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**Promotion and protection of human rights: human rights situations
and reports of special rapporteurs and representatives****Situation of human rights in the Palestinian territories
occupied since 1967****Note by the Secretary-General***

The Secretary-General has the honour to transmit to the General Assembly the report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, in accordance with Human Rights Council resolution 5/1.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

**Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967,
Francesca Albanese**

Gaza Genocide: a collective crime

Summary

The ongoing genocide in Gaza is a collective crime, sustained by the complicity of influential Third States that have enabled longstanding systemic violations of international law by Israel. Framed by colonial narratives that dehumanize the Palestinians, this live-streamed atrocity has been facilitated through Third States' direct support, material aid, diplomatic protection and, in some cases, active participation. It has exposed an unprecedented chasm between peoples and their governments, betraying the trust on which global peace and security rest. The world now stands on a knife-edge between the collapse of the international rule of law and hope for renewal. Renewal is only possible if complicity is confronted, responsibilities are met and justice is upheld.

I. Introduction

1. Without the direct participation, aid and assistance of other States, the prolonged unlawful Israeli occupation of the Palestinian territory, which has now escalated into a full-fledged genocide, could not have been sustained. The military, political and economic support of some Third States and the 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 and erasure of Palestinian life. Since October 2023, Israel has escalated its violence to an unprecedented level.

2. In light of this complicity, this report demonstrates that the ongoing genocide of the Palestinians must be understood as an internationally enabled crime. Many States, primarily Western ones, have facilitated, legitimized and eventually normalized the genocidal campaign perpetrated by Israel.¹ By portraying Palestinian civilians as “human shields”² and the broader onslaught in Gaza as a battle of civilization against barbarism, they have reproduced the Israeli distortions of international law and colonial tropes, seeking to justify their own complicity in genocide.

3. Focusing on the aid and assistance that Third States have provided to the illegal Israeli occupation and its genocide of the Palestinian people, the report identifies four sectors of support: diplomatic, military, economic and “humanitarian”. Each is indispensable to the ongoing Israeli violations of international law. Diplomatic initiatives have normalized the Israeli occupation and failed to achieve a permanent ceasefire. Large-scale military aid, cooperation and arms transfers, primarily to and from the United States and European States, have enabled Israeli domination over the Palestinian people. This has also facilitated Israeli actions to dismantle humanitarian aid and impose conditions of life calculated to bring about the destruction of Palestinians as a group. Economic cooperation has fuelled the Israeli economy, which has profited from the illegal occupation and genocide.

4. The successful measures implemented against Apartheid South Africa, Rhodesia, Portugal and other colonial regimes demonstrate that international law can be enforced to secure justice and self-determination. Today, Third States have the same legal and moral obligation to apply these and other measures against any State still perpetrating settler-colonial violence and apartheid. Their failure to hold Israel accountable for its long-standing international crimes – despite clear orders from international courts – exposes the flagrant double standards of the international community.³

II. Methodology

5. The report was developed through a review of UN materials, including the report of the Secretary General A/79/588 and 40 submissions from State and non-State actors. All 63 States mentioned in the report were provided the opportunity to comment on factual errors or inaccuracies; 18 States submitted a reply.

III. Legal Framework

6. International law imposes a range of obligations on all States to respect, prevent and bring an end to violations whenever they occur. In the context of the oPt, the most relevant are:

¹ A/HRC/55/73, paras 55-92.

² Neve Gordon and Nicola Perugini, *Human Shields: A History of People in the Line of Fire* (University of California Press, 2020); <https://jewishcurrents.org/human-shields-gaza-israel-a-legal-justification-for-genocide> <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/20/remarks-by-president-biden-on-the-united-states-response-to-hamass-terrorist-attacks-against-israel-and-russias-ongoing-brutal-war-against-ukraine/>.

³ Ardi Imseis, *The United Nations and the Question of Palestine, Rule by Law and the Structure of International Legal Subalternity* (Cambridge University Press, 2023).

(a) Direct obligations all States owe to the Palestinian people – especially the obligations to respect their right to self-determination⁴ and freedom from apartheid⁵ and genocide⁶ – and to the State of Palestine, while respecting the principles of non-interference, territorial integrity, political independence and self-defence.⁷

(b) Obligations *erga omnes* arising from the serious breach of peremptory norms – the obligation to respect the self-determination of the people, the prohibition of genocide, racial segregation, apartheid and territorial acquisition through force by Israel, including:⁸ (i) a positive obligation to, individually⁹ and cooperatively, bring any unlawful situation to an end through lawful means; and negative duties to not (ii) recognize as lawful the situation arising from their breach, or (iii) render aid or assistance to maintain that situation.¹⁰

(c) Obligations of due diligence to prevent specific violations of international law, including the obligations to: (i) prevent genocide (triggered when a “serious risk” arises);¹¹ (ii) ensure respect for international humanitarian law¹² (triggered when violations are “likely or foreseeable”¹³) and (iii) cooperate to prevent crimes and attacks on internationally protected persons.¹⁴

(d) Obligations to refrain from aiding or assisting,¹⁵ or directly participating in internationally wrongful acts of other States,¹⁶ including aggression,¹⁷ apartheid¹⁸ and genocide.¹⁹

7. While international law does not prescribe the specific actions that Third States must take to discharge their obligations, certain obligations are assessed according to results. Where these obligations are duties of conduct, State responsibility depends on the

⁴ A/77/356, paras. 15–32.

⁵ Convention on the Suppression and Punishment of the Crime of Apartheid, Article 1; Convention on the Elimination of All Forms of Racial Discrimination (CERD) Article 3; *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, I.C.J Reports 2024, para. 229.

⁶ Genocide Convention, Article I.

⁷ UN Charter, Articles 2(4), 2(7), and 51; and <https://opiniojuris.org/2025/09/24/too-little-too-late-on-the-meaning-and-consequences-of-the-recognition-of-the-state-of-palestine/>.

⁸ *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 40.

⁹ <https://alhaqueurope.org/wp-content/uploads/2025/09/Wilde-Palestine-AO-OPT-AI-Haq-Europe-Opinion.pdf>, pp. 43-45.

¹⁰ *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 41; and *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 9 July 2004, I.C.J Reports 2004, para. 159.

¹¹ Genocide Convention, Article I; *Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide*, Advisory Opinion, 28 May 1951, I.C.J. Reports 1951, p. 23; and *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, I.C.J Reports 2007, para. 431.

¹² Common Article 1 to the Geneva Conventions; International Committee of the Red Cross on customary international humanitarian law, Rule 144; *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, I.C.J Reports 2024, para 279; and *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 9 July 2004, I.C.J. Reports 2004, para. 159.

¹³ *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, Merits, Judgment, I.C.J. Reports 1986, p 130, para. 256.

¹⁴ Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973), Article 4; and A/RES/37/123.

¹⁵ *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 16; and *Draft articles on the responsibility of international organizations Article 14*.

¹⁶ *Ibid.*, Article 47; and *ibid.*, Article 48.

¹⁷ A/Res/3314(XXIX).

¹⁸ Apartheid Convention, Articles III, IV.

¹⁹ Genocide Convention, Article III(e).

circumstances involved,²⁰ gravity of the violations in question,²¹ level of influence over the violating State²² and the means available to exert such influence.²³ A State fails in its obligation if it does not use all available means to discharge it.²⁴

8. Certain areas of international law do specify the means available to States and the *opinio juris* regarding expected actions, which are relevant to assessing Third State compliance with their obligations. These include:

(a) **Forcible measures:** Third States may, and in some case must, use force against a State in violation of Article 2(4) of the UN Charter, in at least three circumstances: (i) under Article 51 of the UN Charter, Third States may intervene on request of a State acting in self-defence when subject to an act of aggression;²⁵ (ii) pursuant to a UNSC Resolution under Chapter VII of the UN Charter; (iii) under the Uniting for Peace resolution.²⁶

(b) **Arms embargoes:** the Arms Trade Treaty prohibits arms and other military-related transfers when it is known or should have been known that the goods will be used in international crimes.²⁷ It also requires risk assessments to prevent transfers where there are overriding risks to international peace and security or of serious violations of international human rights and humanitarian law.²⁸ Prohibitions also apply to transit and trans-shipment.²⁹

(c) **Trade embargoes:** treaties under the World Trade Organization allow States to deviate from core trade principles, such as Most Favoured Nation, to fulfil their UN Charter obligations relating to international peace and security, including peremptory norms.³⁰ Bilateral free trade³¹ and investment agreements³² with Israel usually contain similar clauses, and human rights arguments have been upheld in international arbitration.³³ To the

²⁰ *Obligations of States in respect of Climate Change*, Advisory Opinion, 23 July 2025, I.C.J Reports 2025, para 137, 247.

²¹ *Ibid*, para 283; International Tribunal for the Law of the Sea, *Request for an Advisory Opinion submitted by the Commission of Small Island States on Climate Change and International Law*, ITLOS Case No. 31, Advisory Opinion, 21 May 2024, para 239; and “50. The obligation of Third States to prevent genocide” (*Advisory Committee on Issues of Public International Law*, 2025), p. 7.

²² *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, I.C.J Reports 2007, para. 430; and International Committee of the Red Cross on Updated Commentary on the First Geneva Convention (2016) Article 1, paras. 164-168.

²³ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, I.C.J Reports 2007, para. 431.

²⁴ *Obligations of States in respect of Climate Change*, Advisory Opinion, 23 July 2025, I.C.J Reports 2025, para 208; *Ibid* (Bosnia v Serbia), paras. 430- 431; ICRC on Updated Commentary on the First Geneva Convention (2016) Article 1, para 165.

²⁵ A/RES/3314 (XXIX); <https://verfassungsblog.de/a-seismic-change/>; *Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America)*, Merits, Judgment, I.C.J. Reports 1986, para. 191.

²⁶ A/RES/377(V); <https://mondoweiss.net/2025/08/how-the-un-could-act-today-to-stop-the-genocide-in-palestine/>

²⁷ Arms Trade Treaty (ATT) Article 6; and https://www.thearmstradetreaty.org/hyper-images/file/ATT_CSP10_WGETI_Voluntary%20Guide%20to%20Implementing%20Articles%206%20&%207%20of%20the%20ATT_EN/ATT_CSP10_WGETI_Voluntary%20Guide%20to%20Implementing%20Articles%206%20&%207%20of%20the%20ATT_EN.pdf, pp 18.

²⁸ Arms Trade Treaty (ATT) Article 7.

²⁹ *Ibid*. Article 2.

³⁰ Common Article XXI(c) of General Agreement on Trades and Tariffs (GATT) 1947 and General Agreement on Trades and Tariffs (GATT) 1994; General Agreement on Trade in Service (GATS) Article XIV bis(1)(c); and www.wto.org/english/res_e/booksp_e/gatt_ai_e/art21_e.pdf.

³¹ USA-Israel FTA (1985), Article 7; Canada-Israel FTA (1997), Article 20.1; Mercosur-Israel FTA (2009-10), Article 1; EU-Israel Association Agreement (2000), Articles 27, 76.

³² Israel-UAE BIT (2020), Article 14.4; Israel-Japan BIT (2017), Article 15.2; Guatemala-Israel BIT (2006), Article 7.1; available at <https://investmentpolicy.unctad.org/international-investment-agreements/countries/102/israel>; and www.law4palestine.org/wp-content/uploads/2025/04/L4P_Third-State-Economic-Responsibility-Booklet-PDF.pdf, pp. 34-38

³³ Federica Violi, “Navigating corporate accountability in international economic law: a critical overview”, in *Handbook of Accountability Studies: Politics, Law, Business, Work*, Ioannis Papadopoulos and others, eds. (Elgar Publishing, forthcoming 2026).

extent that bilateral agreements violate peremptory norms or sustain their serious breach, they are null and void.³⁴

(d) **Denial of Safe Passage:** the Convention on the Law of the Sea allows States to prevent “non-innocent passage” where a ship’s passage is not “in conformity with the rules of international law”,³⁵ and risks rendering the State complicit in international crimes, violations of UN Charter obligations or peremptory norms.³⁶

(e) **Prosecution and Punishment:** under the Geneva Conventions and customary international law, all States have the obligation to prosecute and punish genocide, crimes against humanity, war crimes and torture, regardless of their connection to the crime.³⁷ Third States also have obligations to hold third parties, including corporations, to account for human rights and other violations of international law in their domestic courts.³⁸

9. A context of sustained and intersecting peremptory norms’ violations, and the obligation to prevent genocide, compound the imperative to act. It may mean that the actions Third States must take to fulfil their obligations are no longer discretionary, and that in not taking them, States have failed to take all measures reasonably available to them and/or they have aided and assisted in an internationally wrongful act.³⁹ That is, unless less intrusive measures based on the assessment in paragraph 8 would truly suffice.

