



# General Assembly

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## Eightieth session

Agenda item 123

### Strengthening of the United Nations system

**Algeria, Chile, Egypt, Guyana, Indonesia, Ireland, Jordan, Malaysia, Namibia, Norway, Qatar, Saudi Arabia, Slovenia, South Africa, Spain, Türkiye and State of Palestine:\* draft resolution**

### **Advisory opinion of the International Court of Justice on the Obligations of Israel in relation to the presence and activities of the United Nations, other international organizations and third States in and in relation to the Occupied Palestinian Territory**

*The General Assembly,*

*Guided* by the purposes and principles enshrined in the Charter of the United Nations and international law, including the inalienable right of self-determination of peoples and the principle of the inadmissibility of the acquisition of territory by force,

*Recalling* all its relevant resolutions, including those adopted at its tenth emergency special session, and all the relevant resolutions of the Security Council,

*Recalling also* all relevant advisory opinions and orders by the International Court of Justice,

*Recalling further* its decision 80/506 of 12 September 2025, in which it endorsed the New York Declaration on the Peaceful Settlement of the Question of Palestine and the Implementation of the Two-State Solution,<sup>1</sup> and stressing the need for the implementation of the Declaration in accordance with international law and the relevant United Nations resolutions,

*Stressing* the obligation of all Member States to fulfil in good faith the obligations assumed by them in accordance with the Charter of the United Nations,

*Expressing grave concern* at the especially dire situation of the Palestine refugees in the Gaza Strip and the West Bank, including East Jerusalem, including with regard to their safety, well-being and socioeconomic living conditions, and noting that Israel's complete blocking of aid into the Gaza Strip from 2 March 2025 led to a further dramatic deterioration of the humanitarian conditions there,

*Recognizing* the efforts being undertaken by the Palestinian Authority, with international support, to reform, develop, strengthen and preserve its institutions and infrastructure, despite the obstacles presented by the ongoing Israeli occupation,

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\* Any changes to the list of sponsors will be reflected in the official record of the meeting.

<sup>1</sup> [A/CONF.243/2025/1](#), annex.



commending in this regard the ongoing efforts to develop the institutions of an independent Palestinian State, and stressing the need to promote intra-Palestinian reconciliation,

*Recalling* that Israel is not entitled to sovereignty over or to exercise sovereign powers in any part of the Occupied Palestinian Territory on account of its occupation,

*Emphasizing* that respect for the International Court of Justice and its functions, including in the exercise of its advisory jurisdiction, is essential to international law, justice and to an international order based on the rule of law,

*Recalling* its resolution [79/232](#) of 19 December 2024, in which it referred to developments since the International Court of Justice rendered its advisory opinion of 19 July 2024<sup>2</sup> and expressed the view that those developments demanded consideration by and guidance from the Court of certain additional questions to supplement the advisory opinion of 19 July 2024, and decided, in accordance with Article 96 of the Charter of the United Nations, to request the Court, pursuant to Article 65 of the Statute of the Court, on a priority basis and with the utmost urgency, to render an advisory opinion on the following question:

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

*Commending* the International Court of Justice for its decision to take all necessary steps to accelerate the procedure pursuant to Article 103 of its Rules, in accordance with the request from the General Assembly,

*Having received* the advisory opinion of the International Court of Justice, rendered on 22 October 2025,<sup>3</sup> in which the Court found that:

(a) Israel, as an occupying Power, is required to fulfil its obligations under international humanitarian law; these obligations include the following:

(i) To ensure that the population of the Occupied Palestinian Territory has the essential supplies of daily life, including food, water, clothing, bedding, shelter, fuel, medical supplies and services,

(ii) To agree to and facilitate by all means at its disposal relief schemes on behalf of the population of the Occupied Palestinian Territory so long as that population is inadequately supplied, as has been the case in the Gaza Strip, including relief provided by the United Nations and its entities, in particular the United Nations Relief and Works Agency for Palestine Refugees in the Near East, other international organizations and third States, and not to impede such relief,

(iii) To respect and protect all relief and medical personnel and facilities,

(iv) To respect the prohibition on forcible transfer and deportation in the Occupied Palestinian Territory,

<sup>2</sup> [A/78/968](#).

