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ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION

VIOLATIONS OF INTERNATIONAL LAW IN PALESTINE AND OTHER OCCUPIED TERRITORIES BY ISRAEL AND OTHER INTERNATIONAL LEGAL ISSUES RELATED TO THE QUESTION OF PALESTINE

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I. Introduction

A. Background

1. The Asian-African Legal Consultative Organization (AALCO) has considered the questions relating Palestine as a recurring item on its Work Programme for several decades. Its engagement with the issue has developed progressively, reflecting major legal developments in the Occupied Palestinian Territory (OPT) as well as the continuing evolution of international humanitarian law, international human rights law and particularly the law applicable to an occupation.

2. The issue was first introduced into AALCO's Work Programme at its Twenty-Seventh Annual Session, held in Singapore in 1988, following a proposal submitted by the Government of the Islamic Republic of Iran. The agenda item was entitled "Deportation of Palestinians in Violation of International Law, particularly the Fourth Geneva Convention of 1949, and the Massive Immigration and Settlement of Jews in Occupied Territories." Following an initial exchange of views, the Islamic Republic of Iran requested that the Organization undertake a study on the legal consequences of the deportation of Palestinians from the Occupied Palestinian Territories. This marked the beginning of AALCO's sustained institutional consideration of the legal dimensions of the Palestinian question.

3. At the Thirty-Fourth Annual Session in Doha in 1995, the subject was considered alongside the broader issue of the status and treatment of refugees. This linkage reflected the close relationship between forced displacement, the protection of civilian populations and the obligations imposed by international humanitarian law. At the following Annual Session, held in Manila in 1996, the Secretariat was directed to continue monitoring developments in the Occupied Palestinian Territories, with particular emphasis on serious violations of international law.

4. Over the succeeding years, the scope of the agenda item was gradually enlarged. It came to include not only the deportation of Palestinians, but also other Israeli practices constituted grave violations of international law. At the Thirty-Eighth Annual Session in Accra in 1999, the item was further expanded to address the "Massive Immigration and Settlement of Jews in the Occupied Territories in Violation of International Law, Particularly the Fourth Geneva Convention of 1949." The expansion reflected the Organization's concern regarding settlement activity, demographic changes and the legal consequences of policies implemented by the occupying Power in occupied territory.

5. At the Thirty-Ninth Annual Session, held in Cairo in 2000, AALCO decided that the consideration of the subject should extend beyond Palestine to encompass all occupied territories. The Secretariat was requested to follow relevant legal developments in those territories. Since that time, the issue has remained a regular component of AALCO's Work Programme. The Organization has continued to examine alleged violations of international law affecting the Palestinian people, including issues arising under the law of occupation, international humanitarian law and international human rights law.

6. The question of Palestinian statehood acquired renewed international prominence in 2012. At its Fifty-First Annual Session in Abuja, AALCO adopted Resolution RES/51/S 4 on 22 June 2012. The resolution requested the Secretariat to prepare a study clarifying the legal requirements and principles relevant to the recognition of Palestine as a State under international law and prevailing international norms. In response to this mandate, the Secretariat prepared and subsequently published a study entitled "The Statehood of Palestine under International Law." The

study addressed the legal principles relevant to statehood and recognition and contributed to the Organization's continuing analysis of the international legal status of Palestine.

7. At the Fifty-Fourth Annual Session in Beijing in 2015, the subject was revisited in light of continuing and serious violations of international law in Gaza and the wider OPT. Resolution AALCO/RES/54/S 4 revised the title of the agenda item to "Violations of International Law in Palestine and Other Occupied Territories by Israel and Other International Legal Issues Related to the Question of Palestine." The revised title demonstrated the broadened character of AALCO's work, which extended beyond specific allegations of deportation and settlement activity to cover a wider range of legal issues within the Palestinian question.

8. Pursuant to a mandate issued at the Fifty-Fifth Annual Session in New Delhi in 2016, the Secretariat prepared a Special Study in 2017 entitled "The Legality of Israel's Prolonged Occupation of Palestinian Territories and its Colonial Practices Therein." The study examined the legal consequences of a prolonged occupation and considered the relationship between occupation, settlement policies and other practices affecting the Palestinian territories.

9. At the Fifty-Seventh Annual Session in Tokyo in 2018, attention focused particularly on the relocation of the United States Embassy to Jerusalem. Member States considered the relocation in light of relevant resolutions of the United Nations Security Council and General Assembly, as well as the established legal position concerning Jerusalem. The discussions also addressed other alleged breaches of international law in the Occupied Palestinian Territories. The Secretariat was instructed to prepare a further Special Study on recent legal developments.

10. The resulting study, entitled "The Status of Jerusalem in International Law: A Legal Enquiry into the Recent Attempts to Disrupt the Status Quo," was presented at the Fifty-Eighth Annual Session in Dar es Salaam in 2019. It examined the legal implications of attempts to alter the established status of Jerusalem, including through the relocation of diplomatic missions. During the Session, Member States raised concerns regarding violations of international humanitarian law and the law of occupation. Several delegations also condemned embassy relocations to Jerusalem, referring to their consistency with relevant United Nations resolutions, the Vienna Convention on Diplomatic Relations of 1961 and customary international law concerning recognition.

11. At the Fifty-Ninth Annual Session in Hong Kong, SAR, in 2021, AALCO considered contemporary developments concerning the Occupied Palestinian Territories, including East Jerusalem. Member States expressed concern regarding settlement expansion and other policies affecting the status and conditions of the territories and called for compliance with relevant United Nations resolutions.

12. The Sixtieth Annual Session, held in New Delhi in 2022, addressed settlement expansion, settler violence, discriminatory laws and executive measures, and alleged violations of international human rights law and international humanitarian law in the Occupied Palestinian Territories and the occupied Syrian Golan. At the Sixty-First Annual Session in Bali in 2023, deliberations took place against the backdrop of the renewed escalation of armed conflict in Gaza. Member States emphasized the importance of protecting civilians and respecting the fundamental rule requiring distinction between military objectives and civilian persons and objects.

13. At the Sixty-Second Annual Session in Bangkok in 2024, Member States discussed the large-scale military operations in Gaza and their grave humanitarian and legal consequences. Delegations referred to alleged attacks on civilians and critical infrastructure, the use of prohibited

methods or means of warfare, starvation, blockade measures and other violations of fundamental rules of international humanitarian law. They also referred to the provisional measures indicated by the International Court of Justice in the proceedings instituted by South Africa against Israel and to the Court's Advisory Opinion of 19 July 2024 concerning the legal consequences arising from Israel's policies and practices in the OPT, including East Jerusalem. Some delegations further urged support for, or participation in, available international legal processes.

14. More recently at the Sixty-Third Annual Session of AALCO held in Kampala, the Republic of Uganda, the several delegations strongly denounced Israel's recent military actions directed against the State of Qatar, describing them as a clear breach of Qatar's sovereignty and territorial integrity. In this context, several representatives drew attention to the broader regional consequences of the crisis in the OPT. They argued that the instability originating there has now extended across the entire region, eroding core principles enshrined in the Charter of the United Nations. Among these principles that were referred to be the prohibition of acquiring territory through the use of force and the recognition of the right of peoples to self-determination.

15. Member States further expressed deep concern over systematic violations of international law, including international humanitarian law. Particular reference was made to the Fourth Geneva Convention, which safeguards civilians during armed conflict, as well as to human rights obligations under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. It was emphasized that these violations have had a disproportionately severe impact on women and children.

16. In addition, some delegations stated that the use of starvation as a method of warfare, the blocking of humanitarian aid, and indiscriminate attacks targeting civilians, medical and reproductive health facilities, and journalists amounted to acts that constituted the crime of genocide. Several Member States called on all countries to fulfil their responsibilities under the 1948 Genocide Convention and to back the Republic of South Africa's efforts before the International Court of Justice (ICJ) to secure accountability. They underlined that active participation by States in the ICJ proceedings is essential to demonstrate a shared understanding of international law and its application to the Israel–Palestine situation. Such engagement, they argued, is necessary to compel Israel's full respect for the rule of law and for the principles of international humanitarian law and human rights, especially those set out in the Geneva Convention on the Protection of Civilian Persons in Time of War. Many States reaffirmed their long-standing support for the Two-State solution as the basis for a just and lasting peace.

17. Over the course of the year the AALCO Secretariat has taken note of various developments on issues of international law relating to the Occupied Palestinian Territories. While the cases before the ICJ, i.e. *Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip*[1] and the *Case Concerning the Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua v. Germany)*[2] remain pending a decision by the Court, no further developments have been reported on the Investigation of the Office of the Prosecutor in the Situation in Palestine since

[1] *Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip* (South Africa v. Israel) (General List No. 192) (ICJ) <https://www.icj-cij.org/case/192> accessed 3 November 2026

[2] *Case Concerning Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory* (Nicaragua v. Germany) (Nicaragua v. Germany) (General List No. 193) (ICJ) <https://www.icj-cij.org/case/192> accessed 3 November 2026

2024.[3] On the other, more recently the Independent International Commission of Enquiry has published a report titled ""The essence of childhood has been destroyed": Israel's deliberate targeting of Palestinian children in the Occupied Palestinian Territory since 7 October 2023"[4] and its Fifth Report[5] to the UN General Assembly detailing the commission of international crimes and grave violations of international humanitarian and human rights law in the Occupied Palestinian Territories.

18. Through this continuing engagement, AALCO has maintained the question of Palestine as an important item of its legal and institutional work, providing a forum for Member States to assess developments and reaffirm the relevance of international law to the protection of peoples living under occupation and their rights under international law.

B. Deliberations at the Sixty-Second Annual Session of AALCO [Kampala, the Republic of Uganda, 8-12 September 2025]

19. At the Sixty-Second Annual Session held in Kampala, the Republic of Uganda, the Agenda Item titled "Violations of International Law in Palestine and Other Occupied Territories by Israel and other International Legal Issues Related to the Question of Palestine" was deliberated at the fourth general meeting on 10 September 2025.