10. The conduct of States and international organizations constitutes complicity when their actions aid and assist in a way that: (1) materially or substantially enables or facilitates the commission of the wrongful act;⁴⁰ (2) are done with full knowledge of the circumstances, including the imminent or actual occurrence of the wrongful act and, where relevant, the special intent of the perpetrator.⁴¹

11. State complicity is established when there is a nexus between the actions of the two States in question in the serious breach of peremptory norms.⁴² Such complicity may involve

³⁴ Vienna Convention on the Law of Treaties, Article 53; and A/77/10 (2022) Conclusion 10, p.13.

³⁵ Convention on the Law of the Sea, Article 19(1), with Article 17; [https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE percent20Legal percent20Opinion percent20_ percent20Innocent percent20Passage percent20and percent20Due percent20Diligence.pdf](https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE%20Legal%20Opinion%20_%20Innocent%20Passage%20and%20Due%20Diligence.pdf), para. 44.

³⁶ Convention on the Law of the Sea, Articles 2(1) and 19(1).

³⁷ Geneva Convention I, Article 49; and Geneva Convention IV, Articles 146-148.

³⁸ *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, I.C.J Reports 2024, para. 278, United Nations Guiding Principles on Business and Human Rights, Principles 1, 2 and 25; and A/RES/ES-10/24, Article 5; https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper_co-israel.pdf, paras. 30-31, 33.

³⁹ www.justsecurity.org/120757/sanctions-against-israel-an-international-law-perspective/; [https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE percent20Legal percent20Opinion percent20_ percent20Innocent percent20Passage percent20and percent20Due percent20Diligence.pdf](https://bdsmovement.net/sites/default/files/2025-03/ASCOMARE%20Legal%20Opinion%20_%20Innocent%20Passage%20and%20Due%20Diligence.pdf), paras. 66, 86-88; www.law4palestine.org/wp-content/uploads/2025/04/L4P_Third-State-Economic-Responsibility-Booklet-PDF.pdf, pp. 7 and 51.

⁴⁰ https://legal.un.org/ilc/texts/instruments/english/commentaries/9_6_2001.pdf, pp. 66, para 5; Vladyslav Lanovoy, “Responsibility for Complicity in an Internationally Wrongful Act: Revisiting a Structural Norm” (2011) Paper Presented at the SHARES Conference “Foundations of Shared Responsibility in International Law”, 17 and 18 November 2011, Amsterdam, pp. 16-20 ; Phoebe Okowa, *State Responsibility for Transboundary Air Pollution in International Law*, (Oxford, Oxford University Press, 2001), p. 188.

⁴¹ *Articles on Responsibility of States for Internationally Wrongful Acts, Article 16; Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, 6 February 2007, I.C.J Reports 2007, paras. 421, 432, 436, see also Declaration of Judge Bennouna, p. 361; Marko Milanović, “State Responsibility for Genocide: A Follow-Up”, in *European Journal of International Law* (2007), vol. 18(4), pp. 669-694, p. 687.

⁴² *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, 26 February 2007, I.C.J Reports 2007, para. 420; *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, I.C.J Reports 2024, 19 July 2024, para. 279; *Obligations of States in respect of Climate Change*, Advisory Opinion, 23 July 2025, I.C.J Reports 2025.

the provision or denial of funds, weapons, fuel, intelligence, diplomatic or political pressure or sanctions, or the implementation of orders and arrest warrants.⁴³ The intention of a Third State to facilitate a wrongful act is reasonably inferable from the foreseeable consequences of that State's actions.⁴⁴ Assistance such as the provision of funds, weapons, fuel and intelligence and other less tangible actions (diplomatic recognition, sanctions, non-implementation of obligations and of court orders) can substantially influence States committing internationally wrongful acts. Knowledge of a State's policies, including through official relationships, may inform relevant inference.⁴⁵ While individual actions may not constitute complicity in themselves, their aggregate and cumulative effect over time, including when combined with the actions of other States, must be considered as part of the assessment.⁴⁶

12. When the conduct of Third States is direct, indispensable and constitutive (i.e., without it, the result would have not occurred in whole or in part), it must be considered whether States have gone beyond aid and/or assistance to jointly participate in an internationally wrongful act.⁴⁷ As with a joint criminal enterprise under individual criminal responsibility,⁴⁸ it is unnecessary to establish that one State performs the wrongful act in its entirety, only that their contribution is a constituent element of the crime and attributable to the State.⁴⁹ Direct State responsibility for genocide may arise when (a) conduct attributable to a State is integral to the commission of one or more genocidal acts, and (b) the State formed genocidal intent based on the totality of conduct attributable to it.⁵⁰

13. Israeli violations in the occupied territory have been established for decades.⁵¹ By 2004, in its *Wall Advisory Opinion*, the International Court of Justice (ICJ) placed the international community on notice of its obligations to end serious violations of peremptory norms of international law.⁵² By 6 October 2023, Israel had long denied the Palestinian people's right to self-determination⁵³ through occupation, annexation and unlawful use of force,⁵⁴ maintaining control over Palestinian lives through a racially discriminatory and

⁴³ *Articles on Responsibility of States for Internationally Wrongful Acts*, Articles 16-18. www.iccpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges.

⁴⁴ Miles Jackson, *Complicity in International Law* (Oxford, Oxford University Press, 2015) p. 160; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, 6 February 2007, I.C.J. Reports 2007, see Declaration of Judge Bennouna, pp. 361-363; and Vladyslav Lanovoy, "Responsibility for Complicity in an Internationally Wrongful Act: Revisiting a Structural Norm" (2011) Paper Presented at the SHARES Conference "Foundations of Shared Responsibility in International Law", 17 and 18 November 2011, Amsterdam, pp. 24.

⁴⁵ *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 15.

⁴⁶ *Ibid.*

⁴⁷ *Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA)*, Article 47; International Law Commission, *ARSIWA Commentary to Part One, Chapter IV*, p. 64, para 1-3; International Law Commission, *ARSIWA Commentary to Article 47*, p. 124, para 2; and *Draft articles on the responsibility of international organizations*, Article 48.

⁴⁸ International Criminal Tribunal for Yugoslavia, *Prosecutor v Krstić*, Case No. IT-98-33-T, 2 August 2001, para 642.

⁴⁹ Christian Dominicé, "Chapter 20: Attribution of Conduct to Multiple States and the Implication of a State in the Act of Another State", in James Crawford (ed.) et al., *The Law of International Responsibility: The Law of International Responsibility* (Oxford, Oxford University Press, 2010), pp. 282-283.

⁵⁰ Genocide Convention, Article III, *Articles on Responsibility of States for Internationally Wrongful Acts*, Articles 2, 15, A/79/384, paras. 76 and 77.

⁵¹ *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 9 July 2004, I.C.J. Reports 2004; A/HRC/50/21.

⁵² *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, 9 July 2004, I.C.J. Reports 2004, paras. 142 and 159.

⁵³ A/RES/2535 (XXIV)A-C; A/RES/2649 (XXV); A/RES/3236 (XXIX); A/RES/43/177; A/RES/48/94; S/RES/2334; A/77/356; and A/RES/78/192.

⁵⁴ S/RES/478; A/RES/76/12; A/74/507; and <https://badil.org/phocadownloadpap/badil-new/publications/research/in-focus/EtzionBloc-IsraeliAnnexation.pdf>.

apartheid system.⁵⁵ The illegal blockade of Gaza,⁵⁶ compounded by regular military attacks involving war crimes and crimes against humanity,⁵⁷ had made the Gaza Strip “unliveable”,⁵⁸ priming the situation for genocide.⁵⁹

14. In the last two years, Israeli crimes have dramatically escalated. By 20 October 2023, international law experts,⁶⁰ genocide scholars⁶¹ and human rights organizations⁶² had warned of impending genocide. On 26 January 2024, the ICJ confirmed the serious risk of genocide in Gaza, giving rise to States obligations to prevent it and to punish incitement, commission or complicity.⁶³ By May 2024, the Court had issued two further Provisional Measures orders⁶⁴ and made judicial comments in *Nicaragua v Germany*,⁶⁵ the ICC Prosecutor had sought arrest warrants for senior Israeli officials,⁶⁶ and Third States had “actual or constructive knowledge” of the ongoing international crimes they had failed to prevent, triggering a heightened responsibility to act.⁶⁷

15. In July 2024, 20 years after its 2004 *Wall* Advisory Opinion, the ICJ determined the illegality of the continued presence of Israel in the oPt in its entirety and the obligation of Israel to withdraw totally, unconditionally and as rapidly as possible.⁶⁸ The UN General Assembly subsequently declared that the occupation must be dismantled by 18 September 2025.⁶⁹ Israel has failed to do so.

16. 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 genocide, to cease committing and/or aiding and assisting genocide and punish those perpetrating and/or inciting genocide.⁷⁰

⁵⁵ A/HRC/49/87, para. 52.

⁵⁶ A/68/502, paras. 7-16; A/HRC/25/40, paras. 24-30; A/HRC/40/CRP.2, paras 150-194; S/RES/1860; https://mezan.org/uploads/upload_center/kLAKShfIAra2.pdf; https://ccrjustice.org/sites/default/files/attach/2016/11/GAZA_percent20CLOSURE_percent20FOR_percent20ICC_percent20November_percent2022_percent202016.pdf; and https://reliefweb.int/report/occupied-palestinian-territory/opt-gaza_percentC2_percentA0closure-not-another-year.

⁵⁷ A/HRC/12/48, para. 1332-1335; A/HRC/40/CRP.2.

⁵⁸ A/HRC/37/75, para. 6.

⁵⁹ A/RES/37/123(D); Martin Shaw, *Palestine in an International Historical Perspective on Genocide*, vol. 9, No. 1, *Holy Land Studies* (2010), pp. 1-24; and Haider Eid, *Banging on the Walls of the Tank: Dispatches from Gaza* (Toronto, Between the Lines, 2025) pp 61-65.

⁶⁰ www.un.org/unispal/document/gaza-un-experts-decry-bombing-of-hospitals-and-schools-as-crimes-against-humanity-call-for-prevention-of-genocide/.

⁶¹ <https://twair.com/public-statement-scholars-warn-of-potential-genocide-in-gaza/>; and <https://jewishcurrents.org/a-textbook-case-of-genocide>.

⁶² www.alhaq.org/advocacy/21898.html; www.fidh.org/en/region/north-africa-middle-east/israel-palestine/mass-displacement-attempts-of-over-1-million-people-in-the-gaza-strip; <https://ccrjustice.org/israel-s-unfolding-crime-genocide-palestinian-people-us-failure-prevent-and-complicity-genocide>.

⁶³ A/HRC/60/CRP.3, para 249.

⁶⁴ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, Provisional Measures, Order, 26 January 2024, I.C.J Reports 2024, p.30, para. 86; and *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Request for the Modification of the Order of 28 March 2024*, Order, 24 May 2024, I.C.J Reports 2024, para. 57.

⁶⁵ *Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua v. Germany)*, Order, 30 April 2024, I.C.J Reports 2024, para. 24.

⁶⁶ www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges.