<sup>3</sup> [A/80/502](#).

(v) To respect the right of protected persons from the Occupied Palestinian Territory who are detained by the State of Israel to be visited by the International Committee of the Red Cross,

(vi) To respect the prohibition on the use of starvation of civilians as a method of warfare,

(b) Israel, as an occupying Power, has an obligation under international human rights law to respect, protect and fulfil the human rights of the population of the Occupied Palestinian Territory, including through the presence and activities of the United Nations, other international organizations and third States, in and in relation to the Occupied Palestinian Territory,

(c) Israel has an obligation to cooperate in good faith with the United Nations by providing every assistance in any action it takes in accordance with the Charter of the United Nations, including the United Nations Relief and Works Agency for Palestine Refugees in the Near East, in and in relation to the Occupied Palestinian Territory,

(d) Israel has an obligation under Article 105 of the Charter of the United Nations to ensure full respect for the privileges and immunities accorded to the United Nations, including its agencies and bodies, and its officials, in and in relation to the Occupied Palestinian Territory,

(e) Israel has an obligation under article II of the Convention on the Privileges and Immunities of the United Nations<sup>4</sup> to ensure full respect for the inviolability of the premises of the United Nations, including those of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and for the immunity of the property and assets of the Organization from any form of interference,

(f) Israel has an obligation under articles V, VI and VII of the Convention on the Privileges and Immunities of the United Nations to ensure full respect for the privileges and immunities accorded to the officials and experts on mission of the United Nations, in and in relation to the Occupied Palestinian Territory,

*Welcoming* the ceasefire agreement announced on 29 September 2025 and endorsed in Sharm el-Sheikh, Egypt, on 13 October 2025, and the constructive role played by the United States of America, the State of Qatar, the Arab Republic of Egypt and the Republic of Türkiye in having facilitated the ceasefire in the Gaza Strip and the ongoing mediation efforts, underscoring commitments made regarding the immediate provision of humanitarian assistance and basic services to the Palestinian population in the Gaza Strip, and emphasizing the commitment to distribute such assistance without interference through the United Nations and its agencies, and the International Committee of the Red Cross, in line with Israel's obligations as found by the International Court of Justice,

*Emphasizing* the obligation of all parties to comply with their respective legal obligations under international law, including international humanitarian law and international human rights law,

*Emphasizing also* that, pursuant to common article 1 of the Geneva Conventions,<sup>5</sup> all States are under an obligation to respect and to ensure respect for the Geneva Conventions in all circumstances,

1. *Welcomes* the advisory opinion of the International Court of Justice of 22 October 2025 on the obligations of Israel in relation to the presence and activities

<sup>4</sup> Resolution 22 A (I).

<sup>5</sup> United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

of the United Nations, other international organizations and third States in and in relation to the Occupied Palestinian Territory;

2. *Expresses its grave concern* about the dire humanitarian situation in the Occupied Palestinian Territory, especially in the Gaza Strip;

3. *Affirms*, in accordance with the advisory opinion of the International Court of Justice, that Israel, as the occupying Power:

(a) Has a general obligation to administer the Occupied Palestinian Territory for the benefit of the local population, and to the extent that Israel does not itself fulfil the obligations under articles 55 and 56 of the Fourth Geneva Convention,<sup>6</sup> leaving that responsibility to the United Nations, including acting through the United Nations Relief and Works Agency for Palestine Refugees in the Near East, as well as other international organizations and third States, has obligations to support and not to restrict the activities of those entities;

(b) Is obligated to ensure that the population of the occupied territory is supplied with the essentials of daily life, including food, water, shelter, medical supplies and medical care;

(c) Is under an unconditional obligation to agree to and facilitate relief schemes if the local population is inadequately supplied;

(d) Is under an obligation to agree to and facilitate by all means at its disposal relief schemes on behalf of the population of the Occupied Palestinian Territory so long as that population is inadequately supplied, as has been the case in the Gaza Strip, including relief provided by United Nations and its entities, in particular the United Nations Relief and Works Agency for Palestine Refugees in the Near East, which has been an indispensable provider of humanitarian relief in the Gaza Strip, other international organizations and third States, and not to impede such relief;