20. **The Deputy Secretary-General of AALCO**, in his introductory statement, reaffirmed AALCO's long-standing commitment to addressing legal issues concerning Palestine, a topic on AALCO's agenda since 1988. He referred to the Secretariat's report, which outlines four key developments: two major UN human rights reports i.e. the reports of the UN Special Rapporteur on the situation of Human Rights and in the Palestinian Territories occupied since 1967, and the UN High Commissioner on Human Rights, as well as the report of the Independent international Commission of Inquiry that focused on the situation in Gaza. Further the statement noted that the report covered the proceedings before the International Court of Justice (ICJ) in the advisory proceedings on the "Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory". It was noted in the statement that as the international community looked ahead towards the full implementation of the ceasefire in Gaza, Member States were invited to share their views on the issues raised in the reports and proceedings.

21. Thereafter, the delegates of the **State of Palestine**, the **Islamic Republic of Iran**, the **Republic of Mauritius**, the **Republic of Uganda**, the **Kingdom of Thailand**, **Japan**, the **Arab Republic of Egypt**, the **Republic of India**, the **Republic of Türkiye**, the **Republic of South Africa**, **Malaysia**, the **Republic of the Sudan**, the **Syrian Arab Republic**, the **Socialist Republic of Viet Nam**, the **People's Republic of China**, the **Republic of Korea**, the **Republic of Djibouti** and the **Kingdom of Bahrain**[6].

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[3] International Criminal Court (ICC), 'Situation in the State of Palestine (ICC-01/18)' <https://www.icc-cpi.int/palestine> accessed 3 November 2026

[4] UN Human Rights Council (UNHRC), 'The essence of childhood has been destroyed": Israel's deliberate targeting of Palestinian children in the Occupied Palestinian Territory since 7 October 2023' (18 June 2026) UN Doc A/HRC/62/CRP.2.

[5] UNGA, 'Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel' (26 October 2026) UN Doc. A/81/430

[6] A copy of the statement was provided to the Secretariat for inclusion in the Verbatim Record.

22. The **State of Palestine** in its statement condemned Israeli violations of international law in the OPT and called for collective legal and political action to end the occupation and ensure accountability. The State of Palestine framed the situation since 1948 as a continuous breach of fundamental Palestinian rights, including self-determination, the prohibition on acquiring territory by force, and the protection of civilians under occupation, invoking the UN Charter and the Geneva Conventions.

23. The statement detailed multiple categories of grave violations: Genocide and Crimes against Humanity, citing UN-reported casualties of approximately 63,746 killed and over 161,245 injured by August 2025; the use of starvation as a method of warfare through a comprehensive siege on Gaza since October 2023, with more than 2,500 deaths reported among aid seekers; and the expansion of illegal settlements in the West Bank and East Jerusalem, where settler numbers exceed 750,000 and are protected by the Israeli army, contrary to the Fourth Geneva Convention and the ICJ's 2024 advisory opinion.

24. The statement further informed the meeting of mass arrests and torture, with over 9,000 Palestinian detainees, including children and women, subjected to inhumane treatment and administrative detention in violation of the Convention against Torture. It also highlighted attacks on protected persons and objects, including the killing of at least 185 journalists, destruction of UNRWA and humanitarian facilities, and the deaths of over 1,411 medical staff and 115 civil defence personnel, alongside widespread destruction of homes, schools, and hospitals. It was further asserted that these acts entail individual criminal responsibility before the International Criminal Court and collective responsibility of all States Parties under common Article 1 of the Geneva Conventions to "respect and ensure respect."

25. The State of Palestine urged AALCO members to condemn the violations as war crimes, crimes against humanity, and genocide; support the investigations and arrest warrants of the International Criminal Court; endorse and implement the ICJ's 2024 Advisory Opinion; lift the siege and ensure humanitarian access; ban arms exports to Israel; refuse settlement products; recognize Palestinian sovereignty over the 1967 borders with East Jerusalem as capital; back the New York Conference on the Two-State Solution framework; and support international legal initiatives such as South Africa's case against Israel. The statement concluded that ending the occupation and establishing an independent State of Palestine is a legal obligation essential to ensuing just and lasting peace.

26. At the meeting the Member States considered the legal implications of the conflict with a particular focus on the ongoing hostilities in Gaza and their compatibility with international law. Member States expressed grave concern over the prolonged occupation, large-scale civilian casualties, and the deteriorating humanitarian situation, including emerging famine conditions, citing recent assessments by UN bodies and statements by the UN Secretary-General. Several delegations underscored that decades of UN resolutions, reports and ICJ pronouncements on the illegality of the occupation and the imperative of unimpeded humanitarian access have remained largely unimplemented.

27. Several statements characterized the situation in Gaza as amounting to Genocide, War Crimes and Crimes against Humanity, and referred to the findings of the UN Special Rapporteur on the situation of human rights in Palestine regarding genocidal intent and patterns of forced displacement. Concerns were raised about political attacks on UN mandate holders as obstructing justice and undermining the integrity of the UN system, particularly in light of States' obligations

under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. Delegations highlighted the July 2024 ICJ Advisory Opinion, emphasizing States' duties of non-recognition of the unlawful situation, non-assistance to the occupying power, and the need for further action by the UN organs to bring the unlawful presence to an end.

28. Member States reiterated the inalienable right of the Palestinian people to self-determination and, in many interventions, reaffirmed support for a Two-State solution based on pre-1967 borders, to be achieved through dialogue, negotiation and respect for the UN Charter, the Geneva Conventions and relevant UN resolutions. Calls were made for an immediate and permanent ceasefire, restoration of full humanitarian access, and renewed, meaningful negotiations. Proposals included continued deliberation on this agenda item within AALCO, enhanced engagement at the New York Conference. Overall, the Member States framed the current situation as a test of the international community's legal and moral resolve to uphold international law and protect the Palestinian people's rights.

II. ISSUES FOR FOCUSED DELIBERATIONS AT THE SIXTY-FOURTH ANNUAL SESSION OF AALCO, 2026

29. The current brief prepared for the Sixty-Fourth Annual Session of AALCO features salient issues presented by the Special Rapporteur in her report on the situation of Human Rights in the Palestinian territories occupied since 1967 submitted to the UN General Assembly at its eightieth session (2025).[7] Titled "Gaza Genocide: a collective crime", the report analyses the responsibility of Third States whose political, military, economic and humanitarian support has sustained Israel's occupation and since October 2023 the Genocide in Gaza.

30. This brief also examines and notes the recommendations of the Report of the UN High Commissioner for Human Rights on the Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice submitted to the UN Human Rights Council (UNHRC) Assembly at its sixty-fourth session (2026).[8] It provides an overview of the serious violations of international law by the Israeli forces and other armed groups and highlights the prevalent severe conditions such as famine and malnutrition that have deepened the human made catastrophe.

31. Further, the brief presents the key elements of the report of the UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (IICI) to the UNGA focused on the commission of international crimes and grave violations of IHL and human rights in the OPT by non-State actors. The Report also highlights the legal framework by Israel would bear responsibility for settler violence committed against Palestinians in the OPT.

32. Further the brief also considers the key observations of the International Court of Justice (ICJ) in its Advisory Opinion of 22 October 2025 on "Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory"

33. One of the key developments in the efforts to end the conflict in Gaza has been the convening of the Board of Peace for the full implementation of the Comprehensive Plan to End the Gaza Conflict of 29 September 2025 pursuant to UN Security Council Resolution 2803 (2025). As required by the resolution the Report of Board of Peace to the UN Security Council outlines its efforts and achievements in the implementation of the Comprehensive Plan. The report provides an update on its humanitarian and relief coordination efforts and on the functioning of the various bodies organized by the Board of Peace that will perform essential functions in Gaza and will take over in a phased manner. The report also forwards its recommendations to the Security Council and Member States to take actions to enable it to achieve its mandate.

34. While the reports of the UN bodies provide a detailed factual and legal analysis of the violations of international law that are being committed with impunity in the OPT, the report of the Board of Peace provides information on the implementation of the ceasefire and efforts towards

[7] UNHRC, 'Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967' UN Doc. A/80/492 (20 October 2025) accessed 5 August 2026.
[8] UNHRC, 'Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel,' UN Doc. A/HRC/62/22 (8 May 2026)

administration, reconstruction and economic recovery. These reports provide a comprehensive overview of legal developments in the OPT and the conflict in Gaza particularly focusing on particular aspects of international law in accordance with their respective mandates. The Member States of AALCO are requested to consider addressing each of these legal issues in light of the developments on the topic since the previous Annual Session.

III. REPORTS ON RECENT DEVELOPMENTS IN THE OCCUPIED PALESTINIAN TERRITORIES

A. Report of the UN High Commissioner for Human Rights on the Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice submitted to the Human Rights Council Assembly at its Sixty-First session (2026)

35. The present report[9] (or "the Report") is submitted pursuant to Human Rights Council resolution 58/2 and covers the period from 1 November 2024 to 31 October 2025. It draws on human rights monitoring conducted by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in the Occupied Palestinian Territory, including East Jerusalem, as well as information from governmental sources, other United Nations bodies, and non-governmental organisations.

36. The report also mentions the OHCHR's request to access Israeli and the Occupied Palestinian Territory (OPT) to conduct investigations. It asserts Israel's lack of response and denial of visa services to the OHCHR international staff as a major impediment.[10]

37. The Report acknowledges the occupation of the Palestinian territory by the State of Israel and the subjection of the Palestinian people to historical patterns of discrimination, segregation and unprecedented violence.[11] The conduct involves the displacement of the Gaza population and the destruction of vital civilian infrastructure, essential to sustaining conditions of life for the Palestinian people.[12]

38. The Report also asserts that the unabated, rampant violations of international humanitarian law and international human rights law was aimed at altering the demographic composition of Gaza, facilitating ethnic cleansing in the affected regions.[13] It also reminds Israel of its legal obligations under the Convention on the Prevention and Punishment of the Crime of Genocide[14] to take necessary measures, as ordered by the ICJ.[15]

39. The second section of the Report explicitly highlights the deaths of at least 25,594 Palestinians, with the number of injured persons scaling to 68,837 during the reporting period. Moreover, the unprecedented scale of such catastrophic violence has pushed the actual death toll to much higher numbers.[16] Furthermore, the conditions of countless Palestinian civilians are aggravated by the threat of famine, starvation and the denial of healthcare services. The Report also records the deaths of more than 20,000 Palestinian children.[17]

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[9] UNHRC, 'Human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and the obligation to ensure accountability and justice: Report of the United Nations High Commissioner for Human Rights' (16 February 2026) UN Doc A/HRC/61/26.
[10] Ibid para 2.
[11] Ibid para 3.
[12] Ibid para 4.
[13] Ibid para 5.
[14] Convention on the Prevention and Punishment of the Crime of Genocide (adopted 9 December 1948, entered into force 12 January 1951) 78 UNTS 277.
[15] *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (South Africa v Israel) (Provisional Measures)* [2024] ICJ Rep 1.
[16] (n 9) para 10.
[17] Ibid para 11.

