisations and persons who oppose Israel’s domination and oppression of Palestinian people in the Occupied Palestinian Territory further meet the persecution element as contained in Article 2(f) of the Apartheid Convention.

“116. As to the institutionalised and systematic nature of Israel’s discrimination against and domination of the Palestinian group, it is South Africa’s contention that similar to the South African experience, the crime of apartheid is being committed against one group (the Palestinians) by another (Jewish group) to create a superior, privileged group, whose position is elevated through two-tiered systems and benefits reserved for such group through the granting of superior rights and privileges. This system is not random or isolated but widespread and oppressive, in a manner that is institutional and systemic, albeit dispersed among the fragmented Occupied Palestinian Territory.

“117. Israel’s discriminatory treatment of Palestinians must be viewed in its totality: it has created and maintained an institutionalised regime of systematic oppression wherever it controls territory, fuelled by demographic considerations that continue to shape its policies towards Palestinians. These manifest in the different sets of discriminatory and exclusionary laws, policies, and practices which intentionally serve to oppress and dominate Palestinians, to maximise the benefit to Jewish Israelis and to create a Jewish majority which is privileged in every respect.

“118. The only conclusion to draw is that these policies seek to advance the Jewish nation whose privilege can only be maintained through the dispossession and fragmentation of Palestinian land, the economic and political malignment of Palestinians, restrictions on their movement, the denial of their dignity and absence of legal protection through arbitrary laws and military orders. This reality is reminiscent of apartheid South Africa and the way in which the white minority government implemented the crime against humanity of apartheid to advance the white population through the oppression of the majority black population in South Africa between 1948 and 1994.”

The Republic of South Africa concurs with the finding of the International Court of Justice that the State of Israel is in violation of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination, which provides that States parties particularly condemn racial segregation and apartheid and undertake to prevent, prohibit and eradicate all practices of this nature in territories

under their jurisdiction. We also note that, in the declarations of Judge President Salam and Judge Tladi, Israel's actions are tantamount to apartheid. In this regard, it should be noted that the crime of apartheid was declared a crime against humanity in the International Convention on the Suppression and Punishment of the Crime of Apartheid and is defined as such by the 2002 Rome Statute of the International Criminal Court, which provides that apartheid means inhumane acts of a character similar to other crimes against humanity "committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime".

The International Law Commission in its draft conclusions on identification and legal consequences of peremptory norms of general international law (*jus cogens*), further concluded that prohibition of racial discrimination and apartheid is a peremptory norm under international law, from which no derogation is permitted.

South Africa therefore contends that the appropriate mechanism to follow up on the violations by Israel of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination identified by the International Court of Justice in its advisory opinion should be the re-establishment of the Special Committee against Apartheid. It would be recalled that the Special Committee against Apartheid was originally established under General Assembly resolution 1761 (XVII) of 6 November 1962. Over time, its mandate was expanded beyond reviewing developments in South Africa to include promoting an international campaign against apartheid. By its resolution 48/258 A, adopted on 23 June 1994, the General Assembly decided to "terminate" the Special Committee, following the holding of the first-ever democratic elections in South Africa. The mandate of the proposed re-established Special Committee could be based on the South African Committee, which was initially to review the racial policies of the Government and report periodically to the Security Council and the General Assembly. This mandate could be expanded to also include a monitoring, review and reporting obligation on the role of third States in providing assistance to the illegal situation of apartheid in Israel. The new committee should cooperate with, and wherever possible, seek to compliment the work of, relevant United Nations treaty bodies and special procedure mandate holders. A fundamental objective should be to ensure that Palestinians and Israelis have and enjoy full and equal rights, without discrimination. The Committee could also look at mobilizing resources to enable research, as well as educational and public activities, on racism and discrimination.

State of Palestine

[Original: English]
[8 November 2024]

With regard to the General Assembly's request to the Secretary-General to submit a report within three months on the implementation of the resolution, the State of Palestine submits this note outlining measures that are imperative to be undertaken by States and the United Nations in fulfilment of international legal obligations, including as stipulated in resolution ES-10/24, towards promoting accountability, protecting the Palestinian civilian population, bringing an end to Israel's illegal occupation of the Occupied Palestinian Territory, including East Jerusalem, as rapidly as possible, and ensuring the realization by the Palestinian people of their inalienable rights, including their exercise of the right to self-determination, including their right to an independent and sovereign State, over the entirety of the Occupied Palestinian Territory, including East Jerusalem.

In this regard, it is to be recalled that, pursuant to the authoritative determinations made by the International Court of Justice in its advisory opinion of 19 July 2024, the General Assembly demanded, inter alia, that Israel bring to an end without delay its unlawful presence in the Occupied Palestinian Territory, which constitutes a wrongful act of a continuing character entailing its international responsibility, and do so no later than 12 months from the adoption of the resolution.

Accordingly, the State of Palestine appeals to all States and international organizations to act, urgently and responsibly, collectively and individually, in accordance with international law, including international humanitarian and human rights law, to ensure respect of this principal and overarching demand, alongside all other demands rightly made, in resolution [ES-10/24](#) and all relevant resolutions to date, consistent with the historic and permanent responsibility of the United Nations towards the question of Palestine until it is justly resolved in all its aspects.

Maximum pressure must be brought to bear on Israel, the occupying Power, to bring an end to its illegal occupation, which constitutes both a wrongful act of a continuing character entailing international responsibility and a threat to international peace and security. Confronting this illegal and dangerous situation requires tangible measures of accountability aimed at halting Israel's impunity and crimes in the Occupied Palestinian Territory, including East Jerusalem, towards ultimately ending its unlawful occupation in every manifestation as rapidly as possible.

This must include actions to uphold obligations under articles 146, 147 and 148 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War concerning grave breaches and penal sanctions, as well as obligations under the Convention on the Prevention and Punishment of the Crime of Genocide, including in implementation of the respective provisional measures and orders of the International Court of Justice in the case concerning the application of the Convention (*South Africa vs. Israel*) in relation to the right of the Palestinian people in the Gaza Strip to be protected from all acts within the scope of articles II and III of the Genocide Convention. These conventions constitute customary international law, which all States must respect and to which there can be no exceptions.

Israel's gruesome ethnic cleansing campaign and genocide against the Palestinian civilian population in the Gaza Strip, as well as the escalating attacks of its occupying forces and extremist settler militias throughout the rest of Occupied Palestine in the West Bank, including East Jerusalem, add urgency to the need for accountability measures for all of the human rights violations, war crimes, crimes against humanity and acts of genocide it is perpetrating with a view to bringing them to an end and ensuring justice for the victims.

It is time for consequences, for sanctions on this illegal occupation, for the application of international law in all diplomatic, political, legal, military, economic, commercial and financial dealings with Israel aimed at ensuring accountability and ending the occupation. No trade, no arms, no legitimacy, support or assistance should be accorded to the occupying Power that would enable and prolong its violations of the rights of the Palestinian people, including denial of the right to self-determination, and enable and prolong its genocidal war in Gaza and illegal, colonial occupation and apartheid regime, all of which must be brought to a complete and permanent end.

In urging all necessary actions to this end, the State of Palestine highlights the following measures that must be immediately undertaken by all States and international organizations:

(a) In upholding the obligations not to recognize as legal the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory, including East Jerusalem, including not to recognize any changes in the physical character or

demographic composition, institutional structure or status of the Territory since 5 June 1967, all States and international organizations must respect the obligation to distinguish between Israel and the Palestinian territory occupied since 1967, as affirmed in Security Council resolution [2334 \(2016\)](#), as well as by the General Assembly and the Court;

This obligation must be upheld in the context of all diplomatic, political, legal, military, economic, commercial and financial dealings with Israel, as stipulated in resolution [ES-10/24](#). States and international organizations must not recognize, or cooperate with or assist in any manner in, any policies or measures by Israel to exploit the natural resources of the Occupied Palestinian Territory, to change its legal status, demography, geographic character, institutional structure and identity, and to entrench and prolong its control and illegal occupation of the Territory.

This must include, but is not limited to, the following:

- (i) States and international organizations must abstain from entering into treaty relations with Israel in all cases in which it purports to act on behalf of the Occupied Palestinian Territory, including East Jerusalem, or parts thereof;
- (ii) In view of the illegality of this 57-year occupation and Israel's flagrant contempt of the international community, including of the Security Council, the General Assembly and the International Court of Justice, and defiance of international law, law-abiding States that have diplomatic relations with Israel should urgently consider their suspension. Where such measures are not undertaken, those States and international organizations maintaining diplomatic relations with Israel, must ensure that all treaties, memorandums of understanding, economic agreements, military agreements, commercial arrangements, cultural and scientific exchanges and any other such agreements with Israel specify that they do not cover the Occupied Palestinian Territory, including East Jerusalem, and that Israel is not the sovereign in any part of the Territory;
- (iii) States and international organizations must refuse to sign agreements with Israel when it rejects the inclusion of such an explicit clause, should nullify agreements already signed that do not include such an explicit clause and that Israel refuses to amend accordingly, and should withdraw diplomatic representations and terminate joint projects should Israel reject such an explicit clarification in terms of reference;
- (iv) States and international organizations establishing and maintaining diplomatic missions in Israel must abstain from any recognition of Israel's illegal presence in the Occupied Palestinian Territory, including East Jerusalem;
- (v) States that have transferred their embassies from Tel Aviv to Jerusalem should withdraw them immediately, in respect of Security Council resolutions [478 \(1980\)](#) and [2334 \(2016\)](#), the International Court of Justice advisory opinion and the relevant General Assembly resolutions, including resolution [ES-10/24](#).
- (b) States and international organizations must give practical effect to the obligation not to render aid or assistance in maintaining the situation created by Israel's illegal presence in the Territory. This must include, inter alia:
 - (i) Enactment of sanctions, including travel bans and asset freezes, against any natural and legal persons engaged in the maintenance of Israel's unlawful presence in the Occupied Palestinian Territory, including East Jerusalem, including in connection with, enabling and abetting settler violence;
 - (ii) Cessation of all dealings with the Israeli settlements established in the Occupied Palestinian Territory, including East Jerusalem, in grave breach of

international law, including the cessation of any trade with settlements, any provision of services to the settlements and any exchange of services with the settlements;

(iii) Cessation of the importation of any products originating in the Israeli settlements. Measures in this regard should not be limited to “labelling” of settlement products, placing the onus on the nationals of respective States to determine the illegality of such products and act accordingly. Israeli goods produced in settlements in and from the exploitation of the natural resources of the Occupied Palestinian Territory, including East Jerusalem, must be prevented from reaching the markets of States;

(iv) Termination of economic or trade dealings or investments with Israel which may entrench its unlawful presence in the Occupied Palestinian Territory, including East Jerusalem and including with regard to the settlements and their associated regime;

(v) Ensuring that their nationals, and companies and entities under their jurisdiction, as well as their authorities, do not act in any way that would entail recognition or provide aid or assistance in maintaining the situation created by Israel’s illegal presence in the Occupied Palestinian Territory, including East Jerusalem, including by providing explicit guidance to them and legislation in this regard in line with international law.

(c) Protecting the Palestinian civilian population under Israel’s occupation in all parts of the Occupied Palestinian Territory, including in the Gaza Strip, and accelerating an end to this illegal occupation requires an immediate arms embargo against Israel.

All States and international organizations must act to bring a halt to all transfer of arms, munitions and related equipment being used by Israel, the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, to oppress, persecute and harm the Palestinian people, to kill, injure and maim Palestinian children, women and men, to arrest, detain and imprison them, to seize and destroy Palestinian property, to construct its settlements and the wall, to forcibly displace Palestinian civilians, to exploit their natural resources,; to colonize and annex the Palestinian land, and to prolong this illegal occupation in every manifestation.

In seeking to mobilize international action to this end, the State of Palestine was among the more than 50 signatories of the joint letter, issued on 1 November 2024, calling for an immediate halt to arms transfers to Israel. Palestine urges more States to join this coalition of countries and organizations that have committed to act to stop the endless supply of weapons being provided to Israel in response to the obligations affirmed in the advisory opinion of the International Court of Justice and General Assembly resolution [ES-10/24](#) in order to stop the mass atrocities and devastation being inflicted by Israel on a defenceless civilian population, support the demands and efforts for an immediate ceasefire to the horrific violence, and hasten an end to this illegal situation.

(d) In addition to halting arms transfer and munitions and related equipment to the occupying Power, ensuring protection to the Palestinian people, in fulfilment of obligations under international humanitarian law, including the Fourth Geneva Convention, requires the swift establishment of protection mechanisms.

The Conference of High Contracting Parties to the Fourth Geneva Convention called for by the General Assembly in resolution [ES-10/24](#) must make a significant contribution in this regard. The Conference should be convened without further delay and the High Contracting Parties should elaborate and adopt concrete measures to

enforce the Convention in the Occupied Palestinian Territory, including, inter alia, measures to protect the Palestinian people under Israel's illegal occupation.

