



General Assembly

Distr.: General
13 June 2025

English only

Human Rights Council

Fifty-ninth session

16 June–11 July 2025

Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Written statement* submitted by International-Lawyers.Org, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[26 May 2025]

* Issued as received, in the language of submission only.



The Grave Violations of International Law by Israel in its Occupation of Palestinian Territories

1. Introduction

This written statement, submitted by International-Lawyers.Org, addresses the grave violations of international law by Israel in its occupation of occupied Palestinian territories, with a focus on the obstruction of humanitarian assistance, the criminalization of the operations of United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the denial of the Palestinian people's right to self-determination. The statement underscores Israel's obligations as an occupying power under international humanitarian law, international human rights law, and the UN Charter, and calls upon the Human Rights Council to act decisively to uphold accountability.

Israel's actions since October 2023—including the deliberate starvation of civilians, mass displacement, infrastructure destruction, and targeting of humanitarian workers—constitute serious breaches of peremptory norms, including the prohibition of genocide. The Council is urged to reaffirm the binding nature of its prior resolutions, demand compliance with the orders of the International Court of Justice (ICJ) and ensure third States fulfill their erga omnes duties to prevent and punish atrocities.

2. Israel's Obligations to Ensure Humanitarian Assistance

As an occupying power, Israel is bound by non-derogable obligations under the Fourth Geneva Convention (Article 55–59), the Hague Regulations (1907), and customary IHL to guarantee the welfare of the occupied Palestinian territories population. These obligations include at a minimum the following.

Israel is bound by non-derogable obligation to ensure access to food, water, and medical care. Article 55 of the Fourth Geneva Convention mandates Israel to ensure food and medical supplies reach Gaza's population, particularly where local resources are inadequate. Despite ICJ provisional measures orders of 26 January 2024 and 24 May 2024 ordering Israel to "enable the provision of urgently needed humanitarian assistance," Israel has intensified restrictions, cutting off aid since March 2025 and only allowing the most minimal amount aid into Gaza even in recent days. At the end of April 2025, UNRWA reported only 250 food parcels remained for 2 million people, while water access plummeted to 4 liters per person daily.

Israel is bound by non-derogable prohibition of collective punishment. Article 33 of the Fourth Geneva Convention prohibits punishing civilians for acts they did not commit. Israel's siege, which has caused famine, disease outbreaks, and over 50,000 Palestinian deaths (MoH in Gaza data), constitutes collective punishment and violates the absolute prohibition on cruel, inhuman, or degrading treatment under Article 7 of the ICCPR and customary law.

Israel is bound by non-derogable obligation to prevent and punish genocide. The ICJ has recognized the plausibility of Israel committing genocide under Article II(c) of the Genocide Convention, citing "systematic deprivation of conditions essential to survival." Amnesty International (December 2024) concluded Israel's actions meet the threshold for genocide, a finding corroborated by UN experts and the United States of America. Holocaust Memorial Museum.

3. Legitimacy and Protection of UNRWA's Operations

Established by UNGA Res. 302(IV) (1949), UNRWA is mandated to provide humanitarian aid and protect Palestinian refugees. Its operations are protected under international law, including the Charter of the United Nations, articles 1(3), 2(5), and 56 that obligate all States to cooperate with UN agencies; the Convention on UN Immunity: Guarantees UNRWA's premises, staff, and supplies are inviolable; and the Comay-Michelmores Agreement (1968), in which Israel undertook a legal obligation to facilitate UNRWA's work in occupied Palestinian territories.

The humanitarian impact of Israel's actions has been devastation to the civilian population in Gaza as UNRWA provides life-saving services to the occupied Palestinian territories' people. UNRWA's Situation Reports from March to May 2025 detail its critical role in delivering food, healthcare (8.1 million consultations since 2023), and psychosocial support to 1.9 million displaced Gazans. However, Israel's bombardment of UNRWA facilities killing almost 300 staff, Israel's legislative bans, and Israel's obstruction of aid convoys have crippled UNRWA's capacity to provide life-saving services.

Israel's interference in the humanitarian operations of UNRWA is unlawful, an act that creates the responsibility of Israel for an internationally wrongful act and the allows third States as a consequence to take harsh action against Israel, including the use of force, to end Israel's action.

Israel's unilateral termination of the Comay-Michelmores Agreement and expulsion of UNRWA staff violate customary international humanitarian law and the Genocide Convention. The ICJ has affirmed that humanitarian operations cannot be suspended even in response to security claims.

4. Consequences of Israel's Breaches of International Law

Israel's actions have triggered multiple legal consequences under the international law of State responsibility. These consequences are authoritatively identified in the International Law Commission's Draft Articles on State Responsibility from 2001.