⁶⁷ *Articles on Responsibility of States for Internationally Wrongful Acts*, Article 16; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgement, 6 February 2007, I.C.J Reports 2007, see Declaration of Judge Bennouna, p. 361; Marko Milanović, “State Responsibility for Genocide: A Follow-Up”, in *European Journal of International Law* (2007), vol. 18(4), pp. 669-694, p. 687

⁶⁸ *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, I.C.J Reports 2024, paras. 267-272 and 285.

⁶⁹ A/RES/ES-10/24.

⁷⁰ A/HRC/60/CRP.3, paras. 246-250.

17. These developments confirm the seriousness of the breaches of peremptory norms involved and the concomitant legal obligations on all States to act, with two implications for the assessment of Third State responsibility:

(a) Intersecting duties must be assessed holistically and create an imperative on all States to take measures, including those outlined in paragraph 8 in order to discharge their obligations.

(b) Under existing law,⁷¹ the extent of Israel's unlawful actions renders any distinction between Israel and the oPt legally and practically impossible. According to the due diligence tests outlined in the 2024 Advisory Opinion,⁷² if Israel itself is unwilling or unable to distinguish between its territory and the oPt, as is the case, Third States must presume indistinguishability, which requires a comprehensive boycott of Israel.

18. In the context of protracted aggression, denial of self-determination and heinous international crimes, there can be no reasonable doubt that States that maintain relations with Israel have knowledge of this. Decades of neglect by Third States and non-adherence to their obligations has created the conditions for their complicity in ongoing Israeli crimes. The following sections analyse Third States' violations holistically, examining the link between intersecting components of genocide and States' conduct.

IV. Intersecting Components of the Gaza Genocide

A. Genocide Under the Guise of Diplomatic and Political Actions

19. Prolonged political and diplomatic support by influential Third States has enabled Israel to initiate and sustain its assault on the Palestinian people. In the past two years, entrenched complicity, marked by narrative manipulations and reproduction of Israeli fabrications, have muted the urgent calls for action and obscured the web of political, financial and military interests at play. The longstanding failure to address egregious violations of international law by Israel – threatening international peace and security – has normalized and deepened relations with it, entrenching oppression, domination and erasure.

20. Following 7 October 2023, most Western leaders parroted Israeli narratives, disseminated by State and corporate media, repeating debunked claims and erasing core distinctions between combatants and civilians. Israelis were depicted as “civilians” and “hostages”, and Palestinians as “ Hamas terrorists”, “legitimate” or “collateral” targets, “human shields” or lawfully detained “prisoners”. Drawing on a long history of the “savage” denied protections of international law, revived by the War on Terror discourse,⁷³ Western States helped to justify the genocide against Palestinians. On 9 October 2023, immediately after Israel announced a tightened siege on Gaza, key Western leaders expressed support for the “self-defence” of Israel⁷⁴ – unwarranted under article 51 of the UN Charter.⁷⁵ President Biden repeatedly cited unsubstantiated reports of “beheaded babies”.⁷⁶ British opposition Leader Keir Starmer defended Israel's right to cut off water and power to civilians.⁷⁷

21. This environment fuelled a ferocious Israeli assault. Even amidst urgent calls for a ceasefire, Western states, led by the United States, advocated only for humanitarian

⁷¹ UNSC 2334, para. 5; ICJ Advisory Opinion 2024.

⁷² www.ohchr.org/en/statements-and-speeches/2024/09/un-experts-warn-international-order-knives-edge-urge-states-comply; www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coi/2024-10-18-COI-position-paper_co-israel.pdf

⁷³ Anghie, Antony. *Imperialism, Sovereignty and the Making of International Law*. Cambridge: Cambridge University Press, 2005.

⁷⁴ <https://it.usembassy.gov/joint-statement-on-israel/>; www.theguardian.com/world/2023/oct/09/uk-us-and-allies-offer-israel-steadfast-support-in-joint-statement.

⁷⁵ UN Charter, Article 51.

⁷⁶ <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/11/remarks-by-president-biden-and-second-gentleman-douglas-emhoff-at-roundtable-with-jewish-community-leaders/>; www.washingtonpost.com/politics/2023/11/22/biden-yet-again-says-hamas-beheaded-babies-has-new-evidence-emerged.

⁷⁷ www.lbc.co.uk/article/sir-keir-starmer-hamas-terrorism-israel-defend-itself-DWzhBf_2/.

“corridors”, “pauses” and “truces” – sidestepping a permanent ceasefire and ensuring a continuation of the violence.⁷⁸ States reverted to treating the situation as a humanitarian crisis to be managed, rather than resolved, by demanding that Israel end its unlawful occupation once and for all, providing further leeway to the assault on Gaza.

22. Post-October 2023, the United States used its veto power in the UN Security Council seven times,⁷⁹ controlling ceasefire negotiations and providing diplomatic cover for the Israeli genocide. The US has not acted alone. Abstentions, delays, watered-down draft resolutions and a simplistic rhetoric of “balance” reinforced the diplomatic protection and political narrative Israel required to continue the genocide. The United Kingdom maintained alignment with the US position until November 2024.⁸⁰ A bloc of Western states – Australia, New Zealand and Canada, sometimes joined by the UK, Germany or the Netherlands – appeared at times ready to pressurize Israel, such as in December 2023, when their statements added momentum for a ceasefire. Yet their introduction of the term “sustained ceasefire” produced a diluted UNSC resolution that delayed action.⁸¹ In February 2024, they criticized the planned invasion of Rafah while simultaneously withdrawing United Nations Relief Works Agency (UNRWA) funding.⁸² Such diplomacy created an illusion of progress while concrete actions were repeatedly stymied.⁸³

23. Sanctions served a similar function. In 2024, Australia, Canada, the EU, New Zealand and the UK sanctioned some extremist settlers and organizations,⁸⁴ and in June 2025, Israeli Ministers Itamar Ben-Gvir and Bezalel Smotrich were sanctioned by Australia, Canada, Norway and the UK.⁸⁵ Yet such isolated actions effectively condone the Israeli state system and structures as a whole.

24. Arab and Muslim states have long supported the Palestinian cause. Three joint Arab-Islamic summits⁸⁶ and several extraordinary meetings on Palestine,⁸⁷ generated some collective efforts, including the Arab Plan.⁸⁸ Nevertheless, these actions have not been

⁷⁸ S/2023/772 (16 October 2023); S/2023/773 (18 October 2023); S/2023/S/792 (25 October 2023); S/RES/2712 (15 November 2023); www.theguardian.com/world/2023/nov/05/ceasefire-or-humanitarian-pause-the-bitter-debate-on-the-best-route-to-peace

⁷⁹ This includes S/2023/772 (16 October 2023).

⁸⁰ S/2024/835; www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Vote_Middle_East_large-2.png.

⁸¹ www.pm.gc.ca/en/news/statements/2023/12/12/joint-statement-prime-ministers-australia-canada-and-new-zealand; see also A/RES/ES-10/22 (12 December 2023); S/2023/970 (8 December 2023); consider: S/RES/2720 (22 December 2023); www.securitycouncilreport.org/whatsinblue/2023/12/the-middle-east-including-the-palestinian-question-vote-on-a-draft-resolution-2.php

⁸² www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0; www.canada.ca/en/global-affairs/news/2024/01/statement-by-minister-hussen-on-allegations-against-staff-of-united-nations-relief-and-works-agency-for-palestine-refugees-in-the-near-east.html; <https://x.com/SenatorWong/status/1751103658509644035>;

www.rnz.co.nz/news/political/507907/no-more-aid-for-un-aid-agency-until-peters-satisfied-luxon

⁸³ www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0.

⁸⁴ www.gov.uk/government/news/uk-sanctions-extremist-settlers-in-the-west-bank; www.consilium.europa.eu/en/press/press-releases/2024/04/19/extremist-settlers-in-the-occupied-west-bank-and-east-jerusalem-council-sanctions-four-individuals-and-two-entities-over-serious-human-rights-abuses-against-palestinians/; www.international.gc.ca/world-monde/international_relations-relations_internationales/sanctions/esv-vec.aspx?lang=eng;

www.consilium.europa.eu/en/press/press-releases/2024/07/15/extremist-israeli-settlers-in-the-occupied-west-bank-and-east-jerusalem-as-well-as-violent-activists-blocking-humanitarian-aid-to-gaza-five-individuals-and-three-entities-sanctioned-under-the-eu-global-human-rights-sanctions-regime/; <https://www.foreignminister.gov.au/minister/penny-wong/transcript/sabra-lane-abc-am>

⁸⁵ www.gov.uk/government/news/uk-and-partners-unite-to-sanction-ministers-inciting-west-bank-violence .

⁸⁶ <https://new.oic-oci.org/sitepages/ConferenceDetailsCatgWiseEN.aspx?Item=12> .

⁸⁷ <https://new.oic-oci.org/sitepages/ConferenceDetailsCatgWiseEN.aspx?Item=14>; <https://una-oic.org/en/palestinians/2023/10/11/Council-of-the-League-of-Arab-States-at-the-A-level/>; www.spa.gov.sa/en/N2034246.

⁸⁸ www.un.org/unispal/document/cairo-statement-and-arab-plan-adopted-at-the-league-of-arab-states-summit-for-early-recovery-reconstruction-and-development-in-gaza-letter-from-bahrain-a-79-820-s-2025-151/

decisive, even amid Israeli aggression against six Arab States, reflecting the complexity of regional geopolitics. Normalization through the US-brokered Abraham Accords has also shifted economic incentives. Open sources report that influential States in the region facilitated land routes to Israel, bypassing the Red Sea.⁸⁹ While Qatar and Egypt sought to broker ceasefire agreements, Qatar hosts the largest US military base in the region, and Egypt maintained significant security and economic relations with Israel,⁹⁰ including energy cooperation⁹¹ and the closing of the Rafah crossing.⁹²

25. Certain non-Western States have turned to international courts to seek accountability and pressurize Israel to cease its actions. While only 13 States have supported South Africa before the ICJ, most Western States have persistently denied genocide.⁹³ None have joined Nicaragua against Germany at the ICJ, or invoked domestic laws against complicit corporations or individuals. Only seven referred the situation to the ICC,⁹⁴ many sought to undermine its arrest warrants,⁹⁵ and at least 37 States were non-committal or critical, signalling intent to evade arrest obligations.⁹⁶ The United States imposed sanctions to paralyse the Court;⁹⁷ the United Kingdom threatened its funding,⁹⁸ while Prime Minister Netanyahu travelled freely across European airspace,⁹⁹ even visiting Hungary, which withdrew from the Court in April 2025.¹⁰⁰

26. Israel has been sheltered from accountability in courts as well as in global fora, with institutions preventing its deserved expulsion both from sports (e.g., Paris Olympics, FIFA World Cup qualifiers, FIBA, Davis Cup) and cultural events (Eurovision, Venice Biennale).¹⁰¹

27. The ICJ's groundbreaking ruling on the illegality of the occupation has yet to bring change. On 18 September 2024, the UN General Assembly adopted resolution ES-10/24, reaffirming the binding nature of the Court's legal obligations¹⁰² and formulating a roadmap to end the occupation by 17 September 2025 through diplomatic, economic and legal measures which states have yet to implement.

28. The Saudi–French Two-State Solution Conference of September 2025 led to ten new States recognizing the State of Palestine.¹⁰³ While an important step, these tardy recognitions

⁸⁹ www.ynetnews.com/article/hkxcieckt; www.timesofisrael.com/houthi-bypass-quietly-goods-forge-overland-path-to-israel-via-saudi-arabia-jordan/

⁹⁰ www.palestinedeepdive.com/p/revealed-trump-is-using-egyptian

⁹¹ www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07/

⁹² www.nytimes.com/2024/06/20/world/middleeast/palestinians-gaza-gofundme-egypt.html;

www.nytimes.com/2024/07/19/world/middleeast/rafah-palestinians-gaza-trapped.html.

⁹³ www.icj-cij.org/case/192/intervention;

<https://committees.parliament.uk/publications/49215/documents/262248/default/>.

⁹⁴ www.icc-cpi.int/sites/default/files/2023-11/ICC-Referral-Palestine-Final-17-November-2023.pdf;

www.icc-cpi.int/sites/default/files/2024-01/2024-01-18-Referral_Chile_Mexico.pdf.