In addition to the numerous relevant resolutions concerning the protection of civilians, the report by the Secretary-General on the protection of the Palestinian civilian population ([A/ES-10/794](#)) provides tangible options for protection that must be urgently revisited and acted upon. The dispatch of unarmed civilian protection, in line with relevant Security Council resolutions citing unarmed civilian protection as a tool for building a protective environment, should be among the means considered to protect Palestinian civilians, de-escalate tensions and prevent further violence against them by Israel's occupying forces and settlers.

(e) Protection also entails ensuring humanitarian assistance to the Palestinian civilian population under Israel's occupation in view of the occupying Power's systematic violation, and indeed blatant abrogation, of its obligations under international law, including humanitarian law, to ensure the well-being and safety of the population.

In this regard, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) remains indispensable. The Agency's humanitarian and development programmes and emergency assistance are absolutely vital for the 6 million Palestine refugees registered in the five fields of operation, with the gravest situation now being faced by refugees in three of the fields: in the Gaza Strip and the West Bank, including East Jerusalem, and in Lebanon as a result of Israel's military aggressions and other violations.

The mandate of UNRWA must be preserved and strengthened, politically and financially, and enabled to carry out its humanitarian mission in all fields of operation in accordance with international humanitarian obligations and the permanent responsibility of the United Nations towards the question of Palestine until it is justly resolved in all its aspects, including a just solution for the plight of the Palestine refugees in accordance with General Assembly resolution [194 \(III\)](#), which enshrined their right to return and to just compensation.

Efforts to preserve and strengthen UNRWA must also include demands for a halt to Israel's attacks on the Agency, including attacks on its personnel, premises and properties, a halt to its campaign aimed at discrediting, smearing and undermining the Agency, and a halt to its nefarious attempts to force a collapse of the Agency and terminate its mandate, especially in the Occupied Palestinian Territory, including East Jerusalem.

Such attempts include the recent "legislative" acts in the Israeli Knesset aimed at nullifying the 1967 agreement between UNRWA and Israel, stripping the Agency of its privileges and immunities, evicting it from its premises in East Jerusalem, and effectively outlawing and obstructing its operations, with fateful repercussions for millions of Palestine refugees for whom UNRWA is the only lifeline, especially in Gaza where the entire civilian population is suffering an unprecedented humanitarian catastrophe in a place reduced to rubble and ruin by Israel, which has destroyed over 80 per cent of civilian infrastructure and displaced 90 per cent of the population, and is in desperate need of life-saving assistance from UNRWA, including shelter, food, water, medicine and other essentials for mere survival.

States must demand that Israel rescind all such measures against the Agency and comply with its obligations under the Charter of the United Nations, the Convention on the Privileges and Immunities of the United Nations and international humanitarian law, and must demand that Israel cease attacks against UNRWA, cease the obstruction of its operations in the Gaza Strip and the West Bank, including East Jerusalem, and facilitate immediately safe, unimpeded humanitarian access.

States must also act collectively to hold Israel accountable for all of its violations in this regard. In this regard, the United Nations must undertake immediate, independent and transparent investigations of all attacks by Israel against UNRWA personnel and premises and properties towards ensuring full accountability and full reparations.

(f) Considering the finding of the International Court of Justice that Israel, the occupying Power, is in breach of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination, concerning the prohibition on racial segregation and apartheid, all States and the United Nations should act forthwith to ensure accountability for and halt all such abhorrent acts of discrimination.

In this regard, the State of Palestine calls for the speedy reconstitution of the United Nations Special Committee against Apartheid. Such action will be a significant contribution towards marshalling collective efforts to bringing an end to the systemic discrimination being perpetrated by Israel against the Palestinian people on the basis of, inter alia, race, religion or ethnic origin, which undoubtedly amounts to apartheid, and to bring Israel into compliance with its obligations under international law. All States should support the reconstitution of the Special Committee towards redress of this illegal situation and promotion of respect for the rights of the Palestinian people, including to self-determination and to live free of racial discrimination, segregation and apartheid.

(g) With regard to the General Assembly's call for support of accountability efforts for all victims, all States and international organizations, including the United Nations, should fully cooperate with judicial processes under way, including at the International Court of Justice, including in the case brought by South Africa under the Genocide Convention, and at the International Criminal Court, where the investigation into the situation in Palestine is ongoing and where the Prosecutor has requested arrest warrants for the Israeli Prime Minister and now-former Defence Minister that remain unfulfilled.

Moreover, all States and international organizations should support the dispatch of independent investigations in line with international standards to compile evidence of the atrocities committed by Israel, the occupying Power, against the Palestinian civilian population during the nearly six decades of its illegal occupation of the Occupied Palestinian Territory, including East Jerusalem, including in the past 13 months in the Gaza Strip, where the scope and scale of Israel's violations and war crimes have reached unprecedented levels and yet there is still no accountability.

To this end, all States should also be urged to give support to the Human Rights Council's Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and in Israel, as well as to the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, in view of their mandates and the important work they are doing to carry out inquiries and collect evidence regarding the human rights violations and grave breaches being perpetrated by Israel, the occupying Power.

In addition to investigations, the establishment of an international judicial tribunal would be crucial for determining the extent of these atrocities and the impact on the victims. Both mechanisms should be pursued towards the advancement of accountability as well as for determining reparations owed to the Palestinian people by Israel for all the harm and losses inflicted upon them.

In this regard, it is to be recalled that the International Court of Justice in its advisory opinion underscored the obligation of Israel to make reparation for the damage caused to all the natural or legal persons concerned in the Occupied Palestinian Territory. Moreover, the General Assembly, in its resolution [ES-10/24](#), recognized the need for

the establishment of an international mechanism for reparation for all damage, loss or injury arising from the internationally wrongful acts of Israel in the Occupied Palestinian Territory, and calls for the creation by Member States, in coordination with the United Nations and its relevant bodies, of an international register of damage to serve as a record, in documentary form, of evidence and claims information on damage, loss or injury to all natural and legal persons concerned, as well as to the Palestinian people, caused by the internationally wrongful acts of Israel in the Occupied Palestinian Territory, as well as to promote and coordinate evidence-gathering and initiatives aimed at securing such reparation by Israel. All States should support the rapid establishment of such mechanisms towards ensuring accountability and justice and should extend to such mechanisms their full cooperation, in line with international legal obligations.

(h) Considering the General Assembly's call in resolution [ES-10/24](#), on all States to comply with their obligations under international law, inter alia, as reflected in the advisory opinion, to promote, through joint and separate action, the realization of the right of the Palestinian people to self-determination, the respect of which is an obligation *erga omnes*, and refrain from any action which deprives the Palestinian people of this right and, while respecting the Charter of the United Nations and international law, to ensure that any impediment resulting from the illegal presence of Israel in the Occupied Palestinian Territory to the exercise by the Palestinian people of its right to self-determination is brought to an end, and recalling that the International Court of Justice, in its advisory opinion, affirmed that Palestinian people's right to self-determination, is inalienable and "cannot be subject to conditions on the part of the occupying Power", the State of Palestine urges that the following actions, among others, be immediately undertaken:

(i) Recognition of the State of Palestine: all States that have not yet recognized the State of Palestine should do so forthwith in support of the realization of the right of the Palestinian people to self-determination. Moreover, such an action would be a tangible rejection of Israel's unlawful presence in the Occupied Palestinian Territory, including East Jerusalem, depriving the occupying Power of any legitimacy for its continued presence therein, reaffirming that it is not the sovereign in that Territory and has no sovereignty rights whatsoever, and would constitute a tangible contribution towards the obligation to bring this illegal occupation to a swift end and towards the realization of the two-State solution in accordance with the relevant United Nations resolutions;

(ii) Support for the State of Palestine's admission to membership in the United Nations: all States should support this long-overdue step and all obstacles to its realization should be removed in respect of the right of the Palestinian people to self-determination, including to their independent State. As with recognition of the State of Palestine, such action would be consistent with international legal obligations, the relevant resolutions and the two-State solution, would be a contribution to upholding the principle of the inadmissibility of the acquisition of territory by force, which must be respected and upheld at all times in accordance with the Charter of the United Nations, and would be a contribution towards preserving and strengthening the territorial integrity and unity of the Occupied Palestinian Territory, including East Jerusalem, with a view to and until such time that Israel's illegal occupation is brought to an end;

(iii) Support for the Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP): all States should support the mandate and efforts of the Committee, including by joining the Committee, with a view to accelerating the realization of the rights of the Palestinian people and a just and lasting solution for the question of Palestine in all its aspects on the basis of

international law and the relevant resolutions. The Committee represents the essence of multilateralism and the purposes and principles of the Charter, pursuing dialogue and diplomacy, raising awareness and understanding, and promoting international action on the basis of international law and respect for human rights for the realization of justice and peace. The stigma attached to the Committee by some States should end, and the United Nations should continue to provide it with the necessary resources to implement its important mandate. The Committee's commitment and contribution to upholding international law and to the pursuit of justice and peace are proven and must be supported and strengthened.

(i) Implementation of resolution [ES-10/24](#) also requires immediate steps to be taken for the convening of an international conference under the auspices of the General Assembly for the implementation of the United Nations resolutions pertaining to the question of Palestine and the two-State solution for the achievement of a just, lasting and comprehensive peace in the Middle East. The State of Palestine is engaging with all delegations to promote the fulfilment of this provision of the resolution as soon as possible, and will present a draft resolution in the Assembly to advance its implementation. All States should support this effort and should engage as constructively and actively as possible to ensure its speedy and successful convening towards the realization of its crucial stated objectives.

(j) Implementation of resolution [ES-10/24](#) requires all of the actions indicated above, in addition to various other steps consistent with obligations under international law.

In this regard, considering Israel's systematic and flagrant violations of the Charter, of all relevant United Nations resolutions and all other tenets of international law, and its deliberate and continual incitement and attacks against UNRWA and the United Nations as a whole, including, inter alia, its hostile declaration of the Secretary-General as persona non grata and other ongoing, hostile acts against United Nations officials, including denial of visas and access to the Occupied Palestinian Territory, affecting the Commissioner-General of UNRWA, officials of the Office of the United Nations High Commissioner for Human Rights, United Nations special rapporteurs and the Commission of Inquiry, among others, as well as against diplomats of other countries, along with its blatant smear campaign against the United Nations and proven disrespect of all of its main organs, Israel's eligibility to remain seated in the General Assembly must be seriously examined.

A Member State that acts in total contradiction to the Charter, in contempt of every United Nations organ and body, including the Security Council, the General Assembly, the Human Rights Council, the International Court of Justice and the International Criminal Court, and attacks United Nations agencies, such as UNRWA, and incites against the Secretary-General and other United Nations officials, does not deserve to remain in the General Assembly availing itself of its benefits and privileges, while violating all of its obligations. All Member States must fulfil in good faith the obligations assumed by them in accordance with the Charter, including to accept and carry out the decisions of the Security Council, and the systematic, deliberate and flagrant failure to do so, along with direct attacks on the Organization itself, must entail consequences. It is therefore high time that States consider action to suspend Israel from the Assembly.

The State of Palestine concludes by reaffirming its appreciation to the Secretary-General for his leadership, for relentless calls for an immediate and permanent ceasefire in Gaza and for full respect of international law, including humanitarian and human rights law, in the entirety of the Occupied Palestinian Territory, including East Jerusalem, and for his long-standing efforts to promote a just and lasting solution for

the question of Palestine in accordance with international law and the relevant United Nations resolutions.

The State of Palestine looks forward to the report to be submitted by the Secretary-General to the General Assembly pursuant to resolution [ES-10/24](#), as well as all other follow-up efforts that will be made by the United Nations in respect of obligations pursuant to the advisory opinion of the International Court of Justice, and underscores the importance of these contributions to the collective efforts of the international community to bring an end to Israel's illegal occupation and to ensure the realization of the inalienable rights of the Palestinian people, including to self-determination and freedom, and the long-overdue establishment of justice and peace.

Switzerland

[Original: French]
[8 November 2024]

Switzerland is currently assessing the follow-up to be given to the relevant provisions of General Assembly resolution [ES-10/24](#), with the aim of ensuring the greatest possible compliance.

With regard to paragraph 12 of the resolution, Switzerland has taken note that the General Assembly invites it, in its capacity as the depositary of the Geneva Conventions, to convene a Conference of High Contracting Parties to the Fourth Geneva Convention within six months of the adoption of the present resolution.

In accordance with this resolution, Switzerland accepts the mandate to organize a conference within the prescribed time frame. Switzerland will be holding consultations with the High Contracting Parties, starting in November, in order to present the process and discuss their expectations. Initial briefings for the Geneva-based permanent missions are scheduled for mid-November.

The process is headed by Ambassador Franz Perrez, Director of the Directorate of Public International Law at the Federal Department of Foreign Affairs of Switzerland. These consultations will be led by Ambassador Salman Bal, in his capacity as Special Envoy for the Fourth Conference of High Contracting Parties to the Geneva Conventions.

Switzerland will therefore be taking the necessary preparatory measures, and will announce the date and venue of the conference in due course.