40. The Report takes note of the military strikes on residential buildings by Israeli forces, resulting in the deaths of thousands, and subsequently raises grave concerns regarding Israel's compliance with international humanitarian law.[18] Additionally, attacks on temporary structures accommodating displaced Palestinians deny them any sense of safety or security. [19]

41. The indiscriminate use of advanced Unmanned Aerial Vehicles (UAVs) has significantly contributed to the killings of civilians, who are often labelled as terrorists, without thorough identification measures. [20]

42. The Report also holds Israeli military campaigns responsible for causing widespread displacement of Palestinians from the northern regions and Rafah, and their forcible relocation to the Al Mawasi "humanitarian zone", which is already stretched to its limits in terms of capacity and resources.[21] The report considers that the objective of such actions increasingly points towards the deliberate intent of inducing mass forcible transfer. The pattern of conduct also includes a failure to provide safety for the displaced populations in the humanitarian zones.[22]

43. The Report also expresses significant concerns directly attributed to the actions taken by the Government of Israel. Those actions include the imposition of closures, blockades, and other unlawful impediments that disrupt the adequate supply of food, water, and other resources necessary for sustenance. The consequent result of such measures exposes the already vulnerable situation of the Palestinian community to factors of famine and malnutrition.[23]

44. Furthermore, it also notes that the cumulative result of methods involving the use of starvation against the civilian population constitutes the commission of war crimes.[24]

45. The Report also records the consistent pattern of attacks and deaths of humanitarian workers belonging to the Palestinian Crescent Society and United Nations Relief and Works Agency for Palestinian Refugees in the Near East (UNRWA).[25]

46. According to the Report, there has been a sudden upsurge in the killings of Palestinians by Israeli security forces in the West Bank, including East Jerusalem.[26] The use of airpower in regions free of active hostilities has also culminated in the deaths of many Palestinian children.[27]

47. The second section of the Report further raises concerns about the rapid increase in the instances of apparent extrajudicial killings.[28] The Report asserts that the unprecedented issuance of demolition orders by Israeli forces has resulted in extensive destruction of property in the Jenin, Tulkarm and Nur Shams camps.[29] The large-scale destruction of civilian property, not justified by

[18] Ibid para 14.
[19] Ibid para 15.
[20] Ibid para 16.
[21] Ibid para 20.
[22] Ibid para 21.
[23] Ibid para 24.
[24] Rome Statute of the International Criminal Court (opened for signature 17 July 1998, entered into force 1 July 2002) 2187 UNTS 3 art 8(2)(b)(xxv).
[25] UNHRC (n 9) para 26.
[26] Ibid para 31.
[27] Ibid para 32.
[28] Ibid para 35.
[29] Ibid para 37.

military necessity, constitutes a grave breach of the Geneva Convention relative to the Protection of Civilian Persons in Time of War.[30]

48. The Report also records rising instances of prolonged arbitrary deprivation of liberty, torture and enforced disappearances without access to due process [31]

49. It has also been stated that Palestinian civilians under detention have been subjected to gender-based violence, involving sexual abuse by Israeli officials.[32]

50. The Report highlights the considerable assault on press freedom and the constant endangerment of the lives of Palestinian journalists as a calculated strategy to curtail the coverage of international humanitarian law and international human rights law violations. [33]

51. The third section of the Report states that it is unaware of any possible actions pursued under the Israeli justice system, necessary for ensuring accountability for violations of international humanitarian law, including the commission of alleged war crimes in Gaza.[34]

52. The Report also acknowledges the international courts as instrumental platforms for the pursuit of accountability. [35] It further mentions the issuance of arrest warrants against a top-ranking Israeli official and one former Israeli official for the commission of certain war crimes and crimes against humanity.[36]

53. The Report further sheds light on the Advisory Opinion by the ICJ requiring Israel to respect obligations under international human rights law for the protection and fulfilment of human rights of the population of the Occupied Palestinian territory, including through the presence and activities of the UN, other international organisations and third states, in relation to the Occupied Palestinian Territory.[37]

1. Conclusions and Recommendations

54. The concluding section of the report attributes responsibility on Israeli forces and other Palestinian armed groups for the commission of serious violations of international humanitarian law, gross violations and abuses of international human rights law and atrocity crimes in Gaza.[38] It also highlights the prevalence of severe conditions, such as famine and malnutrition, which have further deepened the human-made humanitarian catastrophe.[39]

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[30] Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287, art 147.
[31] Ibid para 40.
[32] Ibid para 42.
[33] Ibid para 46.
[34] Ibid para 49.
[35] Ibid para 51.
[36] Situation in the State of Palestine (Case Summary), ICC-01/18.
[37] *Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory (Advisory Opinion)* (22 October 2025).
[38] UNHRC (n 9) para 54.
[39] Ibid para 55.

a) The report asserts that since 7 October 2023, the conduct of Israeli forces has imposed conditions of life that are fundamentally incompatible with the continued existence of the Palestinians as a group in Gaza. [40]

b) It also questions the lack of meaningful steps taken by the Israeli justice system to ensure accountability for violations committed by Israeli state officials.[41]

c) It states that the systemic discrimination, oppression, control and subjugation of the Palestinians in the Occupied West Bank, including East Jerusalem, the unlawful demolition of their homes and other reprehensible measures amount to violation of Article 3 of the International Convention on the Elimination of All Forms of Racial Discrimination.[42]

d) The report further indicates that current Israeli actions in Gaza and the West Bank can be attributed to a planned and accelerating effort to secure the annexation of large parts of the Occupied Palestinian Territory and deny the exercise of Palestinians' right to self-determination.[43]

e) The implementation of the "Comprehensive plan to end the Gaza conflict" requires major efforts for establishing accountability of state officials for international humanitarian law and international human rights law violations. Facilitating the dispensation of justice to victims is crucial to appropriately achieve the reconstruction of Gaza.[44]

f) The report ultimately urges Israel and the Palestinian Authority, to prevent, repress and punish all violations of international humanitarian law and international human rights law.[45]

g) The report again urges States to establish responsibility for criminal violations of international law through their national courts by exercising universal jurisdiction and through cooperation with the International Criminal Court.[46]

h) The High Commissioner also urges States to cease the sale, transfer and diversion of arms, and other military devices to Israel to prevent the facilitation of further violations of international humanitarian law and international human rights law in the Occupied Palestinian Territory.[47]

B. Report of the Special Rapporteur on the situation of Human Rights in the Palestinian territories occupied since 1967 submitted to the UN General Assembly at its eightieth session (2025)

1. Introduction

55. In the present report titled "Gaza Genocide: a collective crime"[48] ("the Report"), the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, examines the responsibility of Third States whose political, military,

[40] Ibid para 56.
[41] Ibid para 57.
[42] International Convention on the Elimination of All Forms of Racial Discrimination (adopted 21 December 1965, entered into force 4 January 1969) 600 UNTS 195, art 3.
[43] UNHRC (n 9) para 59.
[44] Ibid para 61.
[45] Ibid para 62.
[46] Ibid para 63.
[47] Ibid para 64.
[48] UNHRC, 'Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967' UN Doc. A/80/492 (20 October 2025) accessed 5 August 2026.

economic and humanitarian support has sustained Israel's occupation and, since October 2023, the genocide in Gaza. The Report states that without the direct participation, aid and assistance of other States, the prolonged unlawful occupation, which has now escalated into genocide, could not have been sustained, and that the military, political and economic support of certain Third States, together with an unwillingness to hold Israel accountable, has enabled Israel to embed its regime of settler-colonial apartheid in the Occupied Palestinian Territory (OPT), with more colonies, home demolitions, restrictions on movement and loss of Palestinian life.

56. The Report characterises the genocide as an "internationally enabled crime," sustained by States that have facilitated, legitimised and normalised the Israeli campaign, including by reproducing Israeli framings of Palestinian civilians as "human shields" and of the Gaza offensive as a defence of civilisation against terrorism. The Special Rapporteur identifies four indispensable sectors of Third State support: diplomatic, military, economic and humanitarian, each analysed as a distinct channel through which Israeli violations of international law have been enabled. Diplomatic initiatives are said to have normalised the occupation and failed to secure a permanent ceasefire; large-scale military aid and arms transfers, primarily to and from the United States and European States, are said to have enabled Israeli domination over the Palestinian people and facilitated the dismantling of humanitarian aid; and economic cooperation is said to have fuelled an Israeli economy that has profited from the occupation and the genocide.

57. The Report draws a parallel with successful international measures against apartheid South Africa, Rhodesia and Portugal, arguing that Third States bear the same legal and moral obligation to apply comparable measures against Israel, and that the failure to do so exposes a double standard in the application of international law.

2. Legal Framework

57. The Special Rapporteur sets out the categories of international law obligations binding on all States in relation to the OPT: (a) direct obligations owed to the Palestinian people, particularly the right to self-determination and freedom from apartheid and genocide, and to the State of Palestine, subject to the principles of non-interference, territorial integrity and self-defence; (b) obligations *erga omnes* arising from serious breaches of peremptory norms, comprising a positive duty to bring the unlawful situation to an end through lawful means, and negative duties not to recognise the situation as lawful or to render aid or assistance in maintaining it; (c) obligations of due diligence, including to prevent genocide once a serious risk arises, to ensure respect for international humanitarian law once violations become likely or foreseeable, and to cooperate in preventing crimes against internationally protected persons; and (d) obligations to refrain from aiding, assisting or directly participating in the internationally wrongful acts of another State, including aggression, apartheid and genocide.