(e) Must use all means at its disposal so that essential items are distributed in a regular, fair and non-discriminatory manner, including by facilitating access to them and refraining from threats or use of violence or lethal force against the civilian population seeking to access such humanitarian relief, and ensure that relief schemes are carried out in a manner that respects the dignity of the local population and that is consistent with the protection of the human rights of that population;

(f) Is not relieved of its basic obligations to ensure the availability of food and medical supplies essential to the survival of the local population by relief schemes undertaken on behalf of the civilian population in the Occupied Palestinian Territory;

(g) Is prohibited from restricting the presence and activities of the United Nations, other international organizations and third States in and in relation to the Occupied Palestinian Territory to a degree that creates, or contributes to, conditions of life that would force the population to leave;

4. *Also affirms*, in accordance with the advisory opinion of the International Court of Justice, that Israel, as a Member of the United Nations:

(a) Is under an obligation to cooperate in good faith with the United Nations, in particular by virtue of Article 2, paragraphs 2 and 5, of the Charter, and, pursuant to this obligation, may not obstruct the functions of the United Nations and must provide every assistance in any action taken by the Organization in accordance with the Charter in and in relation to the Occupied Palestinian Territory;

<sup>6</sup> Ibid., No. 973.

(b) Is not entitled to withhold its cooperation with the United Nations by unilaterally deciding on the presence and activities of United Nations entities in and in relation to the Occupied Palestinian Territory;

(c) Has no right unilaterally to revoke the privileges and immunities accorded to the United Nations or its personnel nor to abstain from performing the obligations that it has assumed;

(d) Is under an obligation to address any concern relating to allegations of abuses of privileges and immunities of the United Nations within the existing legal framework for the settlement of differences, and must not disregard its obligations under the Charter based solely on its unilateral assessment of such allegations;

(e) Is under an obligation not to impede the operations of United Nations entities, other international organizations and third States, and to cooperate in good faith with the United Nations to ensure respect for the right of the Palestinian people to self-determination;

5. *Demands* that Israel comply without delay with all its legal obligations under international law, including as stipulated by the International Court of Justice by, inter alia:

(a) Immediately complying with its obligations as an occupying Power and as a Member of the United Nations, including the general obligation to administer the territory for the benefit of the local population and the obligation to cooperate in good faith with the United Nations by providing every assistance in any action it takes in accordance with the Charter, including by not obstructing the functions of the Organization;

(b) Immediately allowing and facilitating the provision of life-saving humanitarian assistance and basic services to the Palestinian civilian population, including relief provided by the United Nations and its entities, in particular the United Nations Relief and Works Agency for Palestine Refugees in the Near East, other international organizations and third States;

(c) Immediately ensuring full respect for the privileges and immunities of the United Nations, including its agencies and bodies, and its officials, as well as the inviolability of its premises;

(d) Respecting the prohibition on forcible transfer and deportation in the Occupied Palestinian Territory and the prohibition on the use of starvation of civilians as a method of warfare;

(e) Respecting and protecting all relief and medical personnel and facilities;

(f) Respecting the right of protected persons from the Occupied Palestinian Territory who are detained by Israel to be visited by the International Committee of the Red Cross;

(g) Respecting, protecting and fulfilling the human rights of the population of the Occupied Palestinian Territory;

6. *Urges* all States to cooperate with the United Nations with respect to the question of Palestine, and urges all States and regional organizations and the United Nations and its specialized agencies and organizations to support and assist the Palestinian people in the early realization of its right to self-determination, including to continue and expedite the provision of economic, humanitarian and technical assistance to the Palestinian people and the Palestinian Authority, and to actively pursue steps to ensure full implementation of the advisory opinion and of all relevant United Nations resolutions;

7. *Reaffirms* the permanent responsibility of the United Nations with regard to the question of Palestine until it is resolved in all its aspects in accordance with international law and the relevant United Nations resolutions;

8. *Expresses* its appreciation to the United Nations, and particularly to the Secretary-General, for the rapid response and ongoing efforts of the United Nations in the provision of vital assistance to the Palestinian people.

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