Syrian Arab Republic

[Original: Arabic]
[8 November 2024]

The Syrian Arab Republic affirms the importance of taking the following measures to implement General Assembly resolution [ES-10/24](#):

- An immediate end must be put to the crime of genocide being committed against the Palestinian people. A stop must be put to the humanitarian catastrophe in the Gaza Strip, and to attacks by the occupation forces and settler militias, including in the West Bank. Urgent and decisive measures must be taken to put an end to the continuous and systematic violations by Israel of international law and the Charter of the United Nations and its principles, as well as the hostile policies of Israel towards representatives of the United Nations, especially the Secretary-General, and its agencies, including UNRWA.

- A complete ban must be enforced on transfers of arms and ammunition to the Israeli occupation entity, and any other commercial transactions that might harm the Palestinian people. Sanctions, including travel bans and asset freezes, must be imposed and enforced against natural and legal persons implicated in crimes against the Palestinians and in perpetuating the Israeli occupation of Palestinian territory. That includes attacks and violence by the settler gangs.
- There must be accountability for the atrocities, crimes and human rights violations perpetrated by Israel, the occupying Power, against the Palestinian people over more than seven decades of occupation. There can be no impunity. The occupation authorities must be made to compensate the Palestinian people for the damage they have suffered.
- The advisory opinion of the International Court of Justice found Israel, the occupying Power, to be in breach of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination, which concerns the prevention of racial segregation and apartheid. The United Nations should take immediate action to address these grave violations, including by reconvening the Ad Hoc Committee of the Human Rights Council on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination, to ensure that these violations are brought to an end and that the human rights of the Palestinian people are respected, including their right to self-determination and freedom from racial discrimination and apartheid.
- Syria emphasizes the importance of the pivotal role of UNRWA, and calls for support for that Agency, pushback against any dilution of its mandate, and opposition to the invalid measures taken against it by Israel. UNRWA must be enabled to continue to provide assistance to Palestinians in their homeland and in host countries, including Syria. The consequences of withholding such assistance would be catastrophic.
- The Syrian Arab Republic stresses the need to put a stop to the barbaric Israeli aggression against Lebanon and the repeated Israeli attacks on the Syrian Arab Republic, to hold the Israeli occupation entity accountable for those attacks, and to ensure that they do not recur.
- Syria calls for earnest action to put a stop to Israeli settlement policies and the annexation and seizure of land, to return property to its owners, to prevent the forced displacement of people from their lands, and to reject Israeli measures aimed at changing the demographic and administrative character of occupied Arab territories, including the Syrian Golan.
- Syria reiterates its call for the implementation of United Nations resolutions relating to the Arab-Israeli conflict, in particular Security Council resolutions [242 \(1967\)](#), [338 \(1973\)](#) and [497 \(1981\)](#). An end must be put to the Israeli occupation of Arab territories in Palestine, the Syrian Golan and Lebanon. A Palestinian State must be established, and the Palestinian people must be enabled to exercise their inalienable right to self-determination on their land. Syria demands that the State of Palestine be granted full membership in the United Nations without delay.

Tunisia

[Original: Arabic]
[8 November 2024]

Paragraph 4 of General Assembly resolution ES-10/24

- Tunisia has spared no effort to uphold the right of the Palestinian people to self-determination, or to remove any obstacles to that right caused by the illegal presence of the occupying Power in the Occupied Palestinian Territory. Indeed, Tunisia hosted the headquarters of the Palestine Liberation Organization (PLO) from 1982 to 1993. It supported the efforts of PLO to defend the legitimate demand of the Palestinian people to establish an independent State with Al-Quds al-Sharif as its capital. When PLO and its leadership were present in the country, Tunisia paid a steep price: the occupying Power brutally attacked the town of Hammam Chott in 1985, claiming a heavy toll in lives and property.
- Tunisia supports the Palestinian cause, not least by refraining from any action, under any circumstances, that would deprive the Palestinian people of the right to self-determination. It endeavours to defend and strengthen that right, which is irrevocable, inalienable and imprescriptible. Tunisia raises the issue in regional and international forums and calls on all States, particularly members of the Security Council, to stop ignoring that right and bring an end to the historic injustice which the steadfast Palestinian people has endured for decades.
- Tunisia has never recognized as legal the situation arising from the unlawful presence of the occupying Power in the Occupied Palestinian Territory, and it will never do so. The occupation is illegitimate and flagrantly violates the property rights of the Palestinian people over their own land. That land was taken by force, and the inhabitants who were displaced have yet to recover what was theirs.
- Given that Tunisia has never recognized as legal the situation arising from the unlawful presence of the occupying Power in the Occupied Palestinian Territory, it could never render aid or assistance in maintaining that situation. Quite the opposite: it uses every means at its disposal to convince State representatives whom it meets in various forums that they must not recognize the aforementioned situation, and that they must prevail on the occupying Power to end its illegal presence in the Occupied Palestinian Territory.
- Tunisia recognizes the complete sovereignty of the State of Palestine over all the Occupied Palestinian Territory, with Al-Quds al-Sharif as its capital. It therefore does not recognize any changes in the physical character or demographic composition of the occupied territory. Similarly, Tunisia does not have any diplomatic, political, legal, military, economic, commercial or financial dealings with the occupying Power:
 - Tunisia does not recognize the occupying Power at all, and therefore does not have treaty relations with it in any area, including cases in which the occupying Power purports to act on behalf of the Occupied Palestinian Territory or a part thereof.
 - Tunisia does not recognize the occupying Power at all, and therefore has no economic or trade dealings with it concerning the Occupied Palestinian Territory or parts thereof which may entrench its unlawful presence in the Territory, including with regard to the settlements and their associated regime.
 - Tunisia does not recognize the occupying Power at all, and has not established diplomatic relations with that Power and will never do so.

- Tunisia does not recognize the occupying Power. It prevents trade or investment relations that assist in the maintenance of the illegal situation created by the occupying Power in the Occupied Palestinian Territory, including with regard to the settlements and their associated regime.
- The occupying Power runs roughshod over all humanitarian values by relentlessly targeting innocent Palestinian civilians in an unprecedented campaign of slaughter and displacement, in full view of the world. Tunisia takes this opportunity to assert its commitment to international humanitarian law. It calls on all States parties to the Fourth Geneva Convention that provide support to the occupying Power to refrain from doing so.
- Tunisia considers that the actions of the occupying Power in the Occupied Palestinian Territory go beyond apartheid and amount to systematic genocide. The international community must fulfil its legal, ethical and humanitarian responsibility to put a stop to such actions, which contravene an *erga omnes* obligation.

Paragraph 5 of General Assembly resolution ES-10/24

- Tunisia does not recognize the occupying Power. Its consistent and principled position is to support the comprehensive sovereignty of the State of Palestine over the entire Occupied Palestinian Territory, with Al-Quds al-Sharif as its capital. It spares no effort to ensure that its nationals, companies and entities under their jurisdiction, as well as their authorities, do not act in any way that would entail recognition or provide aid or assistance in maintaining the situation created by the occupying Power's illegal presence in the Occupied Palestinian Territory.
- Tunisia does not import any products originating in the settlements of the occupying Power. It cannot under any circumstances transfer any equipment of any nature to the occupying Power.
- Our country does not admit any natural persons, or deal with any legal persons, who are engaged in maintaining the occupying Power's unlawful presence in the Occupied Palestinian Territory, including in relation to settler violence.
- Tunisia supports accountability efforts for all victims.

Paragraph 10 of General Assembly resolution ES-10/24

- Tunisia calls on States that provide support to the occupying Power, or have been silent about the ongoing genocide of the defenceless Palestinian people, or have impeded the right of that people to exercise self-determination and establish an independent State on all its occupied territory, with Al-Quds al-Sharif as its capital, to fulfil their responsibility by establishing and funding an international mechanism to provide compensation for damage, loss or injury resulting from the internationally wrongful acts of the occupying Power in the Occupied Palestinian Territory. There can, however, be no legal reparations without restitution, which is the legal responsibility of all States.
- Tunisia is prepared to coordinate with the United Nations and its agencies to establish an international register of damage to serve as a record, in documentary form, of evidence and claims information on damage, loss or injury to all natural and legal persons concerned, as well as to the Palestinian people, caused by the internationally wrongful acts of the occupying Power in the Occupied Palestinian Territory, as well as to promote and coordinate evidence-gathering and initiatives aimed at securing such reparation by the occupying Power.

Türkiye

[Original: English]
[8 November 2024]

In its advisory opinion issued on 19 July 2024, the International Court of Justice legally confirmed that Israel pursues a policy of occupation and persecution against the Palestinian people. Türkiye has supported the process at the Justice by providing written and oral contributions to the advisory opinion.

In line with its principled approach towards the issue, Türkiye co-sponsored General Assembly resolution [ES-10/24](#) entitled “Advisory opinion of the International Court of Justice on the legal consequences arising from Israel’s policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel’s continued presence in the Occupied Palestinian Territory” adopted on 18 September 2024.

As an avid supporter of the implementation of this resolution, Türkiye’s actions to implement the resolution in line with our obligations under international law, *inter alia*, as reflected in the advisory opinion, are as follows:

(a) Türkiye is a member of the group of permanent representatives to the United Nations of the Organization of Islamic Cooperation on the implementation of General Assembly resolution [ES-10/24](#), which aims at identifying necessary actions for the timely implementation of the resolution;

(b) Türkiye is a member of the Committee on the Exercise of the Inalienable Rights of the Palestinian People and through joint and separate action works towards the realization of the right of the Palestinian people to self-determination;

(c) In line with resolution [ES-10/24](#), paragraph 4 (d) (ii), and as a result of the incessant Israeli aggression and the humanitarian catastrophe, Türkiye has restricted all trade with Israel. Türkiye announced that it will not resume trade until Israel agrees to a ceasefire and lets unhindered humanitarian aid into Gaza;

(d) The ongoing Israeli aggression in Gaza has led to humanitarian catastrophe in Palestine. More than 43,000 innocent Palestinian civilians have been killed in indiscriminate Israeli attacks. Türkiye has shipped humanitarian aid since the very first day to be delivered to Gaza; 86,000 tons of humanitarian aid has been sent to Palestine by Türkiye so far;

(e) As the Chair of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, Türkiye has been very vocal with regard to its support to the Agency. Türkiye contributed an additional \$2 million to the Agency this year on top of its annual contribution of \$10 million;

(f) In line with resolution [ES-10/24](#), paragraph 5 (b), Türkiye has launched an initiative at the United Nations to halt arms transfers to Israel. The joint letter calling for a halt to arms transfers to Israel, signed by 52 countries as well as the Arab League and the Organization of Islamic Cooperation, was sent to the Secretary-General, the President of the Security Council and the President of the General Assembly on 1 November 2024;

(g) Türkiye submitted its declaration of intervention in the case at the International Court of Justice on the application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (*South Africa vs. Israel*) on 7 August 2024;

(h) Türkiye recognizes the State of Palestine and has a diplomatic mission in Jerusalem. Türkiye also supports all international efforts to realize a two-State

solution. Recently, Türkiye joined the Global Alliance for the Implementation of the Two-State Solution, initiated by the Organization of Islamic Cooperation-League of Arab States Ministerial Committee on Gaza during the seventy-ninth session of the General Assembly's high-level week. Türkiye's voting pattern at the United Nations also reflects its support for the two-State solution: Türkiye co-sponsored the resolution [ES-10/23](#) of 10 May 2024, which extended Palestine's rights and privileges at the United Nations.

Türkiye will continue its efforts to ensure a permanent ceasefire in Gaza, to provide humanitarian aid to Palestinians, to support all efforts towards a two-State solution, to promote the recognition of the State of Palestine, and to raise awareness on this issue.

Annex II**Replies received from intergovernmental organizations****Contents**

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Organization of Islamic Cooperation	81

League of Arab States

[Original: English]
[8 November 2024]

The joint communiqué issued by the emergency ministerial meeting of the League of Arab States and the Organization of Islamic Cooperation held at United Nations Headquarters in New York on 27 September 2024, welcomed General Assembly resolution [ES-10/24](#) and mandated the Arab and Islamic groups to coordinate efforts with States and international organizations to take all necessary steps to implement the resolution, including by creating such mechanisms as an international mechanism for reparations, imposition of a weapons ban, ending all other commercial dealings that may harm Palestinians, implementing sanctions, including a travel ban, freezing assets of natural and legal persons engaged in maintaining Israel's illegal presences in the Occupied Palestinian Territories, including settlers' terrorism, ensuring accountability for the victims and holding an international conference to implement United Nations resolutions to implement the two-State vision.

The Council of the League of Arab States held an extraordinary session at the permanent representative level in Cairo on 22 October 2024 and called in its statement for the implementation of General Assembly resolution [ES-10/24](#) of 18 September 2024, and reiterated its previous resolutions concerning the necessity to initiate measures to suspend Israel's participation in the United Nations General Assembly and to take action on joining the ongoing genocide lawsuit against Israel at the International Court of Justice, prosecuting Israeli officials included in the list of shame ratified by the League, boycotting companies that collaborate with the Israeli occupation system, lifting the Israeli siege imposed on the Gaza Strip, and delivering urgent humanitarian aid to the Palestinian people.