58. The Report notes that, while international law does not prescribe the specific actions Third States must take, the assessment of compliance with duties of conduct depends on the circumstances involved, the gravity of the violations, the level of influence a State holds over the violating State, and the means reasonably available to it; a State fails in its obligation if it does not use all available means. The Report identifies five categories of means available to States that are relevant to this assessment: (a) forcible measures, permissible in limited circumstances under Article 51 of the UN Charter, a Security Council resolution under Chapter VII, or the "Uniting for

Peace" [49] procedure; (b) arms embargoes, required under the Arms Trade Treaty [50] wherever transferred goods are known or should be known to facilitate international crimes; (c) trade embargoes, permitted under World Trade Organization law and bilateral agreements where necessary to fulfil UN Charter obligations relating to international peace and security; (d) denial of safe passage, under the Convention on the Law of the Sea, where a vessel's passage is not in conformity with international law; and (e) prosecution and punishment of genocide, crimes against humanity, war crimes and torture, an obligation on all States regardless of their connection to the crime, alongside obligations to hold complicit corporations and individuals to account domestically.

59. The Report explains that State complicity arises where conduct materially or substantially enables or facilitates a wrongful act, undertaken with full knowledge of the circumstances, including the imminent or actual occurrence of the wrongful act. Complicity may be established through the provision or denial of funds, weapons, fuel, intelligence, diplomatic or political pressure, sanctions, or the implementation of court orders and arrest warrants; while individual actions may not amount to complicity on their own, the Report states that their cumulative and aggregate effect, including when combined with the actions of other States, must be assessed together. Where Third State conduct is direct, indispensable and constitutive of the wrongful act, meaning the result would not have occurred without it, the Report states that responsibility may extend beyond aid and assistance to joint participation, comparable to a joint criminal enterprise under individual criminal responsibility.

60. The Special Rapporteur situates these obligations within a chronology of legal developments. She recalls that the ICJ's 2004 Wall Advisory Opinion [51] first placed the international community on notice of its obligations regarding serious violations of peremptory norms in the OPT. By 20 October 2023, international law experts, genocide scholars and human rights organisations had already warned of an impending genocide. On 26 January 2024, the ICJ confirmed a serious risk of genocide in Gaza, giving rise to obligations on States to prevent it and to punish incitement, commission or complicity; further provisional measures followed in March and May 2024, alongside proceedings in *Nicaragua v. Germany*[52] and the ICC Prosecutor's applications for arrest warrants against senior Israeli officials. In July 2024, the ICJ found Israel's continued presence in the OPT unlawful in its entirety and ordered its total, unconditional and rapid withdrawal; the General Assembly subsequently set a deadline of 18 September 2025 for the occupation to be dismantled, a deadline Israel has not met. On 16 September 2025, the UN Commission of Inquiry concluded that Israel is committing genocide in the Gaza Strip, reaffirming the obligations of all States to prevent, cease aiding or assisting, and punish genocide.[53]

61. The Special Rapporteur draws two implications from these developments for the assessment of Third State responsibility. First, the intersecting duties described above must be assessed

[49] UNGA Res 377 (V), 'Uniting for Peace' (3 November 1950).
[50] United Nations Arms Trade Treaty (adopted 2 April 2013, entered into force 24 December 2014). United Nations, Treaty Series, vol. 3013.
[51] *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (Advisory Opinion) [2004] ICJ Rep 136
[52] *Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip* (South Africa v. Israel) (General List No. 192) (ICJ) <https://www.icj-cij.org/case/192> accessed 3 November 2026
[53] UNHRC, 'Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967' UN Doc. A/80/492 (20 October 2025) accessed 5 August 2026.

holistically, creating an imperative for all States to take measures. Second, given the extent of Israel's unlawful actions, any distinction between Israel and the OPT is said to be legally and practically impossible; applying the due diligence test set out in the 2024 Advisory Opinion, the Report concludes that Third States must presume in distinguishability between Israel and the OPT, which requires a comprehensive boycott of Israel.

3. Intersecting Components of Third State Complicity

(i) Diplomatic and political support

The Report finds that sustained diplomatic and political support by influential Third States enabled Israel to initiate and continue its assault on Gaza. It records that, following 7 October 2023, most Western leaders reproduced Israeli framings of the conflict, describing Israelis as civilians and hostages while portraying Palestinians broadly as combatants, human shields or lawfully detained prisoners, and that several Western leaders publicly endorsed Israel's invocation of self-defence, notwithstanding Israel's status as an occupying power to which Article 51 of the UN Charter does not apply.

62. The Report documents that, during the period under review, one permanent member of the Security Council exercised its veto on Palestine-related resolutions seven times, while other Western States contributed through abstentions, prolonged negotiations and the dilution of draft resolutions, favouring humanitarian "pauses" and "corridors" over a permanent ceasefire.

63. The Report notes that sanctions imposed by several Western States and regional organisations in 2024, and from June 2025 against two Israeli ministers, were limited to individual extremist settlers, organisations and officials, rather than extending to the Israeli State or its institutions. It further records that Arab and Muslim States convened three joint Arab-Islamic summits and several extraordinary meetings on Palestine, generating collective initiatives such as the Arab Plan for the reconstruction of Gaza, but that these efforts did not translate into decisive collective action, even amid Israeli strikes against several Arab States. It also notes that normalisation arrangements under the US-brokered Abraham Accords have, in some instances, facilitated continued economic and logistical support to Israel. While regional States sought to broker ceasefire agreements, their continued security, military and economic cooperation with Israel and other external powers limited the impact of these efforts.

64. On judicial accountability, the Report records that only 13 States supported South Africa's proceedings against Israel before the International Court of Justice[54], while most Western States persistently denied that genocide was occurring; that no State joined Nicaragua's case against Germany; and that only seven States referred the situation in Palestine to the International Criminal Court, with at least 37 States non-committal or critical of the Court's arrest warrants against senior Israeli officials, signalling an intent to evade arrest obligations. It further notes that a major power imposed sanctions intended to paralyse the ICC, another Western State threatened to withdraw its funding, and Israeli officials, including the Prime Minister, continued to travel across European airspace despite the outstanding arrest warrant, including a visit to a European State that subsequently withdrew from the Rome Statute in April 2025. The Report also records that Israel has been shielded from suspension in international sporting bodies, including the Olympics, FIFA,

[54] *Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip* (South Africa v. Israel) (General List No. 192) (ICJ) <https://www.icj-cij.org/case/192> accessed 3 November 2026

FIBA and the Davis Cup, as well as from cultural events such as Eurovision and the Venice Biennale.

65. The Special Rapporteur welcomes the Hague Group initiative, launched in January 2025 and led by Colombia and South Africa, under which thirteen States of the Global Majority committed to a set of six concrete measures against Israel, joined by twenty-one further States at a meeting held in New York on the margins of the eightieth session of the General Assembly. The Special Rapporteur notes that only four States have suspended diplomatic relations with Israel since October 2023, and that six States have downgraded relations. The Special Rapporteur notes that twenty States have recognised the State of Palestine since October 2023, several attaching conditions on governance, territorial integrity, political independence and demilitarisation that the Special Rapporteur regards as incompatible with genuine self-determination, and that the Saudi-French Two-State Solution Conference of September 2025 led ten further States to recognise the State of Palestine.

66. The Special Rapporteur highlights that on 30 September 2025, a number of States endorsed the "Trump Plan," despite its silence on ending the occupation, ensuring accountability and providing transitional justice, and notwithstanding its imposition of a temporary mechanism of external governance for Gaza that the Special Rapporteur views as undermining rather than realising Palestinian self-determination.

(ii) Military ties

67. The Special Rapporteur finds that, despite UN resolutions calling for an arms embargo on Israel since 1976, many States have continued supplying it with military support and arms transfers even as evidence of genocide has mounted. The Special Rapporteur notes that Israel is disproportionately dependent on weapons imports relative to its total trade, more than double the OECD average and over four times that of the United States, a dependency that has continued largely unchanged through the reporting period, save for cancellations by a small number of States, notably Spain and Slovenia.

68. The Special Rapporteur documents the long-standing provision of military and financial support by the United States to Israel, including substantial annual military financing, missile-defence assistance, access to weapons stockpiles, and support for the acquisition of advanced weapons systems. Following 7 October 2023, this support increased significantly, with additional defence assistance approved, accelerated arms transfers and new sales authorised through emergency procedures, and reduced transparency in reporting. The Special Rapporteur records that hundreds of arms consignments were transferred and that substantial arms sales remained active as of 2025. Apart from a brief pause affecting certain categories of bombs in 2024, the flow of military assistance continued.

69. The Special Rapporteur documents extensive military, logistical and technological support to Israel, including continued arms exports, surveillance, intelligence-sharing, weapons transit and transfers of F-35 components by numerous States, despite legal challenges and, in some cases, temporary export restrictions. Israel also maintained military partnerships, participated in joint exercises and received military training and personnel support from abroad, with limited accountability for foreign nationals serving in its military.

70. The Report further notes that Israeli arms exports increased significantly during the period under review, accounting for approximately 23 per cent of total exports in 2024. The Special

Rapporteur attributes this growth partly to international demand for Israeli weapons and surveillance technologies developed or tested in the context of the occupation, with exports increasing particularly to European, Asian and Arab markets.

71. The Special Rapporteur notes that States frequently justify continued arms transfers to Israel on the basis that the weapons supplied are "defensive" or "non-lethal," distinctions the Arms Trade Treaty does not recognise; the Treaty instead requires a holistic assessment of how arms, parts and components will ultimately be used, and the Special Rapporteur argues that, since the occupation itself is an unlawful use of force, nothing Israel does within it can properly be characterised as defensive.

(iii) Weaponization of aid

72. The Special Rapporteur finds that the humanitarian crisis in Gaza has itself been instrumentalised by Israel and facilitated by Third States. Special Rapporteur records that, even before 7 October 2023, the blockade included calculated restrictions on caloric intake, had left 80 per cent of the population aid-dependent, with 1.1 million Palestinians relying on UNRWA, which ran more than 400 aid distribution sites, for food and basic services.