Israel must cease its unlawful action and provide guarantees non-repetition. This means that Israel must immediately lift all restrictions on humanitarian aid and cease its attacks on civilians.

Israel is obligated to provide restitution, compensation, and guarantees of non-repetition for at least the destruction of 80% of Gaza's infrastructure, its unlawful occupation of Palestine, the displacement of 90% of Gaza's population, and the systematic violations of the Palestinians economic, social, and cultural rights.

Third States have legal obligations under article 1 of the Genocide Convention and erga omnes principles it reflects, to cease military and economic support to Israel, to prosecute all individuals who are responsible for war crimes and genocide, and to enforce sanctions to compel compliance with the rulings of the International Court of Justice.

5. Legitimacy of Palestinian Resistance Under International Law

The Palestinian people's right to self-determination is enshrined in international law both in treaties and as part of customary international law. The Human Rights Council itself has recognized armed resistance as lawful when directed at ending colonial domination.

Hamas, as a national liberation movement, asserts its struggle is aimed at achieving self-determination, including the right of return for refugees.

While the targeting of civilians is prohibited under international humanitarian law, Hamas has stated that it is only targeting military objectives and that it is committed to investigating any potential misconduct. The Council must reject Israel's conflation of legitimate resistance with terrorism. The legitimate resistance of the national liberation movement Hamas is consistent with the right to the Palestinian people to struggle for self-determination.

6. Recommendations to the Human Rights Council

The Human Rights Council should demand immediate compliance with ICJ Orders including the enforcement of the ICJ's January and May 2024 provisional measures requiring Israel to allow unhindered humanitarian access and halt military operations in Rafah and the Human Rights Council should urge the Security Council to impose sanctions under Chapter VII of the UN Charter for Israel's non-compliance.

The Human Rights Council should act to protect UNRWA's mandate by strongly and unequivocally condemning Israel's obstruction of UNRWA and reaffirming UNRWA's humanitarian role under United Nations General Assembly Resolutions. This action should include mobilizing emergency funding for UNRWA to address shortages of food, medicine, and water.

The Human Rights Council should immediately investigate Israel's genocidal acts with the view towards ensuring the severe prosecution and punishment of all actors involved.

The Human Rights Council should again affirm all Palestinians' right to self-determination, reject Israeli narratives criminalizing resistance, and continue to strongly call for the right of return of all Palestinian refugees.

The Human Rights Council should act to enforce the erga omnes obligations of all States by strongly encouraging States to suspend any weapons trade with Israel, to sanction Israel, and to apply universal jurisdiction to prosecute perpetrators of war crimes.

7. Conclusion

The ongoing humanitarian catastrophe in Gaza demands urgent action by the HRC. Israel's systematic disregard for international law, including its obstruction of aid, targeting of civilians, and denial of self-determination, constitutes a flagrant violation of peremptory norms. The Council must transcend political divisions to uphold its mandate under the UN Charter. Failure to act perpetuates impunity and erodes the credibility of the United Nations and the international human rights system.

1- UNRWA SitRep #168, April 24, 2025.

2- 77 UNTS 277 (1951).

3- Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Application Instituting Proceedings and Request for Provisional Measures, ¶ 75 (Int'l Ct. Justice Dec. 29, 2023), accessed at <https://www.icj-cij.org/sites/default/files/case-related/192/192-20231228-app-01-00-en.pdf> (last accessed on 22 May 2025).

4- Military and Paramilitary Activities in and against Nicaragua (Nicar. v. U.S.), Merits, 1986 I.C.J. Rep. 14, ¶ 242 (June 27), accessed at <https://www.icj-cij.org/sites/default/files/case-related/70/070-19860627-JUD-01-00-EN.pdf> (last accessed 20 May 2025).

5- UN Sec-Gen Report A/79/588, 2024.

6- Articles 1(2), 55 of the UN Charter and human rights treaties, including, common article 1 of the International Covenant on Civil and Political Rights, 999 U.N.T.S. 171 (1966) and International Covenant on Economic, Social and Cultural Rights, 993 U.N.T.S. 3 (1966). See also UNGA Res. 1514(XV), (1960).

7- HRC Res. 40/CRP.2 (2019).

8- United Nations General Assembly Resolution 194 (III), U.N. Doc. A/RES/3/194 (Dec. 11, 1948), reprinted in U.N. GAOR, 3rd Sess., Resolutions, at 21 (1948), [https://undocs.org/A/RES/194\(III\)](https://undocs.org/A/RES/194(III)).

9- G.A. Res. 77/123, U.N. Doc. A/RES/77/123 (Dec. 15, 2022), <https://undocs.org/A/RES/77/123>.