International law obligates UN, Member States and international organizations to end Israel’s unlawful presence in Occupied Palestinian Territory, UN Commission says

October 18, 2024

https://www.ohchr.org/en/press-releases/2024/10/international-law-obligates-un-member-states-and-international-organizations

All States and international organizations, including the United Nations, have obligations under international law to bring to an end Israel’s unlawful presence in the Occupied Palestinian Territory, the UN Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel said in a new legal position paper published today.

The paper sets forth the Commission’s views in relation to state responsibility and how the General Assembly and the Security Council can identify and implement the precise modalities and actions required to the occupation to an end, as rapidly as possible.

The Commission found that the advisory opinion of the International Court of Justice on the Legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem is authoritative and unambiguous in stating that Israel’s continued presence in the Occupied Palestinian Territory is unlawful under international law.

“The Commission has always stated that the root cause of the protracted conflict and cycles of violence is the occupation,” [blame the victim] said Navi Pillay, Chair of the Commission. “The Commission concluded in its report to the General Assembly in 2022, that the occupation is unlawful under international law. The Commission welcomed the historic advisory opinion from the highest court in the United Nations system.”

The Commission’s paper sets forth the obligations for Israel, third States and the United Nations to bring to an end the unlawful occupation. Israel must immediately put into place a comprehensive plan of action to dismantle settlements and evacuate all settlers from occupied territory. Israel must return land, title and natural resources to the displaced Palestinians, and repeal all restrictive and discriminatory law and policies.

“Israel’s internationally wrongful acts give rise to State responsibility, not only for Israel, but for all States.” Pillay said. “All States are obligated not to recognize territorial or sovereignty claims made by Israel over the occupied territories. States must distinguish in their dealings between Israel and the Occupied Palestinian Territory, such as a State must not recognize Jerusalem as the capital of Israel or place its diplomatic representatives to Israel in Jerusalem. States must not render aid or assistance in maintaining the unlawful occupation. Aid and assistance include financial, military and political aid or support.” [bds]

“It is incumbent on all States to work cooperatively in order bring the unlawful occupation to an end, and to work towards the full realization of the right of the Palestinian people to self-determination,” Pillay said. The Commission also calls on all States to implement the General Assembly resolution passed on 13 September 2024.