73. The Special Rapporteur documents that, since October 2023, the blockade was converted into a comprehensive siege, with aid deliveries falling to an average of 107 trucks per day between October 2023 and January 2025, less than one third of pre-war levels, followed by a further tightening of restrictions in March 2025 and the declaration of famine by the Integrated Food Security Phase Classification in August 2025, with at least 461 deaths attributed to malnutrition-related causes by that point.

74. The Special Rapporteur finds that Israel has sought to destroy the humanitarian system sustaining the occupied population through direct attacks on UNRWA warehouses, food distribution sites, schools and clinics, killing more than 370 agency personnel; through sustained defamation campaigns against the agency; and through the promotion of substitute aid mechanisms. The Special Rapporteur records that when Israel alleged, without evidence, that UNRWA staff were involved in the events of 7 October, eighteen States immediately suspended funding, and that despite inconclusive investigations, most donors took months to resume contributions while the United States enacted legislation prohibiting funding altogether. The Special Rapporteur further notes that the Israeli Knesset outlawed UNRWA's operations with effect from 30 January 2025, a measure to which only some States responded, through a request for an ICJ Advisory Opinion on Israel's obligations regarding UN and third-party humanitarian access, which remained pending as of the Report's submission.

75. The Special Rapporteur is critical of the Gaza Humanitarian Foundation (GHF), a mechanism reportedly conceived as early as December 2023 and established with United States support and funding in 2025 to substitute for the UN-led aid system. The Special Rapporteur associates the GHF's military-run distribution sites, staffed in part by foreign contractors, with facilitating the forced displacement of Palestinians toward Egypt, and records that from March 2025 onward, amid famine and the destruction of 23 UNRWA sites within four months, 2,100 unarmed civilians were killed and hundreds of thousands more injured by Israeli forces and contractors at GHF sites; the GHF was disbanded only after the announcement of the US-brokered peace plan.

76. The Special Rapporteur takes the view that humanitarian air-drops conducted by some States were an expensive, inadequate and largely symbolic response that masked rather than addressed the underlying siege, and records that naval initiatives by civil society groups seeking to break the siege by sea were unlawfully intercepted by Israel in international waters, met with silence and inaction by Third States.

(iv) Economic and trade relations

77. The Special Rapporteur examines the economic relationships sustaining Israel, finding that international trade in goods and services equaled 54 per cent of Israeli GDP in 2024, down from 61 per cent in 2022, with the European Union, its largest trading partner, supplying almost a third of total Israeli trade over the preceding two years. The Special Rapporteur records that exports earned Israel approximately US$474 billion between 2022 and 2024, and highlights the significance of dual-use goods, which accounted for 31 per cent of Israeli merchandise imports from the European Union in 2024.

78. The Special Rapporteur notes that integrated circuits, often marketed as civilian technology but integral to Israeli weapons systems used for surveillance, control and precision targeting, became Israel's top export in 2023, accounting for 16 per cent of Israeli merchandise exports, worth approximately US$10 billion, and describes this as reflecting a broader military-civilian economic symbiosis and Israel's position in the global technology-arms trade. The Special Rapporteur records that Israeli trade is underpinned by at least 45 economic cooperation agreements and Abraham Accords, many States including the leading economies of the world have removed tariff and non-tariff barriers on dual-use and defence goods without distinguishing dealings with the OPT.

79. The Special Rapporteur documents continuing European research and investment cooperation with Israeli entities, including approximately €2.1 billion in grants under the EU's Research and Innovation Framework (Horizon Europe) since 2014, much of it for dual-use and military-relevant technologies, and a further €550 million in equity and blended finance to 34 Israeli companies through the European Innovation Council since 2021, making Israel among the highest per-capita beneficiaries of the programme. The Special Rapporteur further records that the European Investment Bank has financed Israeli entities with €2.7 billion since 1981, including €760 million in loans to Bank Leumi, a bank listed on the OHCHR database of businesses linked to Israeli settlements.

80. The Special Rapporteur identifies Türkiye's suspension of trade with Israel, announced in May 2024, as the principal exception to a broader pattern of continuity or increase in trade by other States, recording a 64 per cent reduction in Turkish-origin imports to Israel and a near-total cessation of exports between January and August 2025, notwithstanding reports of continued indirect trade.

81. The Special Rapporteur notes that trade agreements with Israel contain clauses conditioning cooperation on respect for human rights, democratic principles, public policy and international peace and security, but that these clauses have gone unenforced; it cites an internal 2024 European Union paper, leaked in August 2025, which the Special Rapporteur says shows the EU sought to preserve business-as-usual relations despite documented Israeli violations of the Association Agreement's terms, and records that a European Commission proposal to suspend core trade preferences on 37 per cent of Israeli exports to the EU remained pending as of the Report's submission.

82. The Special Rapporteur argues that Third States should extend restrictions to dual-use goods, drawing a comparison with EU sanctions on Russia following its invasion of Ukraine, and calculates that dual-use goods, on the EU's own definition, made up 38 per cent of all EU-Israel trade in 2024, equivalent to approximately US$17.5 billion, with the largest single category, integrated circuits traded via Ireland, rising from US$2.2 billion in 2022 to US$3.2 billion in 2024.

83. On energy, the Special Rapporteur notes that, unlike measures taken in other major conflicts, restrictions on energy supplies to Israel have remained extremely limited. Several States have continued to supply refined fuel and essential raw materials, while others have provided ports facilitating oil and gas transit. Gas imports from Israel have also continued through regional infrastructure, including a pipeline passing through waters adjacent to Gaza, while a major natural gas supply agreement was concluded in August 2025 amid the worsening humanitarian crisis.

4. Conclusion

84. The Special Rapporteur concludes that the genocide in Gaza has not been committed in isolation but has been sustained as part of a system of global complicity, with powerful Third States, primarily Western ones, having provided continuous military, diplomatic, economic and ideological support even as the scale and visibility of the violence became undeniable. The Special Rapporteur finds that Third States' acts, omissions and discourse in support of Israel could give rise to liability for aiding, assisting or jointly participating in internationally wrongful acts, including genocide, apartheid and war crimes, and states that it is imperative for Third States to immediately suspend and review all military, diplomatic and economic relations with Israel, given that continued engagement could itself constitute a means of aiding or directly participating in unlawful acts.

85. The Special Rapporteur states that accountability must extend beyond criminal prosecutions, whether before international or domestic courts, to include reparations by Israel and complicit Third States, comprising restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, and concludes that no State can credibly claim to uphold international law while arming, supporting or shielding a State committing genocide.

5. Recommendations

86. Recalling her previous recommendations, the Special Rapporteur reminds all States of their legal obligation not to participate in or be complicit with Israeli violations, and instead to prevent and address serious breaches of international law under the UN Charter and the Genocide Convention. As immediate measures, the Special Rapporteur recommends that Member States exert pressure for a complete and permanent ceasefire and the full withdrawal of Israeli troops; take immediate steps to end the siege of Gaza, including through naval and land humanitarian convoys and the provision of shelter before winter; and support the reopening of Gaza's international airport and port to facilitate aid delivery.

87. As structural measures, the Special Rapporteur recommends that Member States: (a) suspend all military, trade and diplomatic relations with Israel; (b) investigate and prosecute officials, corporate entities and individuals involved in or facilitating genocide, incitement, crimes against humanity and war crimes, and other grave breaches of international humanitarian law; (c) secure reparations from Israel and complicit Third States, including full reconstruction and the right of return; (d) cooperate fully with the International Criminal Court and the International Court of Justice; (e) reaffirm and strengthen support to UNRWA and the wider UN system; (f) suspend

Israel from the United Nations under Article 6 of the UN Charter; and (g) act under the "Uniting for Peace" procedure, in line with General Assembly resolution 377(V), to ensure that Israel dismantles its occupation.

88. The Special Rapporteur further urges trade unions, legal professionals, civil society organisations and ordinary citizens to monitor Member States' implementation of these recommendations and to continue pressing institutions, governments and corporations for boycott, divestment and sanctions measures until the occupation and related violations are brought to an end.

C. Report of the Independent International Commission of Inquiry (IICI) on the Occupied Palestinian Territory, including East Jerusalem, and Israel

1. Mandate, Procedural History, and Applicable Legal Framework

89. This brief provides an analysis of the key factual findings, legal assessments, and statutory conclusions presented in the fifth mandated report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (Report).[55] The primary investigative scope of the Report is directed toward examining serious violations of international human rights law (IHRL), international humanitarian law (IHL), and the perpetration of possible international crimes related to killings and the infliction of mental and bodily harm by non-State actors in Occupied Palestinian Territories (OPT). Specifically, the Independent International Commission of Inquiry (Commission) investigated three distinct operational categories: (a) violent attacks perpetrated by Israeli settlers across the occupied West Bank, including East Jerusalem; (b) killings and violent attacks perpetrated by Palestinian armed groups on people in the Occupied West Bank including East Jerusalem and Israel.

90. In executing its investigative mandate, the Commission gathered and corroborated several hundred open-source verification items, conducted extensive remote interviews with victims and eyewitnesses, and reviewed materials submitted through a formal public call for submissions. While formal requests for information and territory access were transmitted to both the Government of Israel and the State of Palestine, the report noted that Israel maintained a policy of non-cooperation and non-access, whereas the State of Palestine submitted substantive information and official comments. The Commission's governing legal baseline incorporates customary IHL (including the Fourth Geneva Convention of 1949 relative to the Protection of Civilian Persons in Time of War), core international human rights treaties, and the relating to international crimes. Furthermore, the Commission expressly integrated into its legal framework the landmark Advisory Opinion rendered on 19 July 2024 by the International Court of Justice (ICJ), which affirmed that Israel's continued presence in the Occupied Palestinian Territory is unlawful, establishing clear legal obligations for Israel to end its occupation rapidly, cease all settlement activities immediately, evacuate all settlers, and provide full reparation for damages.