The Council of the League of Arab States held an extraordinary session at the permanent representative level in Cairo on 31 October 2024 and emphasized in its resolution that the measures taken by Israel, the occupying power, against the United Nations Relief and Works Agency for Palestine Refugees in the Near East constituted a grave breach of Israel's obligations as the occupying Power in the occupied Palestinian territory, in accordance with international law, international humanitarian law, the Geneva Convention relative to the Protection of Civilian Persons in Time of War and the Charter of the United Nations, specifically, Article 2, paragraph 5, mandating all States to respect the rights of international organizations. The resolution also stated that these measures defy General Assembly resolution [ES-10/24](#), which called on Israel, among other obligations, to restore seized lands and assets since 1967 and to end its illegal presence in the occupied Palestinian territory within 12 months.

The League of Arab States General Secretariat participated in the first senior follow-up meeting on the Global Alliance for the Implementation of the Two-State Solution, held in Riyadh, Kingdom of Saudi Arabia, on 30 and 31 October 2024.

The League of Arab States intends to coordinate with the Organization of Islamic Cooperation towards convening the joint Arab-Islamic summit to be hosted by the Kingdom of Saudi Arabia on 11 November 2024 to address the ongoing Israeli aggression in the Occupied Palestinian Territory.

Organization of Islamic Cooperation

[Original: English]

[8 November 2024]

The following points summarize actions taken by the Organization of Islamic Cooperation to implement General Assembly resolution [ES-10/24](#), adopted on 18 September 2024, concerning the advisory opinion of the International Court of Justice on the legal consequences of Israel's policies and practices in the Occupied Palestinian Territory.

(a) The joint communiqué issued by the emergency ministerial meeting of the Organization of Islamic Cooperation and the League of Arab States, held at United Nations Headquarters in New York on 27 September 2024, welcomed General Assembly resolution [ES-10/24](#) of 18 September 2024 and urged States to take all necessary steps to implement the resolution;

(b) The ministerial meeting on the theme “The situation in Gaza and the implementation of the two-State solution as a path to a just and comprehensive peace” was co-organized in cooperation between the Arab-Islamic ministerial committee on the Gaza Strip, the European Union and Norway, in New York on 26 September 2024. The Global Alliance for the Implementation of the Two-State Solution was launched as an outcome of the meeting to further mobilize international support to that end;

(c) The General Secretariat of the Organization of Islamic Cooperation participated in the first senior follow-up meeting on the Global Alliance for the Implementation of the Two-State Solution, hosted in Riyadh, Kingdom of Saudi Arabia on 30 and 31 October 2024;

(d) The Organization of Islamic Cooperation held a coordination meeting at the level of foreign ministers and a meeting of the Committee of Six on Palestine, on 25 and 27 September 2024 on the margins of the seventy-ninth session of the United Nations General Assembly, and affirmed in their outcomes unwavering support for the inalienable rights of the Palestinian people;

(e) The joint Arab-Islamic ministerial committee on Gaza continues to exert efforts on behalf of the Organization of Islamic Cooperation and the League of Arab States to sensitize key world leaders and actors about the necessity to implement the actions set out in the advisory opinion of the International Court of Justice;

(f) The General Secretariat of the Organization of Islamic Cooperation is guiding the activities of the Islamic groups in several capitals mandated by the emergency ministerial meeting held in New York on 27 September 2024 to follow up the implementation of the General Assembly resolution;

(g) The Organization of Islamic Cooperation will coordinate with the League of Arab States towards convening as soon as possible the conference of High Level Contracting Parties to the Fourth Geneva Convention so as to enforce it in the occupied Palestinian territory;

(h) The Organization of Islamic Cooperation will step up efforts in coordination with other regional organizations and key actors to expedite the convening of an international conference to end the Israeli occupation and realize the two-State solution.

Annex III

United Nations entities, specialized agencies and related organizations invited to contribute to the report

United Nations entities

Department for General Assembly and Conference Management

Department of Economic and Social Affairs

Department of Global Communications

Department of Management Strategy, Policy and Compliance

Department of Operational Support

Department of Peace Operations

Department of Safety and Security

International Residual Mechanism for Criminal Tribunals

International Trade Centre

Joint United Nations Programme on HIV/AIDS

Office for the Coordination of Humanitarian Affairs

Office of Counter-Terrorism

Office for Disarmament Affairs

Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States

Office of Internal Oversight Services

Office of Legal Affairs

Office for Outer Space Affairs

Office of the Senior Humanitarian and Reconstruction Coordinator for Gaza

Office of the Special Adviser to the Secretary-General on Africa

Office of the Special Adviser to the Secretary-General on the Prevention of Genocide

Office of the Special Coordinator on Improving the United Nations Response to Sexual Exploitation and Abuse

Office of the Special Representative of the Secretary-General for Children and Armed Conflict

Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict

Office of the United Nations High Commissioner for Human Rights

Office of the United Nations High Commissioner for Refugees

Office of the United Nations Special Coordinator for the Middle East Peace Process

Office of the Under-Secretary-General for Policy

Secretariat of the Economic Commission for Africa

Secretariat of the Economic Commission for Europe
Secretariat of the Economic Commission for Latin America and the Caribbean
Secretariat of the Economic and Social Commission for Asia and the Pacific
Secretariat of the Economic and Social Commission for Western Asia
United Nations Children's Fund
United Nations Conference on Trade and Development
United Nations Development Programme
United Nations Entity for Gender Equality and the Empowerment of Women
United Nations Environment Programme
United Nations Joint Staff Pension Fund
United Nations Office on Drugs and Crime
United Nations Office at Geneva
United Nations Office at Nairobi
United Nations Office for Project Services
United Nations Office at Vienna
United Nations Population Fund
United Nations Register of Damage Caused by the Construction of the Wall in the Occupied Palestinian Territory
United Nations Relief and Works Agency for Palestine Refugees in the Near East
United Nations University

Specialized agencies and related organizations

Food and Agriculture Organization of the United Nations
International Atomic Energy Agency
International Civil Aviation Organization
International Criminal Court
International Finance Corporation
International Fund for Agricultural Development
International Labour Organization
International Maritime Organization
International Monetary Fund
International Organization for Migration
International Telecommunication Union
Organisation for the Prohibition of Chemical Weapons
Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization
United Nations Educational, Scientific and Cultural Organization

United Nations Industrial Development Organization

Universal Postal Union

Annex IV

Replies pertaining to paragraph 14 of General Assembly resolution [ES-10/24](#) from Member States received by the Office of the United Nations High Commissioner for Human Rights

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Belize

[Original: English]
[6 November 2024]

Belize has the honour to present its views on the establishment of a mechanism to follow up on the violations by Israel of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination identified by the International Court of Justice in its 2024 Advisory Opinion on Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem.

Belize has a long-standing record of supporting the right of the Palestinian people to self-determination and to be free from occupation, oppression and the violation of their most fundamental human rights. This includes recent actions by Belize focusing specifically on the right of the Palestinians to be free from racial segregation and apartheid.

In 2021, for example, the National Assembly of Belize adopted a resolution declaring that Israel's regime of systemic oppression of the Palestinian people constitutes a regime of settler colonialism and apartheid and resolved that the Government should support efforts of the United Nations investigation of Israeli apartheid.¹ In 2023–2024, Belize participated in the proceedings at the International Court of Justice concerning the Occupied Palestinian Territory, and focused specifically on Israel's commission of apartheid against the Palestinian people. In particular, Belize called for the reconstitution of the United Nations Special Committee against Apartheid and the United Nations Centre against Apartheid. Belize stated that these bodies could keep under review Israel's practice of apartheid against the Palestinian people and third States' related conduct, report to the United Nations General Assembly and/or Security Council, and produce reports and studies to educate and raise awareness about apartheid.²

Belize welcomed the finding of the International Court of Justice in its advisory opinion that Israel is in continuing breach of article 3 of the Convention, which prohibits racial segregation and apartheid.³ Belize also sponsored and voted in favour of General Assembly resolution [ES-10/24](#), in paragraph 14 of which the Assembly requested the Secretary-General to present proposals for the establishment of a mechanism to follow up on Israel's breach of article 3 of the Convention.

Belize repeats its position that the United Nations Special Committee against Apartheid and the United Nations Centre against Apartheid should be reconstituted, with appropriate adjustments to their mandates. These bodies played a meaningful role in bringing an end to the apartheid regime in South Africa and could serve the same goal in respect of Israel's policies of racial segregation and apartheid of the Palestinians.

¹ Belize, National Assembly resolution on Palestine motion, 26 and 28 October 2021.

² *Legal Consequences Arising from the Policies and Practices in the Occupied Palestinian Territory, including East Jerusalem*, written statement of Belize, 25 July 2023, para. 91.

³ *Ibid.*, *Advisory Opinion*, para. 229. See also separate opinion of Judge Tladi, para. 36 (interpreting the Court's finding of a breach of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination as "an acceptance that the policies and practices of Israel constitute a breach of the prohibition of apartheid, which itself is a peremptory norm of international law"); and Government of Belize, Press Office, "Belize welcomes the ICJ opinion on Israeli policies and practices in the Occupied Palestinian Territory", 22 July 2024, available at www.pressoffice.gov.bz/belize-welcomes-the-icj-opinion-on-israeli-policies-and-practices-in-the-occupied-palestinian-territory/.

The Special Committee against Apartheid, and the resolution establishing it, had a number of features that could be valuably redeployed in a modified format in respect of Israel's racial segregation and apartheid policies. Some such features, and Belize's additional recommendations, are:

(a) **Ensuring that the scope of the Special Committee's mandate is appropriate to the circumstances.** General Assembly resolution 1761 (XVII) of 1962 establishing the Special Committee's mandate applied to "the racial policies of the Government of South Africa". The scope of the reconstituted Special Committee's mandate should be either similarly broad, or expressly framed to take into account particularities of Israel's racial segregation and apartheid policies and practices, including:

(i) **No territorial or racial limit.** The mandate should cover Israel's racial policies against Palestinians and other racial minorities affected by such policies and practices wherever they are located, that is, including Palestinians in Israel, in Gaza, in the West Bank, and Palestinians in other places to the extent they are affected by Israel's policies and practices;

(ii) **No strict subject-matter limit that would exclude important features of the systemic racial policies Palestinians are subjected to.** The Special Committee's mandate should enable it, as noted below, to recognize and reflect within its activities and work the multifaceted connections between Israel's racial segregation and apartheid policies and its other violations of international human rights and humanitarian law, as established by United Nations commissions of inquiry and other United Nations bodies (including the International Court of Justice);

(iii) **No strict subject-matter limit based on the finding of the International Court of Justice of breach of article 3 of the Convention on the Elimination of All Forms of Racial Discrimination.** Paragraph 14 of General Assembly resolution ES-10/24 requests the Secretary-General to report on a mechanism to follow up on the violations by Israel of article 3 of the Convention found by the Court in its 2024 advisory opinion. The Court held that "Israel's legislation and measures [that] impose and serve to maintain a near-complete separation in the West Bank and East Jerusalem between the settler and Palestinian communities" constitute a breach of article 3 of the Convention.⁴ While the mandate of the reconstituted Special Committee should take into account the separation policies in the West Bank and East Jerusalem, it should also include Israel's policies and practices that may amount to a violation of article 3 of the Convention which are premised on other facts, including the developing situation on the ground; important considerations of preventing racial segregation and apartheid in violation of article 3 of the Convention; and the breadth of measures that the United Nations and its Member States should take to dissuade Israel from continuing its policies and practices of racial segregation and apartheid, which must not be limited solely to measures with a direct connection to those policies (as evidenced by the measures of general pressure the resolution establishing the Special Committee in 1962 called on Member States to implement, which are summarized below, including cutting diplomatic relations, closing ports and trade boycotts);

(b) **Reporting by the Special Committee on the racial segregation and apartheid regime.** The Special Committee had a mandate to keep the racial policies of the Government of South Africa under review when the Assembly is not in session

⁴ *Legal Consequences Arising from the Policies and Practices in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion*, para. 229.

and to report either to the Assembly or to the Security Council or to both, as may be appropriate, from time to time. Similar reporting requirements should be included in the reconstituted Special Committee's mandate. More specifically:

(i) The mandate should require detailed reports to document the ways in which Israel's racial segregation and apartheid practices are constructed, implemented and affect the Palestinian people, drawing on the work of other relevant United Nations bodies, including but not limited to the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967; the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (and other commissions of inquiry); the Committee on the Exercise of the Inalienable Rights of the Palestinian People; and the Committee on the Elimination of Racial Discrimination; as well as undertaking its own investigations and receipt of communications from relevant actors to the extent feasible. Shedding light on the multifaceted and structural nature of Israel's racial segregation and apartheid policies and practices is important to raise awareness about them, and to provide the United Nations and Member States with the information necessary to tailor their responsive actions in the manner that is most effective for bringing about an end to the racial segregation and apartheid;

(ii) The Special Committee's reports should also evaluate measures taken by Israel to comply with its international obligations, and the measures taken by the United Nations and its Member States to bring Israel's policies and practices of racial segregation and apartheid to an end. In this respect, the reports by United Nations Member States to the Special Committee (discussed below) and reports by States parties submitted to the Committee on the Elimination of Racial Discrimination and other human rights treaties bodies should be sequenced, cross-referenced and considered in the round where possible;

(iii) The Special Committee should be required to report to the General Assembly or the Security Council regularly, and no less than every six months;

(c) **Specific measures to be taken by United Nations Member States.** The resolution establishing the Special Committee in 1962 called on all Member States to take the following measures, separately or collectively, to bring about the end of South Africa's policies: (a) breaking off diplomatic relations, (b) closing their ports to vessels flying the flag of South Africa, (c) enacting legislation prohibiting such ships from entering their ports, (d) boycotting all South African goods and refraining from exporting goods, including arms and ammunition, to South Africa, and (e) refusing landing and passage facilities to all aircraft belonging to the Government of South Africa and companies registered under the laws of South Africa. The same provisions should be included in a resolution reconstituting the Special Committee in respect of Israel's racial policies and practices. These measures should be reviewed and revised throughout Member States' continual efforts to bring Israel's racial segregation and apartheid policies and practices to an end, and such reviews and revisions should be reported on and evaluated by the Special Committee in the reporting process (discussed above and below). Belize notes that it took measures to break off diplomatic relations with Israel in November 2023,⁵ and its National Assembly resolution in 2021 called on the Government "to put an end to any kind of military, police training or security exchange or trade with Israel";⁶

⁵ Government of Belize Press Office, "Belize Takes Measures against Israel", 14 November 2023, available at <https://www.pressoffice.gov.bz/belize-takes-measures-against-israel/>.