⁹⁵ www.icc-cpi.int/palestine.

⁹⁶ Rome Statute of the International Criminal Court, art. 89; www.justsecurity.org/105064/arrest-warrants-state-reactions-icc/; <https://verfassungsblog.de/exception-to-icc-jurisdiction/>.

⁹⁷ www.state.gov/releases/office-of-the-spokesperson/2025/08/imposing-further-sanctions-in-response-to-the-iccs-ongoing-threat-to-americans-and-israelis/; www.state.gov/imposing-sanctions-in-response-to-the-iccs-illegitimate-actions-targeting-the-united-states-and-israel;

www.state.gov/releases/2025/07/sanctioning-lawfare-that-targets-u-s-and-israeli-persons;

www.state.gov/releases/2025/09/sanctioning-foreign-ngos-directly-engaged-in-iccs-illegitimate-targeting-of-israel.

⁹⁸ www.middleeasteye.net/news/david-mercer-threatened-withdraw-uk-icc-over-israel-war-crimes-probe

⁹⁹ www.middleeasteye.net/news/france-criticised-allowing-netanyahus-plane-use-its-airspace;

https://x.com/Clemence_Guette/status/1909592352714309975;

www.timesofisrael.com/liveblog_entry/french-official-says-france-gave-netanyahu-permission-to-use-its-airspace-despite-icc-warrant/.

¹⁰⁰ https://x.com/PM_ViktorOrban/status/1859905807577726996; www.icc-cpi.int/news/presidency-assembly-states-parties-responds-announcement-withdrawal-rome-statute-hungary.

¹⁰¹ www.ohchr.org/en/press-releases/2025/09/un-experts-call-suspension-israel-international-football-amid-unfolding

¹⁰² A/RES/ES-10/24, paras.1-2.

¹⁰³ www.un.org/unispal/high-level-conference-two-state-solution-july2025/.

have so far remained symbolic, with no tangible effect in addressing the ongoing genocide. Overall, 20 new states have issued recognitions of the State of Palestine since October 2023, but with restrictive conditions (e.g., concerning governance, territorial integrity, political independence and demilitarization) incompatible with the very essence of self-determination,¹⁰⁴ effectively reproducing forms of colonial tutelage.

29. Since October 2023, only Belize, Bolivia, Colombia and Nicaragua have suspended diplomatic relations with Israel, and only six States – Bahrain, Chad, Chile, Honduras, Jordan, Türkiye and South Africa – have downgraded their relations with Israel¹⁰⁵.

30. The most notable effort has come from the Hague Group initiative launched in January 2025.¹⁰⁶ Led by Colombia and South Africa, 13 States of the Global Majority have committed to enforce six concrete measures against Israel.¹⁰⁷ Twenty-one other States joined the third meeting of the Group in New York on the sidelines of the 80th Session of the General Assembly.¹⁰⁸ Despite the efforts of some of its members,¹⁰⁹ Israel still holds its UN credentials.

31. On 30 September 2025, many States, including Egypt, Indonesia, Jordan, Pakistan, Qatar, Saudi Arabia, Türkiye and the UAE, endorsed the “Trump Plan”,¹¹⁰ despite its silence on ending the occupation, ensuring accountability, providing transitional justice and its imposition of a temporary mechanism of imperial foreign governance for Gaza that further undermines, rather than realizes, Palestinian self-determination.¹¹¹

B. Military Ties: providing the means of destruction

32. While UN resolutions have called for arms embargoes on Israel since 1976,¹¹² many States have continued supplying it with military support and arms transfers. Israel is disproportionately dependent on weapons imports, with the proportion of their total trade more than double the OECD average, and over four times greater than that of the United States.¹¹³ This international supply has continued, even as the evidence of genocide has mounted,¹¹⁴ with the United States, Germany and Italy among the largest suppliers.¹¹⁵ Only

¹⁰⁴ www.gov.uk/government/news/uk-formally-recognises-palestinian-state#:~:text=Foreign%20Secretary%20Yvette%20Cooper%20said,Palestinian%20people%20to%20self%20determination;www.foreignminister.gov.au/minister/penny-wong/media-release/australia-recognises-state-palestine#:~:text=Effective%20today%20C%20Sunday%20the%2021st,a%20state%20of%20their%20own;www.international.gc.ca/world-monde/international_relations-reactions_internationales/mena-moan/israeli-palestinian_policy-politique_israelo-palestinien.aspx?lang=eng.

¹⁰⁵ www.axios.com/2023/11/16/israel-gaza-war-countries-against-cease-fire-diplomats.

¹⁰⁶ <https://thehaguegroup.org/meetings-hague-en/>

¹⁰⁷ <https://thehaguegroup.org/meetings-bogota-en;> <https://dirco.gov.za/wp-content/uploads/2025/07/Bogota%E2%80%94THG%E2%80%94emergency%E2%80%93conference%E2%80%93statement.pdf>.

¹⁰⁸ www.middleeasteye.net/news/states-meet-netanyahu-un-speech-weigh-action-israel; <https://thehaguegroup.org/meetings-ny-en/>.

¹⁰⁹ A/79/588

¹¹⁰ <https://mofa.gov.pk/press-releases/joint-statement-by-the-foreign-ministers-of-jordan-united-arab-emirates-indonesia-pakistan-turkiye-saudi-arabia-qatar-and-egypt>.

¹¹¹ www.ohchr.org/en/press-releases/2025/10/palestine-any-peace-plan-must-respect-international-law-beginning-self.

¹¹² A/RES/31/61 Article 5, A/RES/ES-9/1 Article 12(a) and (b), A/HRC/55/L.30, p.5.

¹¹³ Countries ranked based on index of weapons trade relative to total trade (in current \$). Data for weapons’ import from SIPRI available at www.sipri.org/databases; trade data taken from the World Bank at <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS>.

¹¹⁴ *Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua v. Germany)*, Order, 30 April 2024, I.C.J Reports 2024, para. 24.

¹¹⁵ www.sipri.org/commentary/topical-backgrounder/2025/how-top-arms-exporters-have-responded-war-gaza-2025-update.

a few Western States, notably Spain¹¹⁶ and Slovenia, have cancelled contracts and imposed embargoes.¹¹⁷

33. The United States has financially and militarily supported Israel since its creation.¹¹⁸ Following the 1967 war, Israel became the leading recipient of US Foreign Military Financing (FMF).¹¹⁹ The 60-year strategic partnership between the United States and Israel has been underpinned by a legislated commitment to Israeli “Qualitative Military Edge”,¹²⁰ almost 30 years of agreements ensuring Israeli–US military cooperation,¹²¹ a steady supply of military and economic aid to Israel¹²² and preferential access to US military sales.¹²³ The third US–Israel MOU, effective until 2028, guarantees \$3.3 billion/year in FMF plus \$500 million/year for missile defence.¹²⁴ The US has supplied arms to Israel through military sales – the US accounts for two-thirds of annual Israeli arms imports¹²⁵ – and through access to the US weapons stockpile (WRSA-I) in Israel.¹²⁶ Israel also has special permission to use FMF to purchase Israeli-made weapons.¹²⁷ Meanwhile Israeli purchase of F-15, F-16 and F-35 fighter jets¹²⁸ and munitions¹²⁹ is supported by access to procurement funds to Israeli subsidiaries in the US.¹³⁰

34. US political, diplomatic, military and strategic support to Israel has escalated after 7 October 2023. Senior US politicians and military officials engaged in unprecedented travel to Israel, including for operational discussions on Israeli military conduct in Gaza.¹³¹ On 20 October 2023, the Biden Administration announced it would request an additional \$14.3

¹¹⁶ <https://contrataciondelestado.es/FileSystem/servlet/GetDocumentByIdServlet?DocumentIdParam=2025-d5fa890a-803a-4551-bb35-41df97283b37>

¹¹⁷ www.gov.si/en/news/2025-07-31-the-government-instructs-the-ministry-of-defence-to-strictly-enforce-controls-on-arms-trade-with-israel/

¹¹⁸ www.everycrsreport.com/files/20070425_RL33222_e97f8a100b2abd96b43a0f4d0cc6848e74efb26.pdf

¹¹⁹ www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf

¹²⁰ www.congress.gov/bill/110th-congress/house-bill/7177; www.congress.gov/112/statute/STATUTE-126/STATUTE-126-Pg1146.pdf.

¹²¹ <https://sgp.fas.org/crs/mideast/RL33222.pdf>, pp. 7-9.

¹²² *Ibid.* <https://sgp.fas.org/crs/mideast/RL33222.pdf>.

¹²³ www.congress.gov/crs-product/RL31675; <https://www.state.gov/major-non-nato-ally-status>.

¹²⁴ <https://obamawhitehouse.archives.gov/the-press-office/2016/09/14/fact-sheet-memorandum-understanding-reached-israel>.

¹²⁵ www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf, p. 11.

¹²⁶ www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.51.pdf pp. 44-47; www.justsecurity.org/91213/the-war-reserve-stockpile-allies-israel-explained-why-congress-should-not-expand-it/.

¹²⁷ <https://www.state.gov/u-s-security-cooperation-with-israel>; https://costsofwar.watson.brown.edu/sites/default/files/2025-10/U.S.-Military-Aid-to-Israel_Hartung_Costs-of-War-Quincy_Oct-7-2025.pdf, pp. 2-4

¹²⁸ *Ibid.* www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf, pp. 26-28; https://costsofwar.watson.brown.edu/sites/default/files/2025-10/U.S.-Military-Aid-to-Israel_Hartung_Costs-of-War-Quincy_Oct-7-2025.pdf, pp. 5.

¹²⁹ www.washingtonpost.com/world/2025/01/12/israel-weapons-bombs-trump-united-states/.

¹³⁰ www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf, pp. 15.

¹³¹ Including the US President, Secretary for Defense, Secretary of State, CIA Director, Chairman of the Joint Chiefs of Staff, National Security Advisor and CENTCOM Commander: www.war.gov/News/Releases/Release/Article/3556227/secretary-of-defense-travels-to-tel-aviv-to-show-support-for-the-people-of-israel/; <https://www.war.gov/News/Releases/Release/Article/3621153/readout-of-secretary-of-defense-lloyd-j-austin-iiis-visit-to-israel/>; <https://bidenwhitehouse.archives.gov/briefing-room/speeches-remarks/2023/10/18/remarks-by-president-biden-and-prime-minister-netanyahu-of-israel-before-bilateral-meeting-tel-aviv-israel/>; <https://history.state.gov/departmenthistory/travels/secretary/israel>; www.state.gov/secretary-rubios-countries-visited-and-mileage/; www.nytimes.com/2023/11/05/us/politics/william-burns-israel-middle-east-trip.html; www.war.gov/News/News-Stories/Article/Article/3886976/brown-visits-israel-despite-increased-hostilities-in-region/; www.presidency.ucsb.edu/documents/press-conference-national-security-advisor-jake-sullivan-tel-aviv-israel; www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/4235270/uscentcom-commander-conducts-middle-east-trip-to-visit-us-service-members-and-s/

billion for Israel.¹³² In April 2024, this passed Congress as a \$26.4 billion package for Israeli defence¹³³ just as Israel threatened the Rafah invasion, previously a stated (but subsequently denied) “red line” for President Biden.¹³⁴ Israel was later exempted from the Trump Administration freeze on military aid.¹³⁵

35. Since October 2023, the US has transferred 742 consignments of “arms and ammunition” (HS Code 93)¹³⁶ and approved tens of billions in new sales.¹³⁷ The Biden and Trump Administrations reduced transparency,¹³⁸ accelerated transfers through repeated emergency approvals,¹³⁹ facilitated Israeli access to US weapons stockpile held abroad¹⁴⁰ and authorized hundreds of sales just below the amount requiring congressional approval.¹⁴¹ The US has deployed military aircraft,¹⁴² special forces¹⁴³ and surveillance drones¹⁴⁴ to Israel, with US surveillance purportedly being used to target Hamas, including in the first raid on Al Shifa hospital.¹⁴⁵

36. By September 2024, the US had reportedly supplied 57,000 artillery shells,¹⁴⁶ 36,000 rounds of cannon ammunition, 20,000 M4A1 rifles, 13,981 anti-tank missiles and 8,700 MK-82 500lb bombs.¹⁴⁷ By April 2025, Israel had 751 active sales valued at \$39.2 billion.¹⁴⁸ Both the Biden and Trump Administrations have enabled this constant flow of weapons, except for a short pause in the delivery of 500lb and 2000lb bombs on the eve of the Israeli attack on Rafah in May 2024, which lasted until July 2024 for 500lb bombs¹⁴⁹ and until January 2025 for 2000lb bombs.¹⁵⁰

¹³² www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf p.3; <https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2023/10/20/fact-sheet-white-house-calls-on-congress-to-advance-critical-national-security-priorities/>.