2. Factual and Legal Findings: Israeli Settler Violence in the West Bank

(i) Escalation, Casualty Metrics, and State Attribution

91. The report establishes that settler violence in the occupied West Bank has experienced an unprecedented surge following October 2023, representing a systematic and structurally enabled

[55] UN Human Rights Council, Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, UN Doc. A/HRC/62/22 (8 May 2026)

campaign rather than sporadic criminality. Citing verified casualty metrics from the UN Office for the Coordination of Humanitarian Affairs (OCHA), the Commission recorded that in 2025 alone, at least seven Palestinians were killed and 832 injured (including 58 women, 63 boys, and 11 girls) by settlers, reflecting a 133 percent increase in fatalities and a 130 percent increase in injuries compared to 2024. Between January 2023 and December 2025, at least 26 Palestinians were killed and 1,570 injured by settlers, while cumulative documentation between 2008 and 2025 records 61 Palestinian fatalities (including 10 boys and two women) and 3,778 injuries. Following six in-depth incident investigations occurring between April 2024 and November 2025, including unprovoked attacks in *Sinjil, Al-Mazraa, Beitin, Huwara, Burkin,* and *Surif*, the Commission observed consistent fatal patterns where victims were shot in the head at close range or beaten to death.[56]

(ii) Modus Operandi, Territorial Dispossession, and Harm to Vulnerable Groups

92. The Commission determined that settler violence operated as a direct instrument of State territorial policy aimed at the *de facto* annexation of the OPT and the forcible displacement of rural communities' resident therein. Strategically positioned agricultural outposts and pastoral farms such as the *Meitarim* Farm outpost serve as staging grounds for organized, masked, and heavily armed raiding parties.[57]

93. Between 7 October 2023 and 10 March 2026, the Report notes that violent attacks directly forced the complete displacement and expulsion of 59 Palestinian shepherding communities, including the entirety of Khirbet Zanuta. In addition to property destruction and agricultural arson, the Report establishes that settler violence that severely targets Palestinian children through abductions, physical assaults, and continuous harassment (such as armed attacks on school transport near Jericho), generated cumulative trauma and described by the Commission as 'slow violence.' Furthermore, the Report states the Commission verified severe sexual and gender-based violence (SGBV) perpetrated by settlers to terrorize and humiliate communities, documenting verified cases of anal rape with a wooden stick, genital beatings, zip-tying of genitals, forced public nudity, and explicit rape threats against women and girls during land-grab raids in *Khirbet Humsa* and *Turmus'ayya*.[58]

3. Complicity of Israeli State Organs, Child Recruitment, and Pervasive Impunity

94. A pivotal conclusion of the report is that settler violence was directly attributable to the State of Israel under the international law governing State responsibility. The report observes that State organs, including cabinet ministers such as Bezalel Smotrich and Itamar Ben-Gvir, have actively condoned, financed, and armed settler outposts, including directing governmental funding to sanctioned extremist entities like Hashomer Yosh.

95. Settler groups have also systematically recruited Israeli minors as young as 12 years into an 'attrition corps to conduct harassment and land seizures, conduct categorized by the Commission as child abuse and exploitation. Particularly with respect to the situation on the ground the Report notes that the distinction between settlers and Israeli security forces has effectively collapsed

[56] Ibid 4
[57] Ibid 4
[58] Ibid 5

following the mass distribution of weapons and integration into regional defense units (‘*hagamar’*).[59]

96. Regarding the Israeli forces the Report notes that they routinely shield settlers during raids, refuse to intervene, and actively shoot Palestinians who attempt to defend their land with stones, mislabeling them as ‘terrorists’ to justify lethal force. According to the report such conduct entrenches structural impunity within law enforcement confirmed by data from Yesh Din that shows that 93.6 percent of Israeli police investigations into settler violence between 2005 and 2025 were closed without indictment. The Commission found that Israel’s failure to prevent violence, active collusion, and denial of legal protections constitute severe breaches of the Fourth Geneva Convention and violate fundamental human rights, including the rights to life, liberty, security, housing, education, and freedom from torture.[60]

4. Strategic Recommendations and Obligations

97. The Commission formulated precise, actionable recommendations to ensure legal accountability and redress ongoing violations that have been reproduced for consideration.

98. “The Commission urges the Government of Israel to:

(a) Immediately end the unlawful occupation of Palestinian territory, cease all new settlement activities, remove all settlers and settlements in compliance with the advisory opinion of July 2024 of the International Court of Justice and remove all obstructions to the full exercise of the Palestinian people’s right to self-determination;

(b) Take all preventative measures to ensure the protection of Palestinians, including children, from settler violence, in accordance with the Fourth Geneva Convention and the Convention on the Rights of the Child, including through the issuance and enforcement of clear orders to the Israeli Security Forces to protect the Palestinian population; conduct transparent investigations; and immediately dismantle all outposts and ensure they are not re-established;

(c) Ensure an immediate end to the violence, harassment and intimidation of Palestinians, including women and children, ensure accountability for violence against Palestinians perpetrated by settlers and the Israeli Security Forces, including through proper investigation, prosecution, punishment and compensation;

(d) Ensure accountability for settlers who target and limit the lives of women and girls and safeguard their right to autonomy and liberty;

(e) Protect Israeli children from recruitment or exploitation by settlers, provide for the rehabilitation and reintegration of children, including through restorative justice, psychosocial care and access to education. Prosecute, according to the law, individuals responsible for the recruitment of children and close or disband organizations promoting it;

(f) Allow unhindered access for the Commission to the Occupied Palestinian Territory and Israel to conduct investigations;

[59] Ibid 7
[60] Ibid 15

99. The Commission recommends that the Government of the State of Palestine:

(g) Investigate and prosecute, to the extent possible, crimes committed by armed groups in Gaza against Palestinians in the Occupied Palestinian Territory;

(h) Take all possible measures to prevent attacks against Israelis by Palestinian armed groups in the West Bank, including East Jerusalem, and ensure accountability;

(i) Ensure that the judicial and law enforcement system complies fully with international standards of justice;

100. The Commission recommends that the de facto authorities in Gaza:

(j) Immediately stop all extrajudicial punishments of civilians, including executions, torture, and mental, physical and sexual violence, and ensure accountability and restitution to victims and their families;

(k) Disband all armed forces that were established in order to carry out such punishments and remove all videos and photos of punishments published online;

(l) Ensure that the judicial and law enforcement system complies fully with international standards of justice;

(m) Refrain from using civilian objects, including hospitals, for any purpose incompatible with their humanitarian and civilian functions.

101. The Commission recommends that all States Members of the United Nations:

(n) Comply with all obligations under international law, including the advisory opinion of July 2024 of the International Court of Justice, the Geneva Conventions of 12 August 1949, in particular common article 1, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

(o) Cooperate with the investigation of the Office of the Prosecutor of the International Criminal Court;

(p) Cease aiding in the commission of violations of international law, including by ending arms transfers and the provision of financial support to settlements;

(q) Take all appropriate, legislative, regulatory and policy measures to prevent, investigate and address the involvement of all third parties, including business enterprises and third-party States, in providing assistance by way of financial support and the supply of arms, security equipment and logistic support to all non-State actors, including settlers and Palestinian armed groups, in violation of international human rights law, international criminal law and international humanitarian law;

(r) Conduct investigations under domestic or universal jurisdiction of individuals or organizations suspected of having participated in unlawful acts of violence against Palestinians and in the sustaining of the settlement enterprise, including dual nationals, and sanction those found to be responsible;

(s) Ensure that any peace plan in Gaza includes the full engagement and participation of Palestinians and accountability for domestic and international crimes committed by all parties, including Palestinian armed groups.

102. The Commission recommends that the Secretary-General list Israeli settlers as an extension of the State of Israel, in the annexes to the next annual report on children and armed conflict, as 'persistent perpetrators' for child killing, maiming, sexual violence and recruitment and use."

D. Advisory Opinion delivered by the ICJ on the Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory on 22 October 2025

1. Introduction and Procedural Context

103. On 22 October 2025, the International Court of Justice (ICJ) rendered its Advisory Opinion[61] on "Obligations of Israel in relation to the presence and activities of the United Nations, other International Organizations and Third States in and in Relation to the Occupied Palestinian Territories" in response to a request submitted by the United Nations General Assembly (UNGA) in Resolution 79/232 of 19 December 2024. The question on which an advisory opinion was requested from the ICJ was framed as follows:

104. "What are the obligations of Israel, as an occupying Power and as a member of the United Nations, in relation to the presence and activities of the United Nations, including its agencies and bodies, other international organizations and third States, in and in relation to the Occupied Palestinian Territory, including to ensure and facilitate the unhindered provision of urgently needed supplies essential to the survival of the Palestinian civilian population as well as of basic services and humanitarian and development assistance, for the benefit of the Palestinian civilian population, and in support of the Palestinian people's right to self-determination?"

105. The request sought clarification on the obligations of Israel, as an occupying Power and as a Member of the United Nations, concerning the presence and activities of the UN, other international organizations, and third States in and in relation to the Occupied Palestinian Territory (OPT). This request was prompted by the adoption of Israeli legislation in October 2024 curtailing the operations of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the subsequent deterioration of humanitarian conditions in the Gaza Strip. The Court, by a vote of fifteen to one, decided to comply with the request, rejecting arguments that it lacked jurisdiction or should exercise discretion to decline the opinion.