⁶ Belize, National Assembly resolution on Palestine motion, para. 6.

(d) **Cooperation and reporting by Member States to the United Nations on the measures they are adopting.** The resolution establishing the Special Committee in 1962 called on all Member States to do everything in their power to help the Special Committee to accomplish its task and to refrain from any act likely to delay or hinder the implementation of the resolution. Member States were also invited to report to the General Assembly on actions taken, separately or collectively, in dissuading the Government of South Africa from pursuing its policies of apartheid. A similar provision for Member State cooperation and reporting should be made in the resolution reconstituting the Special Committee, but the provisions should be worded in a stronger manner to reflect the well-established position today that the prohibitions on racial segregation and apartheid are peremptory norms of international law,⁷ and that accordingly Member States are obliged to cooperate in bringing violations of such prohibitions to an end, obliged not to recognize a situation arising from a violation, and obliged not to aid or assist in the maintenance of that situation.⁸ The resolution should, in particular, require Member States to report to the Special Committee on the measures they are taking to bring Israel's racial segregation and apartheid policies and practices to an end. Strong support for United Nations bodies working against Israeli practices is particularly important in the current climate wherein Israel is targeting United Nations personnel and facilities⁹ and has banned the presence of and engagement with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), in violation of the International Court of Justice's provisional measures order and basic precepts of humanity;¹⁰

(e) **United Nations Security Council sanctions and suspension.** The resolution establishing the Special Committee in 1962 also requested the Security Council to take appropriate measures, including sanctions, to secure South Africa's compliance with the resolutions of the General Assembly and of the Security Council, and, if necessary, to consider action under Article 6 of the Charter (i.e. expulsion). A similar provision should be included in the resolution establishing the reconstituted Special Committee calling on the Security Council to ensure compliance by Israel with its international obligations under the Charter and international law prohibitions on racial segregation and apartheid, and to consider suspending Israel's membership

⁷ International Law Commission (ILC), Draft conclusions on identification and legal consequences of peremptory norms, annex, para. (e); ILC, articles on State responsibility, commentary to article 26, para. 5, and commentary to article 40, para. 4; and James Crawford, *Brownlie's Principles of Public International Law*, 9th ed. (Oxford University Press, 2019), pp. 581–582.

⁸ ILC, articles on State responsibility, article 41; and *Legal Consequences Arising from the Policies and Practices in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion*, paras. 229 and 279.

⁹ For example, Michelle Nichols, "Shots fired, bulldozers rammed cars during UN standoff with Israeli military", *Reuters*, 10 September 2024, available at www.reuters.com/world/middle-east/shots-fired-bulldozers-rammed-cars-during-un-standoff-with-israeli-military-2024-09-10/, which reported that "A convoy of clearly marked armored U.N. vehicles in Gaza was encircled and held at gunpoint on Monday by Israeli forces"; and United Nations Interim Force in Lebanon (UNFIL), statement of 20 October 2024, available at <https://unifil.unmissions.org/unifil-statement-20-october-2024>, which stated "Earlier today, an IDF bulldozer deliberately demolished an observation tower and perimeter fence of a UN position in Marwahin".

¹⁰ Sam Sokol and Jacob Magid, "Knesset approves laws barring UNRWA from Israel, limiting it in Gaza and West Bank", *The Times of Israel*, 29 October 2024, available at www.timesofisrael.com/knesset-approves-laws-barring-unrwa-from-israel-limiting-it-in-gaza-and-west-bank/; statement by the Secretary-General on Israeli legislation on UNRWA, 28 October 2024, available at www.un.org/sg/en/content/sg/statement/2024-10-28/statement-of-the-secretary-general-israeli-legislation-unrwa; and *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, Provisional Measures Order, 28 March 2024, para. 51 (2)(a), and see also *Provisional Measures Order*, 26 January 2024, para. 86 (4) and *Provisional Measures Order*, 24 May 2024, para. 57 (2)(b).

of the United Nations, or particular bodies of the United Nations, if it fails to comply. The resolution should also recommend that the General Assembly Credentials Committee consider suspending Israel from participating in its work by refusing to accept the credentials of Israel's delegation, as occurred with South Africa;¹¹

(f) **Mandate specific activities.** The Special Committee engaged in a number of the following activities in connection with ending South Africa's apartheid, which could be formalized by express inclusion in the reconstituted Special Committee's mandate.¹² Belize also includes here additional suggestions for mandated specific activities:

- (i) Promoting the international campaign against racial segregation and apartheid, including through media presentations and the organization of conferences and seminars to promote coordinated action by governments and the public;
- (ii) Pressing for effective sanctions against the apartheid regime and legitimizing calls for divestment and boycotts (including trade, and Israel's participation in cultural (e.g. Eurovision) and sporting exchanges and forums);
- (iii) Arranging for assistance to the victims of racial segregation and apartheid, and assistance to liberation movements, including assisting in organising campaigns for the release of political prisoners;
- (iv) Bringing much needed publicity to the crime and internationally wrongful act of apartheid, and the legitimate resistance of the Palestinian people, in order to build support for international collective action;
- (v) Promoting action outside of the auspices of the United Nations such as the establishment of funds and agencies with support from committed governments and non-governmental organizations, in order to supplement, support and, importantly, go beyond United Nations action and do what United Nations agencies cannot do;
- (vi) Supporting international accountability and reparations efforts aimed at holding individuals and Israel responsible for the crime and internationally wrongful act of apartheid, and ensuring Israel fulfils its obligations to make full reparation for the damage caused by such conduct, consistently with the International Court of Justice's advisory opinion and General Assembly resolution [ES-10/24](#);¹³
- (vii) Encouraging the Security Council to adopt a binding resolution formally calling on Member States, under Article 25 of the Charter of the United Nations, to comply with their obligations to cooperate to end, not recognize and not aid or assist in the continuation of Israel's racial segregation and apartheid policies and practices. The Security Council resolution should also oblige Member States to report to the Special Committee on the actions taken, separately or collectively, in dissuading Israel from pursuing its policies and practices of racial segregation and apartheid;

¹¹ UN Photo, "General Assembly decides to suspend South Africa from participation in its work", 12 November 1974, available at <https://media.un.org/photo/en/asset/oun7/oun7593912#:text=The%20decision%20upheld%20a%20ruling.delegation%20participate%20in%20its%20work>.

¹² See Michigan State University, African Activist Archive, "Special Committee Against Apartheid," available at <https://africanactivist.msu.edu/organization/210-813-65/>; and Enuga S. Reddy, "The struggle against apartheid: lessons for today's world", UN Chronicle, 1 September 2007, available at www.un.org/en/chronicle/article/struggle-against-apartheid-lessons-todays-world.

¹³ *Advisory Opinion*, paras. 269–271; and resolution [ES-10/24](#), paras. 5 (c)–(d), 9 and 11.

(viii) Reviewing and reporting on the efforts that Member States are undertaking to comply with their obligations to cooperate in bringing about an end to Israel's racial segregation and apartheid and not to recognize or aid and assist in its continuation (including name and shame reporting);

(ix) Recognizing and reflecting within its activities and work the multifaceted connections between Israel's racial segregation and apartheid policies and its other violations of international human rights and humanitarian law, as established by United Nations commissions of inquiry and other United Nations bodies (including the International Court of Justice).

In addition to reconstituting the Special Committee, the United Nations should also reconstitute the United Nations Centre against Apartheid. The Centre was initially created to help the Special Committee develop its international campaign, produce reports and studies on racial segregation and apartheid, lead public awareness campaigns and provide humanitarian and educational assistance to the victims of apartheid. It could serve a similar function in supporting the reconstituted Special Committee's efforts in respect of Israel.

The establishment of a United Nations mechanism focused on ending Israel's policies and practices of racial segregation and apartheid is of paramount importance. The historical experience with South Africa has shown that dismantling institutions and systemic practices of racial discrimination and apartheid, formalized in legislation and cemented in State-sanctioned and produced propaganda, is incredibly difficult and complex. In South Africa, it took decades of activism from inside the country, a near impossible prospect for Palestinians who are regularly subjected to violent repression, including through the use of lethal force and genocide and from outside the country, coupled with significant international economic pressure imposed by sanctions and trade boycotts. The scale of the pressure that needs to be brought to bear on Israel cannot be achieved by individual States alone, but must be achieved by the international community working together, including through a dedicated United Nations mechanism as a means to galvanize, legitimize and support the necessary collective action.

The need to end the abhorrent crime of apartheid wherever it exists is always urgent, but it is particularly urgent in the case of the Palestinians, who are being subjected to war crimes, crimes against humanity¹⁴ and genocide in Gaza,¹⁵ as well as increasingly violent repression in the West Bank.¹⁶ With every day that passes, the Palestinians continue to suffer on an unimaginable scale, with the cruel consequences of apartheid compounded by multifaceted and interconnected constant threats to their

¹⁴ See, e.g., the report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (A/79/232), of 11 September 2024, paras. 89, 91, 94, 95, 98, 100, 102, 105 and 107–110, making findings of the war crimes of wilful killing, torture, rape, attacks intentionally directed against civilians and specifically protected persons such as medical staff, attacks intentionally directed against civilian and specifically protected objects such as medical facilities, inhuman treatment of detainees and outrages upon personal dignity, using detainees as human shields, forced displacement and seizing protected property, and making findings of the crimes against humanity of extermination, torture, rape, forcible transfer, enforced disappearance and other inhumane acts.

¹⁵ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, Order, 26 January 2024, paras. 74 and 86 (1); and see, e.g., report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese (A/79/384), of 1 October 2024, para. 3, in which she states "Patterns of violence against the group as a whole warrant the application of the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention) in order to cease, prevent and punish genocide in the whole of the occupied Palestinian territory".

¹⁶ Ibid., paras. 24–34.

lives and their most fundamental human rights. This situation demands urgent and meaningful action from the international community adequate to meet the unique challenges of this situation.

Iran (Islamic Republic of)

[Original: English]
[23 October 2024]

Discrimination, as identified by the International Court of Justice in its advisory opinion

The Islamic Republic of Iran hereby submits its proposal in response to the request from the Office of the United Nations High Commissioner for Human Rights, as delineated in paragraph 14 of the General Assembly resolution [ES-10/24](#), concerning the establishment of a mechanism to follow up on violations by the Israeli regime of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination, as identified by the International Court of Justice in its advisory opinion. This proposal meticulously outlines the legal documentation and relevant facts pertaining to violations of article 3 of the Convention, which have met the legal criteria for the commission of the crime of apartheid, and the submitted documentation demonstrates that an apartheid system has been established by the Israeli regime to maintain domination over Palestinians. Furthermore, it endeavours to address the establishment of a robust monitoring mechanism through the creation of an Apartheid Committee to ensure accountability for the apartheid crimes that the Israeli regime persistently commits, in alignment with United Nations General Assembly resolutions.

The Islamic Republic of Iran to the United Nations Office at Geneva submits its legal and fact-based assessment, addressing the entrenched apartheid system imposed by the Israeli regime on the Palestinian people. This document aims to shed light on the systemic and pervasive nature of apartheid that has evolved over decades, rooted in laws, policies and institutions designed not to uphold justice, but to reinforce racial domination and oppression. Through a critical evaluation of these legal frameworks, it becomes evident that the Israeli regime's institutions are instruments of apartheid, systematically depriving Palestinians of their fundamental rights and freedoms. The regime's apparatus, functioning with impunity, has become an enduring symbol of racial segregation and oppression, entrenching a status quo of grave injustice that cannot be ignored.