¹³³ www.congress.gov/118/plaws/publ50/PLAW-118publ50.pdf, pp. 2-10; https://docs.house.gov/billsthisweek/20240415/APRIL2024_ISRAEL_xml.pdf, pp. 2, 5-6.

¹³⁴ <https://www.theguardian.com/us-news/article/2024/may/07/biden-israel-palestine-policy>

¹³⁵ www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf, pp.10.

¹³⁶ https://data.gov.il/dataset/customs_import_statistics_data; www.middleeastmonitor.com/20250527-israel-receives-940-us-arms-shipments-since-gaza-war-defense-ministry/.

¹³⁷ https://search.usa.gov/search?query=Israel&affiliate=dod_dsca&utf8=%26%23x2713%3B.

¹³⁸ www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf, p. 2.; <https://truthout.org/articles/bill-would-allow-unlimited-us-weapons-transfers-to-israel-with-little-oversight/>.

¹³⁹ https://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf, p.4.; www.state.gov/military-assistance-to-israel

¹⁴⁰ <https://appropriations.house.gov/news/press-releases/house-passes-series-security-supplemental-bills>; https://docs.house.gov/billsthisweek/20240415/APRIL2024_ISRAEL_xml.pdf, p.2; <https://truthout.org/articles/bill-would-allow-unlimited-us-weapons-transfers-to-israel-with-little-oversight/>.

¹⁴¹ www.washingtonpost.com/national-security/2024/03/06/us-weapons-israel-gaza/; https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf, p.2;

www.congress.gov/crs_external_products/R/PDF/R48289/R48289.6.pdf.

¹⁴² www.haaretz.com/israel-news/security-aviation/2023-10-24/ty-article/u-s-deploys-more-arms-and-troops-to-israel-cyprus-and-jordan/0000018b-5cbf-d307-adbb-7dbf1aa80000.

¹⁴³ www.timesofisrael.com/us-special-forces-said-deployed-to-help-israel-track-down-hostages-held-in-gaza/.

¹⁴⁴ www.nytimes.com/2023/11/02/world/middleeast/israel-hamas-gaza-hostages-us.html.

¹⁴⁵ www.cbsnews.com/news/mike-turner-house-intelligence-committee-chair-face-the-nation-transcript-12-03-2023/; www.wsj.com/world/middle-east/u-s-relied-on-intercepts-in-assessing-hamass-operations-at-gaza-hospital-0d99e623.

¹⁴⁶ <https://media.defense.gov/2024/Dec/11/2003606409/-1/-1/0/PRESS%20RELEASE%20-%20ISRAEL%2024-16%20CN.PDF>;

¹⁴⁷ https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf p.2.

¹⁴⁸ www.state.gov/u-s-security-cooperation-with-israel.

¹⁴⁹ www.wsj.com/world/middle-east/biden-administration-agrees-to-ship-500-pound-bombs-to-israel-c7e0bb3b.

¹⁵⁰ www.war.gov/News/News-Stories/Article/Article/4055486/us-dods-commitment-to-israel-includes-munitions-previously-withheld/.

37. Germany has been the second-largest arms exporter to Israel during the genocide,¹⁵¹ with supplies ranging from frigates to torpedoes.¹⁵² German leaders have justified this support based on its perceived post-Holocaust obligations to Israel.¹⁵³ In addition to suspending ethical and legal assessments of the Israeli occupation,¹⁵⁴ from October 2023 to July 2025, Germany issued individual export licences worth €489 million¹⁵⁵ – 15 percent of all licences to Israel in 22 years.¹⁵⁶ This does not include any arms transferred under collective licences or on a government-to-government basis.¹⁵⁷ Although Chancellor Merz temporarily suspended *future* export approvals in August 2025, €2.46 million in exports were approved a month later.¹⁵⁸

38. The United Kingdom has also played a key role in military collaboration with Israel,¹⁵⁹ despite internal opposition.¹⁶⁰ From its bases in Cyprus, the UK has enabled a crucial US supply line to Tel Aviv¹⁶¹ and flown over 600 surveillance missions over Gaza throughout the genocide,¹⁶² sharing intelligence with Israel.¹⁶³ Flight numbers and durations, often coinciding with major Israeli operations,¹⁶⁴ suggest detailed knowledge and cooperation in the destruction of Gaza, extending beyond “hostage rescue”.¹⁶⁵

39. Other States have supplied parts, components and weapons to Israel through an opaque system that obscures transfers, including ‘dual use’ and indirect transfers. Between October 2023 and October 2025, 26 States sent at least 10 consignments of “arms and ammunition” (HS Code 93) to Israel,¹⁶⁶ the most frequent being China, including Taiwan, India, Italy, Austria, Spain, Czechia, Romania and France. Military aircraft, land vehicles, drones, dogs¹⁶⁷ and dual-use items such as integrated circuits are harder to track.

40. States also engage in indirect transfers by supplying components for arms used by Israel. The F-35 stealth strike fighter programme, key to the Israeli military assault in Gaza, involves 19 States – Australia, Belgium, Canada, Czech Republic, Denmark, Finland, Germany, Greece, Italy, Japan, Netherlands, Norway, Poland, South Korea, Romania, Singapore, Switzerland, the United Kingdom and the United States – supplying components and parts to Israel. Seventeen of them have ratified the Arms Trade Treaty. Despite litigation

¹⁵¹ www.un.org/unispal/document/verbatim-records-icj-09apr24/

¹⁵² www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf; <https://content.forensic-architecture.org/wp-content/uploads/2023/04/Forensis-Report-German-Arms-Exports-to-Israel-2003-2023.pdf>.

¹⁵³ Submission to OHCHR; and https://www.idos-research.de/fileadmin/migratedNewsAssets/Files/German_Institute_of_Development_and_Sustainability_EN_Furness_Baumann_30.04.2024.pdf

¹⁵⁴ Enzo Traverso, *Gaza Faces History* (New York, Other Press, 2024).

¹⁵⁵ <https://dserv.bundestag.de/btd/21/004/2100469.pdf>, pp. 66.

¹⁵⁶ <https://content.forensic-architecture.org/wp-content/uploads/2023/04/Forensis-Report-German-Arms-Exports-to-Israel-2003-2023.pdf>, pp. 4.

¹⁵⁷ Submission to OHCHR.

¹⁵⁸ www.bundesregierung.de/breg-de/aktuelles/regierungspressekonferenz-vom-10-september-2025-2383822; www.haaretz.com/israel-news/2025-10-01/ty-article/germany-approves-2-46-million-euros-in-arms-exports-to-israel-after-partial-halt/00000199-9ecf-ddb4-abdd-ffffa4ea0000.

¹⁵⁹ www.declassifieduk.org/britains-secret-defence-plan-with-israel/

¹⁶⁰ <https://hansard.parliament.uk/commons/2025-03-17/debates/2085400B-DCEF-4726-8039-4DCAD6FAC871/G7#contribution-9ED06F95-9B0C-471C-8FEF-13FFE20B5DC4>; <https://glanlaw.org/news/uk-admits-in-court-that-israel-is-not-committed-to-complying-with-international-humanitarian-law/>.

¹⁶¹ <https://www.declassifieduk.org/u-s-military-is-secretly-supplying-weapons-to-israel-using-uk-base-on-cyprus/>; <https://britpalcommittee.co.uk/s/British-Military-Collaboration-Report>, pp. 14–16.

¹⁶² www.thetimes.com/uk/defence/article/gaza-spying-us-news-lp90mz062; <https://aoav.org.uk/wp-content/uploads/2025/04/The-UK-Royal-Air-Forces-surveillance-flights-over-the-Occupied-Palestinian-Territory-examined.pdf>.

¹⁶³ <https://questions-statements.parliament.uk/written-questions/detail/2024-10-29/11669>

¹⁶⁴ <https://www.palestinedeepdive.com/p/exposed-flight-path-of-secret-british>

¹⁶⁵ www.declassifieduk.org/us-flew-spy-flights-for-uk-months-before-mod-admitted-it/

¹⁶⁶ https://data.gov.il/dataset/customs_import_statistics_data/resource/80c1e38e-06b9-4a67-b2a4-cc1a76374ee9

¹⁶⁷ www.somo.nl/unleashing-terror-dutch-dogs-in-israels-war-crimes/.

in the Netherlands,¹⁶⁸ Canada,¹⁶⁹ Australia,¹⁷⁰ Denmark¹⁷¹ and the United Kingdom¹⁷² – all of which defended their roles, and some cancellation of direct exports¹⁷³ – States continue to transfer F-35 parts,¹⁷⁴ heavily used in the genocidal destruction of Gaza.

41. States frequently deploy two arguments to justify arms trade with Israel: such arms are said to be either “defensive”¹⁷⁵ or “non-lethal”¹⁷⁶. The Arms Trade Treaty does not recognize either distinction, but requires a holistic assessment of how all arms, parts and components will ultimately be used. Given that the occupation of Palestinian territory is an ongoing unlawful use of force in violation of the UN Charter, nothing Israel does there can be understood as “defensive” in nature.¹⁷⁷

42. States have continued to grant export licences for weapons to Israel, to review and partially retain licences despite acknowledging concerns (e.g., the United Kingdom,¹⁷⁸ Canada,¹⁷⁹ Australia¹⁸⁰) and to permit transfer of weapons through their ports and airports (e.g., Italy,¹⁸¹ Netherlands,¹⁸² Ireland,¹⁸³ France,¹⁸⁴ Morocco¹⁸⁵). Italy, the third largest exporter to Israel in 2020–2024, has argued that it complies with legal obligations to cease these exports, while continuing existing agreements¹⁸⁶ and adopting a hands-off approach to transit.¹⁸⁷ These actions, despite clear obligations and compounding concerns, indicate an intent to facilitate Israeli crimes.

¹⁶⁸ www.hogeraad.nl/actueel/nieuwsoverzicht/2025/oktober/supreme-court-minister-must-perform-reassessment-licence-to-export-35/; <https://paxforpeace.nl/news/lawsuit-against-dutch-state-stop-delivery-of-f-35s/>.

¹⁶⁹ <https://armstradelitigationmonitor.org/overview/canadian-arms-and-palestine/>; <https://claihr.ca/arms-exports-to-israel-challenge/>; <https://canlii.ca/t/k8rf5>.

¹⁷⁰ www.alhaq.org/advocacy/22112.html.

¹⁷¹ <https://armstradelitigationmonitor.org/overview/danish-arms-and-palestine/>; www.amnesty.org.au/organisations-will-appeal-court-ruling-denying-admissibility-of-lawsuit-on-exporting-weapons-to-israel-in-denmark/.

¹⁷² <https://glanlaw.org/news/glaring-accountability-gap-revealed-in-arms-case-high-court-judgment/>.

¹⁷³ www.cbc.ca/news/politics/melanie-joly-canada-arms-israel-gaza-1.7319112;

<https://breachmedia.ca/israeli-warplanes-canadian-gastops/>.

¹⁷⁴ <https://committees.parliament.uk/publications/49215/documents/262248/default/>; <https://caat.org.uk/data/countries/israel/mapped-all-the-uk-companies-manufacturing-components-for-israels-f35-combat-aircraft/>.