2. Jurisdiction and Discretion

106. The Court affirmed its jurisdiction under Article 96 of the UN Charter and Article 65 of its Statute, confirming that the question posed constituted a legal question suitable for advisory proceedings. In addressing whether it should exercise discretion to refuse the opinion, the Court dismissed several objections. It held that the advisory opinion would not prejudge the pending

[61] *Obligations of Israel in Relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in Relation to the Occupied Palestinian Territory* (Advisory Opinion of 22 October 2025) (ICJ) <https://www.icj-cij.org/sites/default/files/case-related/196/196-20251022-adv -01-00-en.pdf> accessed 17 August 2026 (Advisory Opinion)

contentious case between South Africa and Israel concerning the Genocide Convention,[62] as the subject matters were distinct: the present proceedings concerned Israel's obligations as an occupying power and member State of the UN, whereas the contentious case concerned alleged violations of the Genocide Convention.[63] The Court further distinguished this request from its 2004 Wall Advisory Opinion[64] and its 2024 Advisory Opinion on the Legal Consequences of Israel's Policies[65], noting that the current request addressed specific issues arising after 7 October 2023, particularly the legal framework governing humanitarian relief and the role of UNRWA.[66] The Court concluded that the available information was sufficient to enable it to discharge its judicial function and that the political nature of the request did not deprive the question of its legal character.[67]

3. Factual and Legal Context

107. The Court recalled that Israel has been an occupying Power in the OPT since 1967 and that, following its 2024 Advisory Opinion, Israel's obligations under the law of occupation are commensurate with the degree of its effective control. The Court noted that Israel's effective control over the Gaza Strip has increased significantly since 7 October 2023, thereby increasing its obligations under the law of occupation. The Court observed that, while hostilities were ongoing, the law of occupation applied alongside other rules of international humanitarian law (IHL) relating to the conduct of hostilities. It emphasized that Israel's security concerns, while relevant, did not constitute a free-standing exception permitting departure from otherwise applicable rules of IHL; any limitations based on security must be grounded in specific rules and exercised in good faith.[68] The court also noted the provisional agreement between UNRWA and Israel concluded on 14 June 167,[69] which provided inter alia that " UNRWA would continue its assistance to Palestine refugees, with the full co-operation of Israeli authorities, in the West Bank and Gaza Strip areas", and that Israel would facilitate the task of UNRW to the best of its ability."[70]

4. Obligations under International Humanitarian Law

108. The Court identified Israel's obligations primarily under the Fourth Geneva Convention of 1949[71] and customary international law. It emphasized that an occupying Power has a general obligation to administer the territory for the benefit of the local population.

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[62] *Case Concerning the Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip* (South Africa v. Israel) (General List No. 192) (ICJ) <https://www.icj-cij.org/case/192> accessed 3 November 2026

[63] Convention on the Prevention and Punishment of the Crime of Genocide (adopted 9 December 1948, entered into force 12 January 1951) 78 UNTS 277

[64] *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory* (Advisory Opinion) [2004] ICJ Rep 136

[65] *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem* (Advisory Opinion of 19 July 2024)

[66] Advisory Opinion 21

[67] Ibid 18-23

[68] Ibid 36

[69]

[70] Ibid 25

[71] Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention) (adopted 12 August 1949, entered into force 21 October 1950) 75 UNTS 287

(i) Obligation to Ensure Essential Supplies (Articles 55 and 56)

109. The Court held that, under Articles 55 and 56 of the Fourth Geneva Convention, Israel is obliged to ensure that the population of the occupied territory is supplied with the essentials of daily life, including food, water, shelter, medical supplies, and medical care. These obligations are not dependent on the population being "inadequately supplied" and extend to the entirety of the OPT. [72]The Court found that Israel is under both a positive obligation to ensure essential supplies to the fullest extent of the means available to it and a negative obligation not to impede the provision of these supplies or the performance of services related to public health. To the extent that Israel does not itself fulfil these obligations, leaving that responsibility to the UN (acting through UNRWA) and other international organizations and third States, Israel is under the same positive and negative obligations to support and not to restrict the activities of those entities.[73]

(ii) Obligation to Agree to and Facilitate Relief Schemes (Article 59)

110. The Court found that, under Article 59 of the Fourth Geneva Convention, where the population of an occupied territory is inadequately supplied, the occupying Power is under an unconditional obligation to agree to and facilitate relief schemes undertaken by States or impartial humanitarian organizations. The Court determined that the local population in the Gaza Strip has been inadequately supplied within the meaning of Article 59. Consequently, Israel is obliged to agree to and facilitate relief schemes provided by third States and impartial humanitarian organizations, including the UN and UNRWA. The Court rejected Israel's argument that UNRWA was not an impartial organization, noting that there was no evidence that UNRWA, as an entity, had breached the principle of impartiality. It further observed that UNRWA was an indispensable provider of humanitarian relief in the Gaza Strip and could not be replaced on short notice without a proper transition plan. The Court emphasized that an occupying Power may never invoke reasons of security to justify the general suspension of all humanitarian activities in an occupied territory.[74]

(iii) Other Specific Obligations

111. The Court identified several additional obligations under IHL: (1) to respect and protect all relief and medical personnel and facilities, whose activities may be limited only in case of imperative military necessity; (2) to respect the prohibition on forcible transfer and deportation, including by not restricting the presence and activities of the UN and other organizations to a degree that creates conditions of life that would force the population to leave; (3) to respect the right of protected persons detained by Israel to be visited by the International Committee of the Red Cross (ICRC), as provided in Articles 76 and 143 of the Fourth Geneva Convention; and (4) to respect the prohibition on the use of starvation of civilians as a method of warfare, a rule of customary international law.

5. Obligations under International Human Rights Law and the UN Charter

112. The Court held that, as an occupying Power, Israel has an obligation under international human rights law to respect, protect, and fulfil the human rights of the population of the OPT,[75] including through the presence and activities of the UN, other international organizations, and third

[72] Ibid 44
[73] Ibid 40
[74] Ibid 37
[75] Ibid 49

States. The Court affirms that Israel's obligations under international human rights law extend to acts taken by it in exercise of its jurisdiction outside its territory. Furthermore, the Court found that Israel has an obligation to co-operate in good faith with the UN by providing every assistance in any action it takes in accordance with the Charter, including the activities of UNRWA. The Court also held that Israel has an obligation under Article II of the Convention on the Privileges and Immunities of the United Nations to ensure full respect for the inviolability of UN premises, including those of UNRWA, and other agencies including the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations Development Programme (UNDP) and for the immunity of the property and assets of the Organization from any form of interference.[76]

6. Operative Conclusions

113. In its operative conclusions, the Court unanimously held that Israel, as an occupying Power, is required to fulfil its obligations under IHL, including the obligations to ensure essential supplies, facilitate relief schemes, respect and protect relief personnel, prohibit forcible transfer, allow ICRC visits, and prohibit starvation. By ten votes to one, the Court held that Israel has an obligation under international human rights law to respect, protect, and fulfil the human rights of the population of the OPT, including through the presence and activities of the UN and other organizations. The Court further held, by ten votes to one, that Israel has an obligation to co-operate in good faith with the UN and, under the Convention on the Privileges and Immunities of the United Nations, to ensure full respect for the inviolability of UN premises and the immunity of UN property and assets.

7. Conclusion

114. This Advisory Opinion clarifies and reinforces the legal framework governing humanitarian relief in occupied territories, emphasizing the unconditional nature of the occupying Power's obligation to facilitate relief when the population is inadequately supplied. It affirms the indispensable role of UNRWA in the Gaza Strip and establishes that Israel's obligations under the international law require it to support, rather than restrict, the Agency's operations. The Opinion also underscores the concurrent application of IHL and international human rights law in the OPT and the obligation of UN Member States to co-operate in good faith with the Organization in the discharge of its humanitarian mandate.

E. Report of the Board of Peace through the Office of the High Representative for Gaza pursuant to UN Security Council 2803 (2025)

115. This brief analyses the international law issues raised by the establishment and operation of the Board of Peace (BoP) for Gaza pursuant to United Nations Security Council Resolution 2803 (2025)[1], with particular attention to legal issues arising within the context of the Occupied Palestinian Territories (OPT). It draws primarily on United Nations documentation and recent academic commentary to assist AALCO Member States in evaluating the legal implications of this novel governance arrangement.

116. Following nearly two years of intense hostilities in the Gaza Strip, the Security Council adopted Resolution 2803 (2025) ("BoP Resolution"),[77] endorsing a "Comprehensive Plan to End the Gaza Conflict" backed by the United States and its regional partners. The resolution welcomes

[76] Ibid 55
[77] UN Security Council Resolution 2803 (17 November 2025) UN Doc. S/RES/2803 (2025)

the establishment of the Board of Peace (BoP) as "a transitional administration with international legal personality" tasked with setting the framework and coordinating funding for the redevelopment of Gaza and authorizes the Board and participating Member States to create operational entities to implement the plan. At the outset it is pertinent to note that the UN Security Council Resolution 2803 is framed as a Chapter VII measure wherein the Security Council determined that the situation in the Gaza Strip threatens regional peace and security and therefore provides a legal basis, under the Charter, for far-reaching institutional innovations in the governance of Gaza, including *inter alia* the deployment of a temporary International Stabilization Force (ISF).

117. Under Resolution 2803, the BoP is not constituted as a subsidiary organ of the United Nations but as a *sui generis*, internationally-recognized body chaired by the president of a permanent Council member, with its own legal personality and funding vehicles. The Board is empowered to establish operational entities responsible for transitional governance, reconstruction, delivery of public services and humanitarian assistance, and regulation of the movement of persons in and out of Gaza, all under its "transitional authority and oversight".[78] One such entity is a "Palestinian technocratic, apolitical committee of competent Palestinians from the Strip", formally the National Committee for the Administration of Gaza (NCAG), which manages day-to-day civil administration but remains subject to supervision by the BoP until the Palestinian Authority has completed a prescribed reform programme and can "securely and effectively take back control of Gaza".[79]

118. The inaugural six-month report submitted by the Board of Peace pursuant to UN Security Council Resolution 2803 (2025).[80] Board of Peace, established under the chairmanship of United States President Donald J. Trump through its founding Charter signed on 16 January 2026, brought together 28 States as members. Operating through the Office of the High Representative for Gaza, led by Mr. Nickolay E. Mladenov, the Board functions as the central coordinating authority between the Security Council, guarantor States, transitional bodies, and the primary parties to the conflict.