Furthermore, the Islamic Republic of Iran emphasizes that none of the content within this legal response, whether referencing the laws, institutions or practices of this illegitimate regime, should be interpreted as recognition of the Israeli regime, nor as a departure from Iran's longstanding legal and principled positions regarding apartheid, the International Convention on the Elimination of All Forms of Racial Discrimination, and other relevant legal frameworks. This document solely serves to expose the apartheid nature of the Israeli regime. The analysis presented outlines the factual and legal dimensions of this system of oppression, illustrating its deeply embedded violations of international law and human rights. In doing so, it underscores the urgent necessity for the establishment of an Apartheid Committee, tasked with conducting a thorough investigation into the discriminatory actions and policies of the Israeli apartheid regime, as a critical step towards justice and accountability.

In relation to paragraph 14 of General Assembly resolution [ES-10/24](#) of 18 September 2024, which addresses article 3 of the Convention as identified by the

International Court of Justice in its advisory opinion, several critical points must be highlighted.

First and foremost, the International Court of Justice advisory opinion on the Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, reached a decisive conclusion. The Court found that:

Israel's legislation and measures impose and serve to maintain a near complete separation in the West Bank and East Jerusalem between the settler and Palestinian communities. For this reason, the Court considers that Israel's legislation and measures constitute a breach of Article 3 of CERD.¹

This finding is of paramount importance, as article 3 of the Convention explicitly prohibits racial segregation and apartheid. In this context, Judge Tladi, in his declaration, unequivocally affirmed: "The Court was correct to find that the policies and practices of Israel in the Occupied Palestinian Territory amount to apartheid."² This statement reflects the clear and irrefutable nature of Israel's apartheid regime as observed within the occupied Palestine.

The argument that Israel has merely violated article 3 without engaging in apartheid is legally unsound. This line of reasoning neglects the clear and sustained evidence of apartheid policies in the Occupied Palestinian Territory. As outlined in the subsequent legal and factual analysis, it will be conclusively demonstrated that Israel constitutes an apartheid regime under international law. The presented evidence, along with the relevant legal standards, firmly substantiates this reality, necessitating accountability for the grave violations and crimes committed under its framework.

The breadth and severity of racially discriminatory violations committed against Palestinians are evident in the preceding analysis of the Israeli regime's policies against Palestinians under article 5 of the Convention. These violations, persistent and far-reaching, not only represent individual breaches of fundamental rights but collectively constitute a systematic and institutionalized form of domination, fulfilling the criteria of apartheid. Under article II of the International Convention on the Suppression and Punishment of the Crime of Apartheid, many of these actions qualify as "inhuman acts" of apartheid. The evidence overwhelmingly points to the Israeli regime's responsibility for committing such acts as defined in article II (a), (c), (d) and (f) of the Apartheid Convention.

First, in interpreting the term apartheid, it is important to recall that the definition in the Apartheid Convention is prefaced by the statement "which shall include policies and practices of racial segregation and discrimination as practised in southern Africa ...". The policies and practices of the Israeli regime in the Occupied Palestine are, in many respects, identical to those of apartheid South Africa. As the International Tribunal for the Former Yugoslavia noted in the context of genocide, intention and purpose can be inferred from a number of facts and circumstances, including the general context and the systematic perpetration of other culpable acts against the same group.³

Given the comprehensive nature of the outlined policies and practices, it is impossible to view these segregationist acts, particularly the explicit, legislated policy that reserves self-determination in Palestine exclusively for Jewish individuals, without recognizing their clear purpose of dominating the Palestinian population.

¹ *Advisory Opinion*, para. 229.

² *Ibid.*, declaration of Judge Tladi, para. 5.

³ International Tribunal for the Former Yugoslavia, Appeals Chamber, *Prosecutor v. Goran Jelisić*, Case No. IT-95-10-A, Judgement, 5 July 2001, para. 47.

Furthermore, it is important to remember that establishing “the purpose of domination” does not require domination to be the sole or even dominant reason for the discriminatory measures. In the same vein, the actions of the Israeli regime aim to entrench a system of racial domination and segregation, regardless of any justifications offered. Thus, the evidence presented conclusively demonstrates that the crime of apartheid is being perpetrated by the Israeli regime. This is evidenced by the establishment of a dual legal system, whereby civil laws are applied to Jewish settlers, granting them privileges, while Palestinians are subjected to punitive military laws and courts. Such a system clearly constitutes the institutionalized segregation, domination and systematic oppression that are the defining elements of the crime of apartheid under international law.

Article II (a) of the Apartheid Convention pertains to the denial of the right to life and liberty of person for members of a racial group. The Israeli regime’s policies and practices in the West Bank include extrajudicial killings of Palestinians resisting occupation, often targeting political leaders and militants. These killings also extend to the deaths of innocent bystanders, dismissed as “collateral damage” during military operations. Routine incursions, raids and the disproportionate use of force against civilian demonstrators further exacerbate this violation. Similarly, the denial of liberty is manifest in the mass arrests and systematic detention of Palestinians, who form the overwhelming majority of detainees from the Occupied Palestinian Territory. For instance, in 2006, of the 9,498 security prisoners held by the Israeli regime, only 12 were Jewish Israelis.⁴ Arbitrary arrests, including “administrative detention” without charge or trial, remain a central feature of the regime’s occupation policy, illustrating a deliberate and entrenched pattern of racial domination and oppression against the Palestinian people.

Article II (c) of the Apartheid Convention is a comprehensive clause, defining acts of apartheid as including any measures deliberately designed to prevent a racial group from fully participating in the political, social, economic and cultural life of a country, as well as the intentional creation of conditions that hinder the complete development of that group. This provision identifies nine fundamental rights and freedoms whose denial would obstruct the subjugated group’s ability to engage in civil, political, socioeconomic and cultural progress. Such a denial, in turn, serves to entrench the systematic domination of the oppressor.

The Israeli regime’s persistent violations of these fundamental rights in the Occupied Palestine, as stipulated in article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, are well documented. Palestinians are routinely denied the right to freedom of movement, which is severely restricted through checkpoints, walls and other military and administrative barriers. Furthermore, their right to freedom of residence is consistently undermined by policies of forced displacement and home demolitions, while the right to leave and return to their country is rendered practically inaccessible through complex legal and bureaucratic restrictions. Palestinians are also denied the right to a nationality, as the Israeli regime’s policies deliberately erode the recognition of their national identity and sovereignty.

In addition, economic rights such as the right to work are systematically violated. The Israeli regime’s occupation policies severely limit Palestinians’ access to employment, often restricting their ability to engage in productive economic activities. This extends to the right to form and join trade unions, which is similarly curtailed, further diminishing Palestinians’ capacity to organize collectively for the protection of their labour rights and economic well-being. These cumulative violations, as outlined

⁴ Letter from the Israeli regime Prison Service to Adalah, The Legal Center for Arab Minority Rights in Israel (6 November 2006).

in article II (c) of the Apartheid Convention, demonstrate the deliberate and ongoing effort by the Israeli regime to stifle the political, social and economic development of the Palestinian people, reinforcing the entrenched structures of racial segregation and domination.

The 2009 report of the United Nations Fact-Finding Mission on the Gaza Conflict lends significant credence to the assertion of apartheid in the Occupied Palestinian Territory, particularly in relation to article II (a) and (c) of the Apartheid Convention. The report meticulously presents compelling evidence of “discrimination and differential treatment” between Palestinians and Israeli Jews, spanning critical areas such as judicial treatment, land use, housing and access to natural resources; citizenship, residency and family unification; access to essential food and water supplies; the use of force against demonstrators; freedom of movement; and access to healthcare, education, social services and freedom of association. The report’s findings strongly affirm the existence of systemic discrimination against Palestinians, and it raises the serious prospect of the commission of the crime against humanity of persecution.⁵

The systematic discrimination, both in law and in practice, against Palestinians, in legislation (including the existence of an entirely separate legal and court system which offers systematically worse conditions compared with that applicable to Israelis), and practice during arrest, detention, trial and sentencing compared with Israeli citizens is contrary to ICCPR, article 2, and potentially in violation of the prohibition on persecution as a crime against humanity.⁶

This body of evidence, therefore, not only corroborates the view that the policies and practices of the Israeli regime violate fundamental principles of international human rights law but also strengthens the argument that these violations indeed constitute apartheid. The apartheid nature of the Israeli regime has been meticulously documented over the past two years by the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories. The Special Rapporteur unequivocally concluded that “systemic and widespread discriminatory Israeli policies and practices against the Palestinians amount to the crime of apartheid under international law.”⁷

Article II (d) of the Apartheid Convention expressly prohibits measures intended to divide the population along racial lines. Such segregation is a defining characteristic of an apartheid system, evoking the “grand apartheid” policies of South Africa, particularly through its mention of the creation of separate reserves and ghettos for specific racial groups. The policies implemented by the Israeli regime throughout the occupation, most notably since the late 1970s, have culminated in the construction of the Wall since 2002 and the ongoing blockade of Gaza since 2007. These actions have effectively fragmented the occupied Palestine into a series of non-contiguous enclaves or “reserves”, confining Palestinians within these isolated regions. East Jerusalem, the cultural and economic heart of Palestine, has been similarly impacted, with Palestinians there largely segregated from the Jewish-Israeli population of the city and increasingly cut off from the rest of the occupied Palestine.

Through residence and movement restrictions that advance the explicit agenda of “Judaizing” the city and fully incorporating it into the Israeli regime, Palestinian residents of East Jerusalem, while subjected to jurisdiction of the Israeli regime law and taxation, have historically been excluded from the rights and entitlements

⁵ United Nations, report of the United Nations Fact-Finding Mission on the Gaza Conflict (A/HRC/12/48 of 15 September 2009), paras. 113, 206, 208, 938, 1427, 1577, 1579 and 1616.

⁶ Ibid., para. 1502.

⁷ Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (A/77/356 of 21 September 2022, para. 9).

associated with citizenship and deprived of essential services. They face systematic targeting for exclusion from residence in the city through the revocation of identification documents, the imposition of an excessively burdensome “centre of life” test (which is not equitably applied to Jewish settlers in East Jerusalem), and the redrawing of the city’s municipal boundaries to strip Palestinians residing on the eastern side of the Wall of their residency status in Jerusalem. These discriminatory bureaucratic realignments can be contextualized within the framework of Israeli “master plans” that outline visions for a “Greater Jewish Jerusalem”, aimed at further diminishing the Palestinian segment of the city’s population.

The definition of apartheid articulated in article II of the Apartheid Convention stipulates that, for the crime of apartheid to be constituted, the inhuman acts must be “committed for the purpose of establishing and maintaining domination by one racial group over any other racial group and systematically oppressing them.” The primary motivation behind the actions of the civil and military authorities of the Israeli regime in the occupied Palestine is to insulate and privilege Jewish settlements and their associated infrastructure, thereby minimizing Palestinian incursions into the lives of the dominant settler population.

It is evident that the acts perpetrated by the Israeli regime are neither random nor isolated; rather, they are components of a comprehensive and oppressive system that is both institutionalized and systematic, manifesting in the provision of separate and unequal treatment to Palestinians. This systematic approach underscores the intent to maintain a hierarchical order that privileges one racial group over another, thereby fulfilling the criteria set forth in the Apartheid Convention.

At the core of the Israeli regime’s apartheid policies against Palestinians lies a legal framework that establishes a concept of “Jewish nationality” and systematically privileges Jewish nationals over non-Jewish communities. This legal architecture not only enshrines the notion of Jewish supremacy but also institutionalizes disparities that marginalize Palestinian individuals and communities, reinforcing a hierarchy based on ethnicity and nationality. The implications of such a system extend far beyond mere legal distinctions; they permeate various facets of daily life, encompassing access to resources, civil rights and social services, thereby perpetuating a regime of inequality and oppression.

The legal framework of the Israeli regime is notably distinctive in its differentiation between nationality and citizenship, positioning itself as the Jewish nation. In this context, there exists no legal recognition of an “Israeli nation” for either legal or policy purposes. The jurisprudence of the Supreme Court of the Israeli regime further reinforces this characterization, affirming that the Israeli regime is defined not as the “Israeli nation”, but explicitly as the “Jewish nation”.⁸ This distinction has profound implications for the rights and status of non-Jewish citizens, effectively institutionalizing a hierarchy that privileges Jewish nationals and marginalizes others within the State’s legal and political framework. The 1952 Citizenship Law subsequently grants immigrants entering under the *oleh* visa the right to acquire immediate citizenship, thereby providing further evidence of the apartheid regime of Israel.

The codification of Jewish nationality is profoundly significant to the circumstances prevailing in the occupied Palestine, where the laws of the Israeli regime systematically confer privileges upon Jewish settlers at the expense of Palestinian residents. In the realm of land law, the aforementioned disparities regarding exclusive Jewish access to land extend to any territory designated as “state land” by the Israeli regime. The 1951 State Property Law facilitates the incorporation

⁸ *George Rafael Tamarin v. the State of Israel* (20 January 1972) 26 PD I 197.

of such “state land” in any region where the laws of the Israeli regime are applied, thereby encompassing the territories it occupies. A substantial portion of the West Bank has been classified as “state land” by the Israeli regime, effectively barring Palestinian access for the establishment of Jewish settlements, military outposts and nature reserves. This approach situates much of the territory within a structured framework, aimed at administering “state land” solely for the benefit of the Jewish populace.