¹⁷⁵ <https://hansard.parliament.uk/Commons/2024-10-28/debates/FCE4F192-3959-4B5D-B4B9-ABBF9E3C2D71/details>; www.icj-cij.org/sites/default/files/case-related/193/193-20240409-ora-01-00-bi.pdf, pp. 17-18.

¹⁷⁶ www.crikey.com.au/2025/08/12/f35-fighter-jet-parts-israel-australia-international-law/.

¹⁷⁷ <https://alhaqueurope.org/wp-content/uploads/2025/09/Wilde-Palestine-AO-OPT-Al-Haq-Europe-Opinion.pdf>, pp. 46

¹⁷⁸ www.gov.uk/government/news/uk-suspends-around-30-arms-export-licences-to-israel-for-use-in-gaza-over-international-humanitarian-law-concern.

¹⁷⁹ https://armsembargonow.ca/wp-content/uploads/2025/07/Exposing-Canadian-Military-Exports-to-Israel_07292025_compressed-.pdf.

¹⁸⁰ <https://acij.org.au/australian-government-cannot-rely-on-uk-high-court-decision-on-export-of-f35-arms-parts-to-israel/>.

¹⁸¹ <https://altreconomia.it/materiale-darmamento-dallitalia-a-israele-lo-squarcio-aperto-dallinchiesta-di-ravenna/>.

¹⁸² https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf.

¹⁸³ <https://www.rte.ie/news/clarity/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military/>; <https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024/>; <https://www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024>.

¹⁸⁴ www.france-palestine.org/IMG/pdf/livraisons_darmes_de_la_france_vers_israel_-_un_flux_ininterrompu.pdf.

¹⁸⁵ https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf, p. 3; www.middleeasteye.net/news/morocco-support-israel-military-equipment-war-gaza.

¹⁸⁶ <https://www.sipri.org/commentary/topical-backgrounder/2024/how-top-arms-exporters-have-responded-war-gaza>.

¹⁸⁷ <https://ilmanifesto.it/armi-dirette-in-israele-con-il-trucco-ravenna-insorge-non-si-passa>.

43. States also support the Israeli military through military partnerships and joint defense manoeuvres. Since 2015, the Israeli Air Force has participated in the INIOCHOS exercise, including in 2025 alongside Greece, US, Italy, Qatar, UAE, France, Spain, Montenegro, India, Slovenia and Poland.¹⁸⁸ In 2024–2025, Israel participated with 27 nations in the largest global exercise, led by AFRICOM (US Africa Command) and the Royal Moroccan Armed Forces.¹⁸⁹ Israeli soldiers are trained at the UK Royal College of Defence Studies.¹⁹⁰

44. In addition, thousands of citizens from the United States, Russia, France, Ukraine and the United Kingdom, among others, have served in the Israeli military since October 2023. Few have been investigated, and none prosecuted for crimes in Gaza.¹⁹¹

45. Third States also continue to purchase Israeli weapons and military technology. Besides being a core component of its economy – in 2024 weapons exports accounted for 23 percent of Israeli exports,¹⁹² the second-highest share globally¹⁹³ – these exports also enhance Israeli arms manufacturing capacity.

46. A unique selling point of Israeli military technology is that it is tested on Palestinians under occupation and related military activities.¹⁹⁴ The ongoing genocide has enabled Israel to expand the range of weaponry and surveillance systems tested on the Gaza population.¹⁹⁵ As a result, the value of arms exports increased by 18 percent during the genocide,¹⁹⁶ with exports to the EU more than doubling and accounting for 54 percent of Israeli military exports in 2024. Other significant destinations include Asia and the Pacific (23 percent) and Arab countries under the Abraham Accords (12 percent).¹⁹⁷

C. Weaponization of aid: creating the living conditions for genocide

47. Some Third States have facilitated the degradation of living conditions of the Gaza population, including by the very means of their participation in the provision of aid.

48. Already, before 7 October, the illegal Gaza blockade imposed by Israel and Egypt – with severe restrictions on the movement of goods, even down to calculated caloric intake¹⁹⁸ – had made 80 percent of the population aid-dependent, with 1.1 million relying on UNRWA for food and basic services.¹⁹⁹ The agency is the bedrock of economic, social and

¹⁸⁸ www.haf.gr/en/structure/htaf/air-tactics-center/iniochos/archives/iniochos-2025/.

¹⁸⁹ www.theafricareport.com/382009/us-africa-wargames-apache-helicopters-israel-regional-tension-mark-military-exercise/;
https://www.army.mil/article/276952/african_lion_24_concludes_with_strategic_success_across_four_nations; www.africom.mil/pressrelease/35825/us-and-royal-moroccan-armed-forces-launch-african-lion-25-in-morocco.

¹⁹⁰ www.declassifieduk.org/britain-trained-israeli-soldiers-fighting-in-gaza/.

¹⁹¹ https://fs.knesset.gov.il/globaldocs/MMM/7d0e8fd4-e91c-ef11-815f-005056aac6c3/2_7d0e8fd4-e91c-ef11-815f-005056aac6c3_11_20806.pdf; www.aljazeera.com/news/2025/7/30/belgium-refers-war-crimes-complaint-against-israeli-soldiers-to-icc.

¹⁹² Defense exports in 2022 and 2024 taken from: www.mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-125-billion-in-2022; <https://mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-147-billion-in-2024>; merchandising export data taken from: <https://data.worldbank.org/indicator/TX.VAL.MRCH.CD.WT?locations=IL>.

¹⁹³ Countries ranked based on index of weapons trade relative to total trade (in current \$). Data for weapons' export from SIPRI available at www.sipri.org/databases; trade data taken from the World Bank at <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS>.

¹⁹⁴ Antony Loewenstein, *The Palestine Laboratory: How Israel Exports the Technology of Occupation Around the World* (Verso Books, 2023).

¹⁹⁵ A/HRC/59/23, para. 36.

¹⁹⁶ Data are taken from <https://mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-147-billion-in-2024> and <https://www.mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-125-billion-in-2022>

¹⁹⁷ <https://mod.gov.il/en/press-releases/press-room/israel-sets-new-record-in-defense-exports-over-147-billion-in-2024>.

¹⁹⁸ www.ochaopt.org/sites/default/files/HNO_2023.pdf, p. 11;

www.gisha.org/UserFiles/File/publications/redlines/red-lines-presentation-eng.pdf.

¹⁹⁹ www.unrwa.org/gaza15-years-blockade.

humanitarian support for the Palestinians, especially in Gaza, its embeddedness in the local population allowing it to run more than 400 sites for aid distribution amid the genocide.²⁰⁰

49. Since October 2023, Israel has turned existing restrictions into a full blockade.²⁰¹ From October 2023 to January 2025, aid was limited to an average of 107 trucks per day – less than one third of pre-2023 levels.²⁰² In March 2025, Israel further tightened its siege.²⁰³ By August 2025, famine in Gaza was declared by the Integrated Food Security Phase Classification and at least 461 people have died from malnutrition-related causes.²⁰⁴

50. In violation of its obligations to ensure adequate means of survival²⁰⁵ – as reaffirmed by the ICJ²⁰⁶ – the genocidal campaign by Israel has deliberately sought to destroy the humanitarian system sustaining the occupied population.²⁰⁷ It has done so through: (i) directly bombing UNRWA warehouses,²⁰⁸ food distribution sites,²⁰⁹ schools²¹⁰ and clinics,²¹¹ killing more than 370 personnel;²¹² (ii) defamation campaigns against UNRWA,²¹³ and (iii) promoting ad hoc pseudo-humanitarian agencies.²¹⁴

51. When Israel alleged, without evidence, that UNRWA staff were involved in the events of 7 October,²¹⁵ 18 States immediately suspended funding,²¹⁶ uncritically endorsing the Israeli narrative. Despite inconclusive investigations, the accused staff were fired²¹⁷ and most donors took months to resume contributions to UNRWA. The United States, its largest donor, passed a law to prohibit US funding.²¹⁸ When the Israeli Knesset took the unprecedented step of outlawing UNRWA operations by 30 January 2025,²¹⁹ only some States took action by seeking an ICJ Advisory Opinion.²²⁰

²⁰⁰ www.un.org/unispal/document/unrwa-commissioner-general-on-gaza-the-humanitarian-community-calls-for-an-end-to-the-so-called-gaza-humanitarian-foundation-ghf/.

²⁰¹ A/HRC/55/73, paras. 26, 36 and 40; A/HRC/60/CRP.3, paras. 190-203.

²⁰² www.ochaopt.org/data/crossings; www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/244-stopping-famine-gaza.

²⁰³ www.ohchr.org/en/press-releases/2025/03/gaza-experts-condemn-israeli-decision-re-open-gates-hell-and-unilaterally.

²⁰⁴ www.un.org/unispal/wp-content/uploads/2025/08/IPC_Famine_Review_Committee_Report_Gaza_Aug2025-compressed.pdf; www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip.

²⁰⁵ Fourth Geneva Convention, Articles 55 and 60 API.

²⁰⁶ Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Jurisdiction of the Court, Orders, 26 January 2024, I.C.J Reports 2024, p. 29.

²⁰⁷ A/HRC/60/CRP.3, para. 198.

²⁰⁸ <https://news.un.org/en/story/2025/01/1158746>.

²⁰⁹ www.unrwa.org/newsroom/official-statements/least-one-unrwa-staff-killed-when-israeli-forces-hit-unrwa-centre-used.

²¹⁰ <https://news.un.org/en/story/2025/05/1162996>.

²¹¹ www.aljazeera.com/video/newsfeed/2025/4/3/deadly-israeli-air-attack-on-unrwa-clinic-in-gaza.

²¹² www.unrwa.org/resources/reports/unrwa-situation-report-192-situation-gaza-strip-and-west-bank-including-east-jerusalem.

²¹³ www.impact-se.org/wp-content/uploads/UNRWA-Education-Textbooks-and-Terror-Nov-2023.pdf; www.unrwa.org/newsroom/official-statements/state-israel-continues-dis-information-campaign-against-unrwa; www.reuters.com/world/middle-east/usaid-analysis-found-no-evidence-massive-hamas-theft-gaza-aid-2025-07-25/.

²¹⁴ www.idf.il/media/phthyhtm/08-אור-בקיצה-המנהרה-08.pdf pp.109–113.

²¹⁵ www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip; <https://govextra.gov.il/media/d21mw2f3/the-connection-between-unrwa-and-hamas-280425.pdf>.

²¹⁶ <https://www.ohchr.org/en/press-releases/2024/02/states-must-reinstate-and-strengthen-support-unrwa-amid-unfolding-genocide>.

²¹⁷ www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip.

²¹⁸ <https://appropriations.house.gov/news/press-releases/house-passes-series-security-supplemental-bills>.

²¹⁹ <https://main.knesset.gov.il/en/news/pressreleases/pages/press22724y.aspx>;

<https://main.knesset.gov.il/EN/News/PressReleases/Pages/press291024q.aspx>.

²²⁰ *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*, new Advisory Opinion imminent, 22 October 2025.

52. The brutal attack on the UN system was complemented by its attempted substitution with an Israel–US-controlled aid mechanism.²²¹ The Gaza Humanitarian Foundation (GHF) – conceived as early as December 2023,²²² with US support and funding – used aid distribution, through military-run sites staffed with US mercenaries,²²³ to facilitate the forced displacement of Palestinians toward Egypt.²²⁴ This seemed to anticipate the so-called “Gaza Riviera” plan, which would have led to Palestinian forced displacement.²²⁵

53. From March 2025 onwards,²²⁶ amid the total siege-induced famine and the destruction of 23 UNRWA sites in four months,²²⁷ 2,100 unarmed civilians were killed and hundreds of thousands were injured by Israeli forces and US contractors at GHF.²²⁸ Despite this, it was only after President Trump’s “peace plan” that the GHF was disbanded.²²⁹

54. Instead of opposing this man-made humanitarian catastrophe, Belgium,²³⁰ Canada,²³¹ Denmark,²³² Jordan²³³ and the United Kingdom,²³⁴ among others, parachuted aid into Gaza – an expensive, inadequate and dangerous response.²³⁵ While purporting to be taking action to ease shortages, this only served to mislead international public opinion while the famine worsened. Naval aid missions to Gaza, attempts by civil society groups to break the siege have been unlawfully intercepted by Israel in international waters – amid silence and inaction by Third States.²³⁶

55. At several crucial moments, instead of adhering to their legal obligations, Third States have assisted the deterioration of conditions of life, implicating them in the devastating impact caused to the civilian population in dire need.²³⁷

D. Economic and Trade Relations: the fuel and profits of genocide

56. Israel is heavily reliant on international trade and economic cooperation. Maintaining normal trade relations despite the illegality of its occupation and systematic human rights and humanitarian law violations – now escalated to genocide – legitimizes and sustains the Israeli apartheid regime. In 2024, international trade in goods and services equaled 54 percent of

²²¹ A/HRC/60/CRP.3, paras. 197–198.