119. At the outset the report informs that over the seven-month reporting period from 17 November 2025 to 14 May 2026, the ceasefire in Gaza has largely held despite recurring daily violations. A foundational achievement under the Comprehensive Plan was the complete resolution of the hostage crisis whereby out of the 251 individuals taken captive on 7 October 2023, 168 living hostages were safely returned by January 2026. In accordance with reciprocal obligations, the report also noted that Israel released 250 life-sentence prisoners and approximately 1,700 Gazan detainees and notes diplomatic efforts of the designated ceasefire guarantors: the Arab Republic of Egypt, the State of Qatar, the Republic of Türkiye, and the United States of America.[81]

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[78] Ibid paragraph 4

[79] Ibid paragraph 2 UN Security Council Document S/2026/418, dated 15 May 2026,

[80] BoP Resolution paragraph 10; UNSC, 'Annex to the letter dated 15 May 2026 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council: Report of the Board of Peace through the Office of the High Representative for Gaza' (15 May 2026) UN Doc. S/2026/418 (2026) <https://www.un.org/unispal/document/implementation-of-united-nations-security-council-resolution-2803 - 2025-report-of-the-board-of-peace-through-the-office-of-the-high-representative-for-gaza-s-2026-418/> accessed 13 August 2026

[81] Ibid 3

120. To bridge the transition from ceasefire to permanent stabilization, the guarantors and the High Representative formulated a 15-Point Roadmap. This Roadmap establishes the legal and administrative framework for the National Committee for the Administration of Gaza (NCAG) as the sole legitimate transitional authority responsible for civil governance and public safety. Under the doctrine of "one authority, one law, one weapon," the core security obligation requires the complete, internationally verified decommissioning of all factional weapons and the dismantling of military and tunnel infrastructure. This decommissioning process is designed to proceed in synchronized phases matched by a phased withdrawal of the Israel Defense Forces (IDF) to the Gaza perimeter, alongside a managed civil transition incorporating conditional amnesty, weapons buy-back programs, and civil service integration for compliant personnel.

121. The Report notes that transitional civilian governance is vested in the NCAG, led by Chief Commissioner Dr. Ali Shaath. Formally inaugurated in Cairo on 15 January 2026 with World Bank technical oversight, the NCAG is tasked with managing public services, restoring critical infrastructure, and maintaining law and order. To meet its public safety mandate, the it was report that the NCAG launched an open recruitment drive that attracted tens of thousands of applicants, with plans underway to train a vetted civilian police force in partnership with Egypt. However, the NCAG's capacity to deploy on the ground remains legally and operationally constrained because areas still under factional armed influence.

122. Security oversight and buffer management are entrusted to the International Stabilization Force (ISF), operating under unified United States command under Major General Jasper Jeffers. Authorized under the BoP Resolution, the ISF is mandated to monitor the ceasefire, oversee the chain of custody for decommissioned weapons, support civilian police training, and safeguard humanitarian corridors. On 19 February 2026, five founding troop contributors from the Republic of Albania, the Republic of Indonesia, the Republic of Kazakhstan, Kosovo, and the Kingdom of Morocco signed a formal declaration of support, subsequently completing pre-deployment site surveys in late April 2026.[82]

123. In the humanitarian sphere, the report notes that close coordination among the Board of Peace, UN agencies, and international partners resulted in a 70 percent increase in aid distribution compared to pre-ceasefire levels, delivering nearly 300,000 metric tons of relief supplies and expanding crucial infrastructure such as the Red Cross Field Hospital in Rafah. Rigorous accountability and monitoring mechanisms successfully reduced UN-facilitated in-kind aid diversion from a peak of 90 percent during active hostilities down to approximately 1 percent. Furthermore, border mobility saw measurable progress with the reopening of the Rafah crossing for pedestrian traffic and medical evacuations, recording up to 200 daily crossings by April 2026.[83]

124. Despite these improvements, the report states that overall socio-economic conditions remain catastrophic, with approximately 85 percent of Gaza's buildings damaged or destroyed, 70 million tons of rubble containing unexploded ordnance requiring clearance, 350 kilometres of subterranean tunnels needing neutralization, and unemployment hovering around 80 percent. Joint damage assessments conducted by the World Bank, UN, and European Union estimate total ten-year recovery and reconstruction costs at $71.4 billion. To fund early recovery, the Board of Peace

[82] Board of Peace, 'Declaration of the Founding Contributors to the International Stabilization Force' (19 February 2026) (Board of Peace, 2026) <https://boardofpeace.org/documents/Declaration_Founding_Contr ibutors_ISF.pdf> accessed 13 August 2026.
[83] The Report 4

established the Gaza Reconstruction and Development Fund (GRAD), trustee-managed by the World Bank Group. While eight founding donor states have pledged $17 billion for reconstruction, a significant gap remains between committed funds and actual disbursements. In the report it is emphasized that full reconstruction investments cannot be unlocked until verified demilitarization is achieved to guarantee donor confidence and regional security.

125. In its concluding recommendations, the Board of Peace calls upon the UN Security Council to take four decisive steps: first, to publicly affirm that weapon decommissioning is an indispensable legal and practical prerequisite for reconstruction, withdrawal of the Israeli Defence Forces, and a viable pathway toward Palestinian self-determination and Statehood; second, to exert maximum diplomatic pressure on armed factions in Gaza to come to prompt agreement; third, to facilitate the immediate, unimpeded entry of the NCAG and secure predictable operation of humanitarian crossings; and fourth, to urge international donors to rapidly convert financial pledges into active disbursements.

126. Document S/2026/418 illustrates an evolving framework of internationalized administration that intersects significantly with public international law. Member States should note the operational mechanisms governing the delegation of administrative authority to the NCAG and its interaction with the right to the self determination of the Palestinian people. Additionally, it also remains essential that States working through the GRAD mechanism must ensure that troop deployment protocols, trust fund arrangements, and decommissioning oversight strictly adhere to their international obligations those arising out of international humanitarian law and human rights law.

IV. Comments and Observations of the AALCO Secretariat

127. Questions relating to the OPT have been on the agenda of AALCO for quite some time, and have covered every aspect of the international law dimension to the situation in the OPT. Over the years, Member States have deliberated on a range of issues raised in various UN bodies in the form of reports, declarations, resolutions, advisory opinions, and judgments. The Secretariat brief situates the current developments within AALCO's long institutional engagement with the question of Palestine maintaining the continuity of the Organization's work from its initial consideration of deportation and settlement policies in the late 1980s to the present focus on violations of international law. It demonstrates that the issues raised are not episodic but reflect systemic and long-standing patterns of grave violations that have repeatedly been brought to the attention of the international community and of AALCO Member States.

128. The Secretariat identifies and synthesizes the principal recent UN reports relevant to the OPT the Special Rapporteur's report characterizing the situation in Gaza as "Gaza Genocide: a collective crime"; the High Commissioner's report on the human rights situation in the Occupied Palestinian Territory, including East Jerusalem, and on accountability and justice; the report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel; the 2025 Advisory Opinion of the International Court of Justice; and the report of the Board of Peace pursuant to Security Council resolution 2803 (2025). By assembling the key issues raised in these sources, the brief provides Member States with a consolidated overview of the violations of international law in the OPT, and particularly the grave situation in Gaza and thereby enhances AALCO's capacity to engage with these developments in a coherent and informed manner.

129. The Secretariat observes that the UN High Commissioner's report presents, the massive scale of civilian casualties, displacement, destruction of civilian infrastructure and the resort to starvation and blockade as methods of warfare in Gaza and raises concerns regarding conduct that may constitute war crimes, as assessed in the report and, in light of their cumulative impact on the conditions of life of Palestinians, to possible genocide. The emphasis placed on the deliberate obstruction of humanitarian access, the denial of essential supplies and the use of advanced weaponry in densely populated civilian areas highlights issues that directly engage core rules of international humanitarian law, including the prohibition on starvation of civilians, the principles of distinction and proportionality, and the obligation of an occupying Power to ensure the welfare of the occupied population. The Secretariat considers that this material invites Member States to reflect not only on the individual criminal responsibility of perpetrators, but also on obligations of the international community under common Article 1 of the Geneva Conventions and the Genocide Convention to prevent, repress and punish such conduct and to refrain from aiding or assisting its commission.

130. With regard to the IICI the Secretariat notes that the brief usefully foregrounds the systematic and structural character of settler violence in the West Bank, including East Jerusalem, and the Commission's conclusion that such violence operates as an instrument of State territorial policy aimed at de facto annexation and forced displacement. The documented patterns of killings, serious bodily harm, sexual and gender-based violence, and harassment of children and other vulnerable groups, as well as the collapse of the distinction between armed settlers and elements of the Israeli security forces, raise grave questions under the Fourth Geneva Convention and under international human rights law. The Secretariat takes note of the Commission's findings concerning the

involvement of State authorities in settler violence and the related questions of State responsibility under international law. These aspects warrant close attention by AALCO Member States.

131. The discussion of the ICJ Advisory Opinion delivered on 22 October 2025 as presented, clarifies in detail Israel's obligations as an occupying Power under the Fourth Geneva Convention and customary international law, particularly the obligation to ensure essential supplies to the population, to agree to and facilitate relief schemes undertaken by States and impartial humanitarian organizations, and to refrain from impeding the activities of UN agencies such as UNRWA. The Court's rejection of arguments that security concerns can justify a general suspension of humanitarian activities, and its affirmation of the concurrent applicability of international humanitarian law and international human rights law in the OPT, are of direct relevance to the situation described in the UN High Commissioner's report and in findings of a number of UN agencies. The Secretariat considers that the Advisory Opinion provides an important legal reference for Member States in examining the obligations identified by the Court, particularly concerning humanitarian assistance, cooperation with the United Nations and the protection of the Palestinian civilian population.

132. At the same time, the Secretariat the brief also draws attention to the innovative and complex governance arrangements established by UN Security Council Resolution 2803 (2025), including the creation of the BoP as a *sui generis* transitional administration with international legal personality and the establishment of the NCAG under the BoPs supervision. While the report of the BoP records reported progress in maintaining a largely effective ceasefire, resolving the hostage crisis, increasing humanitarian assistance and initiating reconstruction planning, it also reveals the continuing catastrophic socio-economic situation in Gaza and the highly conditional nature of reconstruction financing, which is tied to verified demilitarization and the progressive withdrawal of Israeli forces.

133. The Secretariat notes that the transitional arrangements envisaged under Security Council resolution 2803 (2025) raise important questions of international law, including their relationship with the right of the Palestinian people to self-determination, the applicable legal framework governing transitional administration, and the respective roles of Palestinian institutions and international actors. These matters may provide useful subjects for legal discussion among AALCO Member States.

134. Against this background, the Secretariat invites Member States at the Sixty-Fourth Annual Session to engage, in a structured manner, with each of the international law issues arising from the UN reports and the ICJ Advisory Opinion.