In the West Bank, the Israeli regime has seized over 2 million dunams of Palestinian land, accounting for more than one third of the territory. This includes tens of thousands of dunams that the regime itself acknowledges as privately owned by Palestinians. According to data from the Israeli Civil Administration, authorities of the Israeli regime allocated 674,459 dunams of state land in the West Bank primarily for use by citizens of the Israeli regime, notably for settlement expansion.⁹ This allocation represents 99.76 per cent of all state land designated for use by third parties, leaving a mere 0.24 per cent, or approximately 1,600 dunams, for Palestinians. Of this minimal allocation, 80 was in the form of “compensation” for land seized for settlements or as alternative land following the forced displacement of Palestinian Bedouins from their ancestral lands. In addition, 400,000 dunams of this state land were allocated to the World Zionist Organization, whose Settlement Division is tasked with establishing and strengthening Jewish settlement in the country’s periphery through the consolidation of state lands provided by the government.¹⁰

With certain exceptions in specific settlements in East Jerusalem, the right of residence within Jewish settlements in the occupied Palestine is entirely restricted for Palestinians, being accessible solely to citizens of the Israeli regime or to individuals of Jewish descent entitled to citizenship or residency under the Israeli regime’s Law of Return. This provision underscores the racialized framework underpinning the Israeli regime’s colonization and governance of these territories, whereby even non-Israeli regime Jews are afforded privileges over the indigenous Palestinian population. Consequently, the intersection of race and nationality is rendered profoundly inequitable, reflecting a systematic bias that privileges one group at the expense of another.

Discrimination in the Israeli regime is not confined solely to distinctions between Israeli regime citizens and Palestinian non-citizens, but extends more profoundly to those classified under Israeli regime law as Jewish nationals (those entitled to citizenship under the Law of Return) versus those who are not. This was comprehensively addressed by the Independent International Fact-Finding Mission, mandated by the UN Human Rights Council to investigate the impact of Israeli regime settlements on the civil, political, economic, social, and cultural rights of Palestinians throughout the OPT. In its 2013 report, the Mission highlighted the existence of distinct legal systems for settlers and Palestinians, concluding that these disparities represent a clear manifestation of institutionalized discrimination.

The legal regime of segregation operating in the Occupied Palestinian Territory has enabled the establishment and the consolidation of the settlements through the creation of a privileged legal space for settlements and settlers. It results in daily violations of a multitude of the human rights of the Palestinians in the

⁹ Peace Now, “State land allocation in the West Bank — for Israelis only,” 17 July 2018, available at <https://peacenow.org.il/en/state-land-allocation-west-bank-israelis>.

¹⁰ Association for Civil Rights in Israel, “Information sheet: Allocation of State land in OPT”, available at <https://law.acri.org.il/en/2013/04/23/info-sheet-state-land-opt/> (accessed 4 June 2020).

Occupied Palestinian Territory, including, incontrovertibly, violating their rights to non-discrimination, equality before the law and equal protection of the law.¹¹

The fact-finding mission demonstrates that settlers have exploited their privileged legal status to perpetrate violence against Palestinians and their property, with the Israeli regime allowing such acts to persist with impunity. This impunity, coupled with the regime's intention, leads to the unequivocal conclusion that institutionalized discrimination is systematically practised against the Palestinian people in matters of violence. Such realities further expose the Israeli regime as an apartheid system, devoid of legitimacy, as even its internal legal framework is designed to uphold and perpetuate apartheid policies.

The institutionalization of discrimination and domination within the Israeli regime's legal framework is most evident in the dual legal system applied in the West Bank. Jewish settlers are governed by Israeli civilian law and constitutional protections, while Palestinians are subjected to military rule. This system creates a clear separation between the two populations, with Jewish settlers benefiting from legal privileges not available to the occupied Palestinian population. The legal framework operates under the principle of "separate but unequal", reinforcing segregation and inequality.

The application of Israeli civil legislation to Jewish settlers in the Occupied Palestine occurs through both territorial and personal legal mechanisms. On a territorial basis, elements of Israeli civil law are incorporated into military orders governing Jewish settlements. These orders allow the Israeli Military Commander to extend domestic legislation to settlements, effectively merging settlement law with Israeli law, thereby diminishing the legal distinction between Israeli territory and the Occupied Palestine.

On a personal basis, Israeli settlers, including non-citizens who are eligible to immigrate under the Law of Return, are subject to Israeli law even when residing in the Occupied Palestine. For example, the 1977 Extension of Emergency Regulations Law allows settlers accused of criminal offenses in the West Bank to be tried in Israeli civilian courts rather than military courts, which are reserved for Palestinians. This creates a legal framework that extends Israeli criminal law to settlers, granting them rights and protections denied to Palestinians under military rule.

In effect, the legal relevance of local law in the Occupied Palestinian Territory for Jewish settlers is minimal, as Israeli laws dominate their governance, creating a system of legal and administrative segregation that enforces unequal treatment between settlers and the Palestinian population. Furthermore, Israeli regime so-called constitutional rights are extended to settlers based on their personal connection to this regime. The Israeli Supreme Court has affirmed that settlers are entitled to constitutional protections, even when residing outside Israeli territory, so long as the area remains under Israeli control. This personal application of rights not only highlights the racialized foundation of the legal system, which privileges settlers on the basis of their Jewish identity, but also exposes the deeply entrenched nature of the apartheid regime. By enshrining such discriminatory practices in its legal and institutional frameworks, the Israeli regime perpetuates systemic oppression and inequality.

This regime cannot claim legitimacy, as its very institutions and laws are structured to entrench apartheid and to deny basic human rights to the indigenous

¹¹ United Nations, report of the independent international fact-finding mission to investigate the implications of the Israeli settlements on the civil, political, economic, social and cultural rights of the Palestinian people throughout the Occupied Palestinian Territory, including East Jerusalem (A/HRC/22/63 of 7 February 2013), para. 49.

Palestinian population. The legal system, designed to privilege one group at the expense of another, is inherently unjust and serves as an instrument of domination. In such a context, the notion of legal legitimacy becomes untenable, as the regime's own laws perpetuate the oppression and subjugation of an entire people, stripping it of any moral or legal foundation in the eyes of the international community.

In stark contrast to its treatment of Jewish settlers in the same territory, the Israeli Supreme Court has consistently refused to extend constitutional protections to Palestinians.¹² Instead, Palestinians are subjected to both the personal and territorial application of Israeli military legislation. During the initial three months of Israel's occupation in 1967, over 100 military legislative measures were introduced in the West Bank, with nearly as many enacted in Gaza. Just two days into the Six-Day War, Military Proclamation No. 2 was issued, vesting all legislative, executive, and judicial authority in the hands of the Israeli Military Commander.¹³ Since then, the military authorities have implemented more than 2,500 military orders that have dramatically reshaped pre-existing laws, regulating everything from alcohol taxes¹⁴ to the management of natural resources,¹⁵ and even specifying the types of fruits and vegetables Palestinians are permitted to cultivate.¹⁶

The Israeli regime, through the establishment of an apartheid system, continues to exploit and plunder the natural resources belonging to the Palestinian people. As documented by the Special Rapporteur, the Israeli regime has implemented a complex and oppressive framework of control over the occupied Palestinian territory, designed to exclusively benefit its illegal colonies. This system severely undermines the Palestinians' right to self-determination as enshrined in common article 1 (2) of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, which guarantees peoples' permanent sovereignty over their natural resources as a fundamental aspect of their economic development.

Moreover, a network of national and international businesses operates within the illegally occupied Palestinian territory, exploiting resources such as water, land and minerals to the detriment of the Palestinian population. These businesses not only deprive Palestinians of their rightful access to these resources but also "field test" military equipment on them, extracting wealth for the exclusive benefit of Israel's colonies and the occupying power. This organized exploitation further entrenches Israel's apartheid regime, solidifying its systematic and illegal domination over the Palestinian people and their land as has been expressly affirmed by the Special Rapporteur on the situation of human rights in the Palestinian territories occupied:

In Area C of the West Bank, which contains the majority of the natural resources and almost all the arable land in the West Bank, Israel maintains complete monopoly over water springs and has designated a mere 1 per cent of land for Palestinian development. The "coordination system" that Israel has ostensibly

¹² See, e.g., *Adalah et al. v. Minister of Interior et al.*, HCJ 7052/03, judgment of 14 May 2006 (the Family Unification case); *Adalah v. Minister of Defence*, HCJ 8276/05, judgment of 12 December 2006 (the No Compensation Law case).

¹³ Military Proclamation No. 2, Concerning Regulation and Authority of the Judiciary (7 June 1967).

¹⁴ Military Order No. 38, Order Concerning Alcoholic Beverages (4 July 1967).

¹⁵ See, inter alia, Military Order No. 92, Order Concerning Jurisdiction Over Water Regulations (15 August 1967).

¹⁶ See, e.g., Military Order No. 474, Order Concerning Amending the Law for the Preservation of Trees and Plants (26 July 1972); Military Order No. 1039, Order Concerning Control over the Planting of Fruit Trees (5 January 1983); and Military Order No. 1147, Order Concerning Supervision over Fruit Trees and Vegetables (30 July 1985).

established to facilitate Palestinians' access to their land is convoluted and inefficient.¹⁷

Military orders have conferred upon the army of the Israeli regime comprehensive authority over water-related matters in the West Bank, designating water resources as state property.¹⁸ Furthermore, these orders prohibit Palestinians from establishing or utilizing water installations without prior authorization, effectively restricting their access to essential water resources and services.¹⁹ The authorities of the Israeli regime exercise primary control over water resources in the West Bank, allocating water in a manner that is discriminatory towards the Palestinian population. Two of Israel's three major water resources, namely, the Jordan River and the Mountain Aquifer, which comprises three basins, flow predominantly through the West Bank. The third resource, the Coastal Aquifer, is situated along the coast of Israel and Gaza.²⁰ The Israeli regime has utilized its control over portions of the Mountain Aquifer to benefit its own citizens and settlers, in violation of international humanitarian law, which prohibits occupying powers from exploiting natural resources for their economic advantage. Notably, while approximately 80 per cent of the Mountain Aquifer's water recharge area is located beneath the West Bank, Israel extracts about 90 per cent of the total water withdrawn from the aquifer annually, leaving Palestinians with a mere 10 per cent for their own use.²¹

Moreover, Israeli authorities have effectively denied Palestinians access to the Jordan River, the sole major surface water resource in the West Bank, by diverting its flow upstream. Between 2009 and July 2019, these authorities demolished or confiscated 547 structures that provided water and sanitation services, including cisterns, water pipes and mobile latrines, as reported by the United Nations Office for the Coordination of Humanitarian Affairs.²² In 2009, the World Bank reported that the overall water consumption of Israelis in the West Bank was four times greater than that of the Palestinian population.²³ This systematic deprivation of water resources significantly exacerbates the humanitarian crisis faced by the Palestinian people.

In the realm of construction, the Israeli regime has entrenched its apartheid system by enforcing oppressive laws and policies specifically designed to marginalize and discriminate against Palestinians, thereby perpetuating a regime of systemic racial segregation and apartheid. The authorities of the Israeli regime have effectively rendered it exceedingly difficult for Palestinians to secure building permits in Area C, which constitutes 60 per cent of the West Bank under exclusive Israeli jurisdiction. Over the two-decade span from 2000 to 2019, these authorities granted merely 245 building permits to Palestinians in Area C, amounting to less than 4 per cent of the total applications submitted. In the specific time frame from 2016 to 2018, only 21 permits were issued, representing less than 1.5 per cent of the applications received. Furthermore, between 2009 and 2020, Israeli authorities systematically demolished

¹⁷ United Nations, report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (A/77/356 of 21 September 2022), para. 49.

¹⁸ Military Order 158, Order Concerning Amendment to Supervision Over Water Law, 30 October 1967, published in JMCC, *Israeli Military Orders*, para. 22.

¹⁹ Military Order 291, Order Concerning Settlement of Disputes Over Land and Water, 19 December 1968, published in JMCC, *Israeli Military Orders*, para. 38.

²⁰ Al Haq, "Water for one people only: discriminatory access and 'water-apartheid' in the OPT", 8 April 2013, available at www.alhaq.org/publications/8073.html (accessed 4 June 2020), paras. 28–29.

²¹ United Nations, "Report of the independent international fact-finding mission" (A/HRC/22/63), para. 81.

²² United Nations, "Humanitarian needs overview – OPT", Humanitarian Programme Cycle 2020, December 2019, available at www.ochaopt.org/sites/default/files/hno_2020-final.pdf (accessed 4 June 2020), para. 43.

²³ World Bank, "Assessment of restrictions on Palestinian water sector development", para. 13.