²²² www.nytimes.com/2025/05/24/world/middleeast/israel-gaza-aid-plan.html.

²²³ <https://x.com/UNLazarini/status/1952717201435185309>; www.unrwausa.org/unrwa-usa-press-releases/let-unrwa-work-stop-the-engineered-starvation-of-gaza.

²²⁴ https://content.forensic-architecture.org/wp-content/uploads/2025/08/2025.08.22_The-Architecture-of-Genocidal-Starvation-in-Gaza_FA.pdf, paras. 171–174; www.doctorswithoutborders.org/sites/default/files/documents/MSF-Gaza-ThisIsNotAid-FINAL.pdf, p. 6.

²²⁵ www.whitehouse.gov/videos/president-trump-holds-a-press-conference-with-prime-minister-netanyahu-of-israel/, 38:31–40:07.

²²⁶ www.unrwa.org/resources/reports/unrwa-situation-report-163-situation-gaza-strip-and-west-bank-including-east-jerusalem; www.unrwa.org/resources/reports/unrwa-situation-report-187-situation-gaza-strip-and-west-bank-including-east-jerusalem.

²²⁷ <https://forensic-architecture.org/investigation/aid-in-gaza>.

²²⁸ <https://news.un.org/en/story/2025/09/1165774>.

²²⁹ <https://x.com/RapidResponse47/status/1972726021196562494>; www.middleeastmonitor.com/20251013-gaza-foundation-a-dark-page-in-the-history-of-humanitarian-work-comes-to-an-end/.

²³⁰ www.belganewsagency.eu/belgian-military-returns-after-humanitarian-drops-in-gaza.

²³¹ www.canada.ca/en/global-affairs/news/2025/08/canadian-armed-forces-air-drop-humanitarian-assistance-in-gaza.html.

²³² www.fmn.dk/da/nyheder/2025/forsvarets-transportfly-kaster-nodhjalp-ned-over-gaza/.

²³³ www.jaf.mil.jo/NewsViewen.aspx?NewsId=59946.

²³⁴ www.gov.uk/government/news/uk-forces-airdrop-100-tonnes-of-aid-for-gaza-civilians.

²³⁵ www.unrwa.org/resources/reports/unrwa-situation-report-182-situation-gaza-strip-and-west-bank-including-east-jerusalem.

²³⁶ www.ohchr.org/en/press-releases/2025/10/israel-must-ensure-safety-and-liberty-flotilla-activists-after-another; www.ohchr.org/en/press-releases/2025/09/un-experts-stand-solidarity-global-sumud-flotilla-demand-full-protection-all.

²³⁷ <https://news.un.org/en/story/2025/01/1159586>.

Israeli GDP (down from 61 percent in 2022).²³⁸ The EU, its largest trade partner, provided almost a third of total trade for the last two years.²³⁹

57. Imports beyond weapons are vital to secure the goods necessary to sustain the illegal occupation and other unlawful Israeli policies and practices.²⁴⁰ Many Israeli imports are dual-use goods, which can be used in the production of both civilian and military products. In 2024, these goods accounted for 31 percent of Israeli merchandise imports from the European Union.²⁴¹

58. Exports earned Israel US\$474 billion in 2022–2024,²⁴² fuelling the economy and the fiscal coffers and enhancing its arms manufacturing capacity through the exports of dual-use items. In 2023, integrated circuits became Israel's top export accounting for 16 percent of Israeli merchandise exports (US\$10 billion).²⁴³ Often marketed as civilian technologies,²⁴⁴ these dual-use items are essential to Israeli military systems that surveil, control and kill Palestinians, reinforcing a military–civilian economic symbiosis and Israel's role in the global tech-arms race.²⁴⁵ Precision-guided munitions, drones and missile defence systems all rely on such specialized circuits for navigation, radar and control.

59. Israeli trade is reinforced by at least 45 economic cooperation agreements, including with the EU, the US and the UAE (implementing the Abraham Accords). These agreements remove tariff and non-tariff barriers for dual-use and defence goods and services, while often failing to distinguish dealings with the oPt, implicitly recognizing Israeli authority over illegal settlers and their businesses and annexed land.

60. Economic cooperation also extends beyond trade. Since 2014, the European Commission Research and Innovation Framework (since 2021, Horizon Europe) has provided €2.1 billion in grants to Israeli entities in science, technology and innovation,²⁴⁶ many developing dual-use and military technologies.²⁴⁷ The programme's European Innovation Council has also financed 34 Israeli companies with €550 million of equity and blended finance since 2021, making Israel among the highest per capita beneficiaries.²⁴⁸

61. Since 1981, the European Investment Bank has financed Israeli entities with €2.7 billion,²⁴⁹ including €760 million in loans to Bank Leumi,²⁵⁰ listed on the OHCHR Database.²⁵¹ Other agreements include the US–Israel BIRD and US–Israel BSF, the agreement between the Israeli Foreign Trade Risks Insurance Corporation and UAE Etihad Credit Insurance and the China–Israel Innovation Partnership.

62. States have largely avoided action to meet their legal obligations. No trade or economic agreement signed since 1967 has been suspended. Only a few States have reduced trade amid the ongoing genocide, most notably Türkiye, which announced the suspension of

²³⁸ <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS?end=2024&locations=IL>.

²³⁹ https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/israel_en

²⁴⁰ A/HRC/59/23, para. 34,56.

²⁴¹ Own calculation based on dual use goods: https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items_en; and Eurostat bilateral trade data: <https://ec.europa.eu/eurostat/comext/newxtweb/submitopensavedextraction.do?extractionId=18707148&datasetID=DS-059322&keepsessionkey=true>

²⁴² <https://data.worldbank.org/indicator/NE.EXP.GNFS.CD?end=2024&locations=IL&start=2022>

²⁴³ <https://oec.world/en/profile/country/isr>

²⁴⁴ <https://en.globes.co.il/en/article-scd-wins-115m-defense-ministry-infrared-sensor-deal-1001520430>

²⁴⁵ <https://startupnationcentral.org/hub/blog/israels-tech-response-to-a-multi-front-conflict/>

²⁴⁶ https://dashboard.tech.ec.europa.eu/qs_digit_dashboard_mt/public/sense/app/d58f3864-d519-4f9f-855e-c34f9860acdd/sheet/7a2acdb7-ee97-4161-affe-302abc4888bb/state/analysis?utm_source=substack&utm_medium=email.

²⁴⁷ A/HRC/59/23, para 84.

²⁴⁸ <https://eic-datahub.eisma.eu/>; <https://data.worldbank.org/indicator/SP.POP.TOTL>.

²⁴⁹ <https://www.eib.org/en/projects/country/israel>.

²⁵⁰ <https://www.eib.org/en/press/all/2023-250-eib-and-israel-s-bank-leumi-strengthen-climate-action-and-sustainable-development-cooperation-following-eur-500-m-transaction>

²⁵¹ <https://files.nettsteder.regjeringen.no/wpuploads01/sites/275/2025/08/Leumi-ENG.pdf>;

https://www.hrw.org/sites/default/files/report_pdf/israel0518_web.pdf;

<https://www.whoprofits.org/companies/company/3790>.

all trade with Israel in May 2024,²⁵² resulting in a 64 percent reduction in Turkish-origin imports and near-total cessation of exports in January–August 2025,²⁵³ although some trade has reportedly continued indirectly.²⁵⁴ Meanwhile, other countries increased their trade with Israel during the genocide, including Germany (+US\$836 million), Poland (+US\$237 million), Greece (+US\$186 million), Italy (+US\$117 million), Denmark (+US\$99 million), France (+US\$75 million) and Serbia (+US\$56 million), as well as Arab countries, including the United Arab Emirates (+US\$237 million), Egypt (+US\$199 million), Jordan (+US\$41 million) and Morocco (+US\$6 million). This countered the trade decline Israel might otherwise have faced (–6 percent).²⁵⁵

63. The obligation of Third States to act against international law violations is often incorporated into treaties. For instance, the 1996 Türkiye-Israel Free Trade Agreement conditions cooperation on respect of public policy, morality, international peace, and security.²⁵⁶ Similarly, the EU–Israel Association Agreement makes human rights and democratic principles an “essential elements clause”.²⁵⁷ However, these principles remain unfulfilled. A 2024 internal paper of the EU, leaked in August 2025, shows how the EU was determined to preserve business-as-usual despite evidence of Israeli violations of the terms of the agreement in the face of the illegal occupation and genocide.²⁵⁸ The proposal of the European Commission to cancel core trade preferences on 37 percent of Israeli exports to the EU still awaits approval.²⁵⁹

64. Besides the suspension of the trade agreement with Israel, states must also suspend all trade with Israel in dual-use products, as the EU did with Russia following its invasion of Ukraine.²⁶⁰ In the case of the EU, this represented 38 percent of all EU–Israel trade (US\$17.5 billion) in 2024, based on the EU definition of dual use.²⁶¹ The largest dual-use trade is in integrated circuits with Ireland, which increased from US\$2.2 billion in 2022 to US\$3.2 billion in 2024.²⁶²

65. Energy trade has often been subject to embargoes aimed at bringing countries in line with their international legal obligations: examples include apartheid South Africa²⁶³ and, currently, Russia²⁶⁴ and Iran.²⁶⁵ In the case of Israel, only Colombia, which banned coal exports to Israel in 2024, has acted.²⁶⁶ Russia and the United States were major suppliers of refined fuel products to Israel, while Azerbaijan, Kazakhstan, Brazil and South Africa

²⁵² <https://ticaret.gov.tr/data/675d31b813b8761ad0813b54/Ticaret%20Bakanl%C4%B1g%C3%BCreci%C4%B1%20%20C4%B0srail%20ile%20Ticaretin%20Durudurulmas%C4%B1%20S%C3%BCreci%20Hakk%C4%B1nda%20Bilgi%20Notu.pdf>;

<https://x.com/ticaret/status/1786126879763599797/photo/2>.

²⁵³ www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx.

²⁵⁴ www.duvarenglish.com/turkey-breaches-its-own-trade-embargo-on-israel-by-shipping-crude-oil-report-news-65319; www.duvarenglish.com/new-report-reveals-series-of-crude-oil-shipments-from-turkey-to-israel-news-65412.

²⁵⁵ Reported figures are changes between 2023 and 2025 from January–August. Bilateral trade data: www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx.

²⁵⁶ <https://www.trade.gov.tr/free-trade-agreements/israel>.

²⁵⁷ https://eeas.europa.eu/archives/delegations/israel/documents/eu_israel/asso_agree_en.pdf

²⁵⁸ <https://electronicintifada.net/blogs/david-cronin/internal-paper-shows-eu-sought-shield-israel-sanctions>

²⁵⁹ www.middleeasteye.net/news/eu-commission-proposes-freezing-trade-pact-israel-gaza.

²⁶⁰ https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-dual-use-goods_en.

²⁶¹ Own calculations based on dual use items: https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items_en and Eurostat data:

<https://ec.europa.eu/eurostat/comext/newxtweb/submitopensavedextraction.do?extractionId=18707148&datasetID=DS-059322&keepsessionkey=true>.