5,817 structures owned by Palestinians, including residences, primarily on the grounds of lacking the requisite permits, as reported by the United Nations Office for the Coordination of Humanitarian Affairs.²⁴ In stark contrast, the Israeli regime provides a plethora of incentives, such as housing benefits, business subsidies (notably in agricultural and industrial sectors), budgetary advantages and tax exemptions, to encourage Jewish Israelis to relocate to settlements. This approach has facilitated the steady and unlawful expansion of Israeli settlements in the West Bank over several decades. From 2009 to 2020, Israeli authorities initiated the construction of more than 23,696 housing units within West Bank settlements, excluding East Jerusalem.²⁵

Among the most significant security-related military orders are Military Order No. 378, which governs criminal offenses and detention,²⁶ and Military Order No. 1229, which permits “administrative” detention without charge or trial for extended periods.²⁷ Under this military regime, Palestinians are routinely subjected to longer pre-charge detention periods and receive harsher sentences than their Jewish counterparts, even when accused of the same offence in the same territory.²⁸ The enforcement of these military orders occurs within a military court system that has become an institutional centrepiece of the Israeli regime’s apparatus of control over Palestinians in the West Bank and Gaza.

Beyond the clear legal distinctions, further apartheid practices exist through unpublished military regulations or de facto military policies, implemented without formal legal reference. One such example is the segregated road system in the West Bank, a key feature of territorial fragmentation that echoes broader segregationist policies. This road network, vital to the Israeli regime’s control, emerged through planning and construction decisions that lack a specific legislative basis, yet serve to reinforce the apartheid-like structures inherent in the occupation.

In summary, the legal institutions and frameworks of the Israeli regime lack any semblance of legitimacy, as they serve as instruments of a deeply entrenched apartheid system that has systematically perpetuated acts of apartheid against the Palestinian people for decades, all while operating with impunity and evading accountability. This document has meticulously elucidated both the factual and legal dimensions of the apartheid regime imposed upon the occupied territories, highlighting the stark disparities in legal treatment, civil rights and access to resources that characterize the daily lives of Palestinians. The systematic nature of these acts not only underscores the inherent violation of fundamental human rights but also exemplifies a broader strategy aimed at the marginalization and disenfranchisement of an entire population.

Given the existence of an apartheid system and the deliberate, systematic and intentional commission of such acts by the Israeli regime, the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 has, in her report, also recommended to:

²⁴ United Nations, Office for the Coordination of Humanitarian Affairs, “Data on demolition and displacement in the West Bank”, available at www.ochaopt.org/data/demolition.

²⁵ Peace Now, “Annual settlement report 2018: A glance at 10 years under Netanyahu”, 14 May 2019.

²⁶ Military Order No. 378, Order Concerning Security Provisions (20 April 1970).

²⁷ Military Order No. 1229, Order Concerning Administrative Detention (Provisional Regulations) (17 March 1988). Due to numbering inconsistencies among Israeli regime military orders, Military Order No. 1229 is alternatively referred to as Military Order No. 1226, depending on whether it was issued individually or in a bound volume by the Israeli regime authorities.

²⁸ See Sections 51A and 78 of Military Order No. 378, Order Concerning Security Provisions; Section 29 (a) of the 1996 Criminal Procedure Law (Enforcement powers – Arrests); and Section 298 of the 1977 Penal Law.

Within the General Assembly, develop a plan to end the unlawful and unsustainable status quo constituting the root cause of the latest escalation, which ultimately culminated in the Gaza genocide, including through the reconstitution of the Special Committee against Apartheid, to comprehensively address the situation in Palestine and stand ready to implement diplomatic, economic and political measures provided under the Charter in case of non-compliance by Israel.²⁹

In light of our findings and in response to the letter from the Office of the United Nations High Commissioner for Human Rights dated 16 October 2024, we hereby call for the establishment of an Apartheid Committee to thoroughly investigate the actions and policies of the Israeli apartheid regime. Such an inquiry is imperative to hold accountable those who perpetuate this enduring oppression and to affirm the rights and dignity of the Palestinian populace.

Maldives

[Original: English]
[6 November 2024]

The Government of Maldives wishes to put forth the following contributions for the call for inputs by the Office of the United Nations High Commission for Human Rights with reference to General Assembly resolution [ES-10/24](#) entitled “Advisory opinion of the International Court of Justice on the legal consequences arising from Israel’s policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel’s continued presence in the Occupied Palestinian Territory” adopted on 18 September 2024 during the tenth emergency special session of the General Assembly under the agenda item entitled “Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory”.

Maldives’ national position on the issue of Palestine

The Maldives’ longstanding national position on the issue of Palestine states that the only sustainable solution to the Israeli-Palestinian conflict lies in the establishment of a sovereign and independent State of Palestine, based on the pre-1967 borders, with East Jerusalem as its capital.

On multiple occasions and platforms, the Maldives has strongly condemned the violent attacks and Israeli aggression against the people of Palestine.

The Maldives calls for the complete and unconditional Israeli withdrawal from all Palestinian territories occupied since 1967, to enable the Palestinian people to exercise self-determination and to establish their own independent and sovereign State.

Palestine’s full membership of the United Nations is strongly supported by the Maldives and it also assures of its unconditional support for Palestine’s membership in any other international organization. Further, the Maldives co-sponsored the General Assembly resolution that granted non-member observer State status to the State of Palestine.

The Maldives firmly believes that international law should be equally applied to all Member States – Israel should adhere to the principles of humanitarian law,

²⁹ United Nations, Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 ([A/HRC/55/73](#) of 1 July 2024), para. 97 (e).

human rights law, relevant Security Council resolutions as well as the Geneva Conventions.

Maldives' involvement in the International Court of Justice advisory opinion on the "Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem"

The Maldives submitted a written statement to the International Court of Justice on 25 July 2023 and appeared before the Court and presented oral submissions in the advisory proceedings on 26 February 2024.

The Government of Maldives was represented at the Court by Ambassador of the Republic of Maldives to Germany H.E. Aishath Shaan Shakir, Ms. Amy Sander, Essex Court Chambers, and Dr. Naomi Hart, Essex Court Chambers.

In the opening statement, Ambassador Shaan stated that that support for the Palestinian people, including in their pursuit of an independent sovereign State of Palestine, has long been a cornerstone of the Maldives' foreign policy and remains so under the current administration.

The oral hearing by Maldives was focused on Israel's multiple, serious violations of international law in the Occupied Palestinian Territory, focusing on its practices in relation to water resources.

The Maldives also joined multiple States in asserting that the policies and practices of Israel in the Occupied Palestinian Territory amount to an apartheid.

Contributions for General Assembly resolution [ES-10/24](#), paragraph 14

To establish an effective follow-up mechanism to article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination in preventing racial segregation and apartheid in Palestine, the Maldives proposes the following approaches:

- (a) Encourage and support the United Nations Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 to undertake a visit to the Occupied Palestinian Territory and systematically monitor racial segregation and apartheid practices in Palestine and urges the State of Israel to comply with relevant United Nations resolutions and international law and allow access to the Special Rapporteur to the Occupied Palestinian Territories to carry out her mandate;
- (b) Call for annual reports to be submitted to the Committee on the Elimination of Racial Discrimination documenting segregation practices, apartheid systems and other human rights violations
- (c) Implement reliable and standardized methods to gather and quantify data on racial discrimination, specifically focusing on policies impacting property rights, movement limitations and access to services within the Occupied Palestinian Territory;
- (d) Calls on Member States to cease the sale and shipment of arms, ammunition and military vehicles to the State of Israel and establish and maintain an arms embargo on the State of Israel to prevent further escalation of apartheid in the Occupied Palestinian Territories.

Mexico

[Original: Spanish]
[1 November 2024]

The Permanent Mission of Mexico to the United Nations Office and other international organizations at Geneva has the honour to refer to the request for comments contained in the note verbale sent by the Office of the United Nations High Commissioner for Human Rights dated 16 October 2024 regarding the implementation of paragraph 14 of General Assembly resolution [ES-10/24](#), specifically on the establishment of a mechanism to follow up on violations by the State of Israel of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination.

In this regard, the Permanent Mission wishes to convey that Mexico considers that at least two legally viable options could be considered as to the form that such a mechanism could take:

1. On the one hand, the adoption of a Human Rights Council resolution could be suggested, extending the mandate of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, to provide the follow-up requested in resolution [ES-10/24](#). This option is viable and timely for the following reasons:

(a) The post of Rapporteur has been in operation continuously since its establishment in 1993 (Commission on Human Rights resolution 1993/2 A “Question of the violation of human rights in the occupied Arab territories, including Palestine”);

(b) The work of the Rapporteur covers the study of the human rights situation in the Palestinian territories occupied from 1967 to date. This is the same period considered by the International Court of Justice in its advisory opinion;

(c) The mandate of the Rapporteur includes investigating Israel’s violations of the principles and bases of international law and international humanitarian law; receiving communications, hearing witnesses and using such modalities of procedure as deemed necessary for his or her mandate; and reporting regularly to the Human Rights Council and to the General Assembly. In this regard, the Rapporteur carries out periodic visits or missions to the occupied Palestinian territories. In addition, the incumbent is an independent expert appointed by the Council and is supported logistically and technically by the Office of the United Nations High Commissioner for Human Rights;

(d) The Human Rights Council may make specific requests to the Rapporteur;

(e) If appropriate, the Rapporteur could coordinate with existing special mechanisms of the Human Rights Council itself, including the International Independent Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement;

(f) The resolution to extend the mandate of the Special Rapporteur could be adopted at the first session of the Human Rights Council in 2025 (possibly February).

2. On the other hand, a General Assembly resolution could be adopted with a mandate for the creation of a special committee against apartheid to provide the follow-up requested in resolution [ES-10/24](#). This option is also viable and timely for the following reasons:

(a) The establishment of a special committee would make it possible to develop a tailor-made mandate, with the possibility of establishing its functions in a very particular way and with the necessary tools to carry out its purpose;

(b) The United Nations Special Committee against Apartheid in South Africa, created by the General Assembly through resolution 1761 (XVII) of 6 November 1962, should be noted as a precedent. The Special Committee consisted of representatives of Member States nominated by the President of the General Assembly. It was entrusted with keeping the racial policies of South Africa under review when the Assembly was not in session, and reporting either to the Assembly or the Security Council, or to both, on the apartheid situation in that country. Its mandate ended in 1994.

It should be noted that Mexico considers that the first option represents the most viable alternative, since it is an existing mechanism that would avoid delays in the implementation of resolution ES-10/24 and would reduce the additional expenditure of human and financial resources. However, both options may be complementary. In addition, it cannot be ruled out that there may be a different and more appropriate mechanism to implement the resolution.

Pakistan on behalf of the Organization of Islamic Cooperation (except Albania)

[Original: English]
[6 November 2024]

The Permanent Mission of Pakistan to the United Nations Office and other International Organizations in Geneva, in its capacity as the Coordinator of the Organization of Islamic Cooperation (OIC) Group for Human Rights and Humanitarian Affairs, has the honour to refer to the notes verbales dated 16 October and 30 October 2024 regarding the form of a mechanism to follow up on Israel's violations of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination as observed by the advisory opinion of the International Court of Justice of 19 July 2024 and mandated by General Assembly resolution ES-10/24 of 18 September 2024.

On behalf of the OIC Group,¹ the Permanent Mission has the further honour to submit the following main principles and features of an effective United Nations mechanism in the office of the United Nations Secretary-General with the requisite capacity to follow up on Israel's violations of article 3 of the Convention:

(a) To address Israel's violations of article 3 of the Convention and its apartheid as a system carried out by the entire state structure and a crime against humanity, as a crucial component of settler colonialism and which is imposed against the entirety of the Palestinian people, across the Palestinian geography, and which crucially includes Palestinian refugees;

(b) To address Israel's apartheid under the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Suppression and Punishment of the Crime of Apartheid (the Apartheid Convention) and other relevant legal instruments;

(c) To focus on concrete, actionable measures to dismantle the apartheid system underpinning Israel's violations of article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination and seek accountability of

¹ Except Albania.

those responsible and complicit, through the implementation of measures including, inter alia, the following:

- (i) A transparent mechanism of investigating and monitoring Israel's violations of article 3 of the Convention including through public and regularly updated databases;
- (ii) Development of advice for compliance with third State obligations regarding legislative or other measures necessary to suppress the crime of apartheid against the Palestinian people (including non-assistance and non-recognition);
- (iii) Development of advice for compliance with third State obligations regarding legislative, judicial and administrative measures to prosecute, bring to trial and punish in accordance with their jurisdiction, persons responsible for, or accused of, the acts defined in article II of the Apartheid Convention, whether or not such persons reside in the territory of the State in which the acts are committed or are nationals of that State or of some other State or are stateless persons;
- (iv) To request and process periodic reports on the legislative, judicial, administrative or other measures that Member States have adopted to give effect to General Assembly resolution [ES-10/24](#) of 18 September 2024;
- (v) Propose lawful and targeted measures similar to those applied to apartheid in South Africa, for adoption by the United Nations, particularly a comprehensive military embargo;
- (vi) Support civil society efforts to dismantle and end apartheid, including by ensuring that Member States extend them protection from reprisals and repression for doing such work and that their work is duly considered by relevant United Nations bodies.

South Africa

[Original: English]
[6 November 2024]

Please refer to South Africa's reply contained in annex I.