²⁶² www.cbs.gov.il/en/Pages/Imports-and-Exports.aspx.

²⁶³ www.econ.yale.edu/growth_pdf/cdp796.pdf.

²⁶⁴ <https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-energy>.

²⁶⁵ www.state.gov/releases/2025/07/sanctioning-entities-that-have-traded-in-irans-petroleum.

²⁶⁶ www.mincit.gov.co/normatividad/decretos/2024/decreto-1047-del-14-de-agosto-de-2024.

continued to supply Israel with essential raw materials.²⁶⁷ Countries such as Morocco²⁶⁸, Italy,²⁶⁹ France²⁷⁰ and Türkiye²⁷¹ have continued to provide key ports for products, including oil and gas.²⁷² The European Union and Egypt have continued to import gas from Israel through the Eastern Mediterranean Gas pipeline, which illegally passes through the sea adjacent to the Gaza Strip, violating Palestinian sovereign rights.²⁷³ In August 2025, as starvation gripped Gaza, Egypt expanded its partnership with Israel through a US\$35 billion natural gas deal – the largest export deal in Israeli history.²⁷⁴

66. Trade and the supply of materials and weapons to Israel rely on Third States' transportation infrastructure. Ports known to have facilitated the trans-shipment to Israel of F-35 parts,²⁷⁵ weapons, jet fuel, oil²⁷⁶ and/or other materials include Türkiye²⁷⁷, France,²⁷⁸ Italy,²⁷⁹ Belgium,²⁸⁰ Netherlands,²⁸¹ Greece,²⁸² Morocco²⁸³ and the US.²⁸⁴ Airfields in Ireland,²⁸⁵ Belgium²⁸⁶ and the United States²⁸⁷ also support transfers. Many ports also facilitate Israeli gas exports, including via the EMG Pipeline to Egypt.²⁸⁸ Port workers in

- ²⁶⁷ <https://docs.datadesk.eco/public/976ce7dcf00743dc/>; <https://oilchange.org/wp-content/uploads/2024/08/behind-the-barrel-august-2024-v3.pdf>; <https://www.somo.nl/powering-injustice/>
- ²⁶⁸ <https://www.genocidewatch.com/single-post/fuelling-the-machinery-of-genocide-morocco-s-backdoor-support-for-israel-s-war-on-gaza>
- ²⁶⁹ <https://www.politico.eu/article/italian-dockworkers-threaten-israel-cargo-ban-gaza-flotilla-departs-genova/>
- ²⁷⁰ <https://www.france24.com/en/live-news/20250605-french-dock-workers-block-shipment-of-military-material-for-israel-union-1>
- ²⁷¹ <https://thecradle.co/articles/israel-is-not-isolated-a-global-web-of-oil-and-complicity>
- ²⁷² <https://docs.datadesk.eco/public/976ce7dcf00743dc/>.
- ²⁷³ A/HRC/59/23, para. 58; https://energy.ec.europa.eu/publications/eu-egypt-israel-memorandum-understanding_en; <https://globalwitness.org/en/campaigns/fossil-fuels/eu-risks-breaching-international-law-over-israeli-gas-deal-legal-experts-say/>; <https://www.tni.org/en/article/leaking-imperialism>.
- ²⁷⁴ www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07/.
- ²⁷⁵ www.maskoffmaersk.com/reports
- ²⁷⁶ <https://docs.datadesk.eco/public/976ce7dcf00743dc/>
- ²⁷⁷ <https://progressive.international/wire/2024-10-28-international-call-to-action-bp-and-socar-stop-fuelling-genocide/en>.
- ²⁷⁸ <https://disclose.ngo/fr/article/la-france-sapprete-a-livrer-des-equipements-pour-mitrailleuses-vers-israel>.
- ²⁷⁹ <https://bdsmovement.net/news/stop-transit-military-materiel-israel-through-italian-port-ravenna>.
- ²⁸⁰ <https://en.flows.be/shipping/2025/07/antwerp-port-not-allowed-to-forward-military-equipment-to-israel/>
- ²⁸¹ www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf.
- ²⁸² <https://bdsmovement.net/news/Military-Supplies-Israeli-Military-Industries-Bombay>.
- ²⁸³ https://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf, p. 3.
- ²⁸⁴ <https://www.maskoffmaersk.com/s/Report-MaerskShipmentsIsrael-Rev7Nov2024-Final.pdf>; www.somo.nl/fuelling-the-flamesin-gaza/
- ²⁸⁵ www.rte.ie/news/clarity/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military/; www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024/; www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024.
- ²⁸⁶ https://ipisresearch.be/wp-content/uploads/2024/03/20240305_Vredesactie-IPIS-Belgische-wapenexport-naar-Israel.pdf
- ²⁸⁷ <https://www.maskoffmaersk.com/s/Exposing-Oakland-Airports-Military-Cargo-Shipments-To-Israel.pdf>.
- ²⁸⁸ https://energy.ec.europa.eu/document/download/c9e9d864-1e30-48ec-a0c3-b4de89873b65_en?filename=MoU%20EU%20Egypt%20Israel.pdf; www.tni.org/en/article/leaking-imperialism; www.instagram.com/p/C6ZkRHlMdi/?img_index=1.

multiple countries blocked illicit trade in France,²⁸⁹ Belgium,²⁹⁰ Italy,²⁹¹ Morocco,²⁹² Sweden,²⁹³ Spain,²⁹⁴ Gibraltar,²⁹⁵ Cyprus,²⁹⁶ Malta²⁹⁷, Greece,²⁹⁸ Crete²⁹⁹ and the United States.³⁰⁰ In response, ships and aircrafts often disable transponders to conceal routes: ports (e.g., Morocco)³⁰¹ have rerouted shipments and some deliveries go through third-State traders.³⁰² Belgium,³⁰³ Spain³⁰⁴ and others have worked to facilitate this transit.

V. Conclusion

67. **The genocide in Gaza was not committed in isolation, but as part of a system of global complicity. Rather than ensuring that Israel respects the basic human rights and self-determination of the Palestinian people, powerful Third States – perpetuating colonial and racial-capitalist practices that should have long been consigned to history – have allowed violent practices to become an everyday reality. Even as the genocidal violence became visible, States, mostly Western ones, have provided, and continue to provide, Israel with military, diplomatic, economic and ideological support, even as it weaponized famine and humanitarian aid. The horrors of the past two years are not an aberration, but the culmination of a long history of complicity.**

68. **Third States' acts, omissions and discourse in support of a genocidal apartheid State are such that they could and should be held liable for aiding, assisting or jointly participating in internationally wrongful acts, within a context of systematic violations of peremptory and *erga omnes* norms. At this critical juncture, it is imperative that Third States immediately suspend and review all military, diplomatic and economic relations with Israel, as any such engagement could represent means to aid/assist/directly participate in unlawful acts, including war crimes, crimes against humanity and genocide.**

69. **Many Third States have operated with the very impunity they have granted Israel. Their disregard for international law undermines the foundations of the multilateral order painstakingly built over eight decades by States and people within the United Nations. This will stand in history as an offence not only to justice, but to the very idea of our common humanity. While justice must involve criminal trials – whether in international or domestic courts – accountability extends beyond prosecutions to**

²⁸⁹ www.france24.com/en/live-news/20250605-french-dock-workers-block-shipment-of-military-material-for-israel-union-1.

²⁹⁰ [www.reuters.com/world/europe/belgian-unions-refuse-handling-arms-shipments-israel-hamas-conflict-2023-10-31/#:~:text=BRUSSELS%2C%20Oct%2031%20\(Reuters\),workers%20have%20seen%20arms%20shipments](http://www.reuters.com/world/europe/belgian-unions-refuse-handling-arms-shipments-israel-hamas-conflict-2023-10-31/#:~:text=BRUSSELS%2C%20Oct%2031%20(Reuters),workers%20have%20seen%20arms%20shipments).

²⁹¹ <https://thecradle.co/articles/italian-dockworkers-block-passage-of-saudi-ship-carrying-arms-for-israel?fbclid=IwY2xjawNDlgdleHRuA2FlbQIxMABicmlkE>.

²⁹² www.newarab.com/news/morocco-bds-wants-stop-maersks-f-35-shipment-israel.

²⁹³ www.socialisterna.org/hamnstrejken-fortsatter/.

²⁹⁴ www.telecincio.es/noticias/sociedad/20240727/manifestantes-algeciras-gobierno-no-barcos-armamento-israel_18_013124695.html.

²⁹⁵ www.chronicle.gi/overseas-santorini-sails-from-gibraltar-after-brief-logistics-stop-without-refuelling/.

²⁹⁶ <https://in-cyprus.philenews.com/local/akel-joins-international-call-to-block-fuel-shipment-to-israel/>.

²⁹⁷ <https://timesofmalta.com/article/fuel-tankers-heading-israel-make-no-official-request-refuel-malta.1096274>.

²⁹⁸ <https://pamehellas.gr/arms-shipment-to-israel-blocked-by-workers-of-piraeus>.

²⁹⁹ www.euronews.com/2025/07/29/pro-palestine-group-in-greece-protests-arrival-of-israeli-cruise-ship-on-crete-island.

³⁰⁰ <https://liberationnews.org/block-the-boat-coalition-pickets-israeli-apartheid-ship-in-elizabeth-nj/>.

³⁰¹ <https://maritime-executive.com/article/maersk-line-vessel-diverts-to-morocco-due-to-allegations-in-spain>.

³⁰² www.middleeasteye.net/news/new-evidence-reveals-routine-oil-shipments-turkey-israel.

³⁰³ <https://bdsmovement.net/news/belgian-court-rules-against-transit-military-equipment>; <https://11.be/en/impact/court-bans-further-transit-of-all-military-equipment-to-Israel-with-groundbreaking>.

³⁰⁴ www.newarab.com/news/over-1000-us-arms-exports-israel-made-spain-port-report; <https://portal.mineco.gob.es/es-es/comunicacion/Paginas/embargo-armas-israel.aspx>.

include reparations: restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, by Israel and by Third States that have supported its crimes. The power structures that enabled these heinous crimes must be dismantled, and the international justice system shows the way to do it.

70. The world is watching Gaza and the whole of Palestine. States must step up to their responsibilities. Only by fulfilling the Palestinian people's right to self-determination, so brazenly violated by the ongoing genocide, can enduring coercive global structures be dismantled. No state can credibly claim adherence to international law while arming, supporting or shielding a genocidal regime. All military and political support must be suspended; diplomacy should serve to prevent crimes rather than to justify them. Complicity in genocide must end.

VI. Recommendations

71. 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 to instead prevent and address serious breaches of international law, particularly as set out in the UN Charter and Genocide Convention.

72. Given the enduring emergency unaddressed by current "peace" discussions and plans, the Special Rapporteur urges States to cause no further harm to the Palestinian people and to:

- (a) Exert pressure for a complete and permanent ceasefire and full withdrawal of Israeli troops;
- (b) Take immediate steps to end the siege in Gaza, including deploying naval and land convoys to ensure safe humanitarian access and mobile housing before winter;
- (c) Support the re-opening of Gaza's international airport and port to facilitate aid delivery.

73. Beyond the emergency, States must recognize Palestinian self-determination and justice as essential to lasting peace and security, and therefore:

- (a) Suspend all military, trade and diplomatic relations with Israel;
- (b) Investigate and prosecute all officials, corporates 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, including full reconstruction and return;
- (d) Cooperate fully with the International Criminal Court and the International Court of Justice;
- (e) Reaffirm and strengthen support to UNRWA and the UN system as a whole;
- (f) Suspend Israel from the United Nations under Article 6 of the UN Charter;
- (g) Act under "Uniting for Peace", in line with General Assembly resolution 377(V), to ensure that Israel dismantles its occupation.

74. The Special Rapporteur also urges trade unions, lawyers, civil society and ordinary citizens to monitor States' actions in response to these recommendations, and to continue to press institutions, governments and corporations for boycotts, divestments and sanctions, until the end of the Israeli illegal occupation and related crimes.
