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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](#).

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\* 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 long-standing systematic 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 possible only 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, 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 the light of this complicity, the Special Rapporteur on the situation of human rights in the Palestinian territory occupied since 1967, Francesca Albanese, demonstrates in the present report that the ongoing genocide of the Palestinians must be understood as an internationally enabled crime. Many States, primarily Western ones, have facilitated, legitimized and ultimately normalized the genocidal campaign perpetrated by Israel.<sup>1</sup> By portraying Palestinian civilians as “human shields”<sup>2</sup> 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, in the report, the Special Rapporteur 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 of America 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.<sup>3</sup>

## II. Methodology

5. The report was developed through a review of United Nations materials, including the report of the Secretary-General (A/79/588 and A/79/588/Corr.1) and 40

<sup>1</sup> A/HRC/55/73, paras. 55–92.

<sup>2</sup> 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>; and <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>.

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

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 occupied Palestinian territory, the most relevant are:

(a) Direct obligations that all States owe to the Palestinian people – especially the obligations to respect their right to self-determination<sup>4</sup> and freedom from apartheid<sup>5</sup> and genocide<sup>6</sup> – and to the State of Palestine, while respecting the principles of non-interference, territorial integrity, political independence and self-defence;<sup>7</sup>

(b) Obligations *erga omnes* arising from the serious breach of peremptory norms – the obligation to respect the self-determination of the people, and the prohibition of genocide, racial segregation, apartheid and territorial acquisition through force by Israel, including:<sup>8</sup> (i) a positive obligation to, individually<sup>9</sup> and cooperatively, bring any unlawful situation to an end through lawful means; and (ii) negative duties to not recognize as lawful the situation arising from their breach or to render aid or assistance to maintain that situation;<sup>10</sup>

(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);<sup>11</sup> (ii) ensure respect for international humanitarian law<sup>12</sup> (triggered when

<sup>4</sup> A/77/356, paras. 15–32.

<sup>5</sup> International Convention on the Suppression and Punishment of the Crime of Apartheid, art. I; International Convention on the Elimination of All Forms of Racial Discrimination, art. 3; and *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*, para. 229.

<sup>6</sup> Convention on the Prevention and Punishment of the Crime of Genocide, art. I.

<sup>7</sup> Charter of the United Nations, arts. 2 (4) and (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>.

<sup>8</sup> Responsibility of States for internationally wrongful acts, art. 40.

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

<sup>10</sup> Responsibility of States for internationally wrongful acts, art. 41; and *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, para. 159.

<sup>11</sup> Genocide Convention, art. I; *Reservations to the Convention on the Prevention and Punishment of the Crime of Genocide, Advisory Opinion, 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), Judgment, I.C.J. Reports 2007*, para. 431.

<sup>12</sup> Common article 1 to the Geneva Conventions; International Committee of the Red Cross (ICRC), 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, I.C.J. Reports 2024*, para. 279; and *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, para. 159.

violations are “likely or foreseeable”<sup>13</sup>; and (iii) cooperate to prevent crimes and attacks on internationally protected persons;<sup>14</sup>

(d) Obligations to refrain from aiding or assisting<sup>15</sup> or directly participating in internationally wrongful acts of other States,<sup>16</sup> including aggression,<sup>17</sup> apartheid<sup>18</sup> and genocide.<sup>19</sup>

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 circumstances involved,<sup>20</sup> the gravity of the violations in question,<sup>21</sup> the level of influence over the violating State<sup>22</sup> and the means available to exert such influence.<sup>23</sup> A State fails in its obligation if it does not use all available means to discharge it.<sup>24</sup>

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 cases must, use force against a State acting in violation of Article 2 (4) of the Charter of the United Nations, in at least three circumstances: (i) under Article 51 of the Charter, third States may intervene at the request of a State acting in self-defence when subject to an act of aggression;<sup>25</sup> (ii) pursuant to a Security Council resolution under Chapter VII of the Charter; and (iii) under the Uniting for Peace resolution;<sup>26</sup>

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

<sup>14</sup> Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, art. 4; and General Assembly resolution [37/123](#).

<sup>15</sup> Responsibility of States for internationally wrongful acts, art. 16; and articles on the responsibility of international organizations, art. 14.

<sup>16</sup> Responsibility of States for internationally wrongful acts, art. 47; and articles on the responsibility of international organizations, art. 48.

<sup>17</sup> General Assembly resolution [3314 \(XXIX\)](#).

<sup>18</sup> International Convention on the Suppression and Punishment of the Crime of Apartheid, arts. III and IV.

<sup>19</sup> Genocide Convention, art. III (e).

<sup>20</sup> *Obligations of States in Respect of Climate Change, Advisory Opinion*, *I.C.J. Reports 2025*, paras. 137 and 247.

<sup>21</sup> *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*, Case No. 31, Advisory Opinion, 21 May 2024, para. 239; and Advisory Committee on Public International Law of the Netherlands, “The obligation of third States to prevent genocide”, Advisory Report No. 50, 4 August 2025, p. 7.

<sup>22</sup> *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, *I.C.J. Reports 2007*, para. 430; and ICRC, Commentary of 2016 on article 1 of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Geneva Convention), paras. 164–168.

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

<sup>24</sup> *Ibid.*, paras. 430 and 431; *Obligations of States in Respect of Climate Change, Advisory Opinion*, *I.C.J. Reports 2025*, para. 208; and ICRC, Commentary of 2016 on article 1 of the First Geneva Convention, para. 165.

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

<sup>26</sup> General Assembly resolution [377 \(V\)](#); and <https://mondoweiss.net/2025/08/how-the-un-could-act-today-to-stop-the-genocide-in-palestine>.

(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.<sup>27</sup> 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.<sup>28</sup> Prohibitions also apply to transit and trans-shipment;<sup>29</sup>

(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 Charter obligations relating to international peace and security, including peremptory norms.<sup>30</sup> Bilateral free trade<sup>31</sup> and investment agreements<sup>32</sup> with Israel usually contain similar clauses, and human rights arguments have been upheld in international arbitration.<sup>33</sup> To the extent that bilateral agreements violate peremptory norms or sustain their serious breach, they are null and void;<sup>34</sup>

(d) **Denial of safe passage.** The United Nations 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”<sup>35</sup> and risks rendering the State complicit in international crimes, or violations of Charter obligations or peremptory norms;<sup>36</sup>

(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.<sup>37</sup> Third States also have obligations to hold third parties,

<sup>27</sup> Arms Trade Treaty, art. 6; and [www.thearmstradetreaty.org/hyper-images/file/ATT\\_CSP10\\_WGETI\\_Voluntary%20Guide%20to%20Implementing%20Articles%20%20&%207%20of%20the%20ATT\\_EN/ATT\\_CSP10\\_WGETI\\_Voluntary%20Guide%20to%20Implementing%20Articles%20%20&%207%20of%20the%20ATT\\_EN.pdf](http://www.thearmstradetreaty.org/hyper-images/file/ATT_CSP10_WGETI_Voluntary%20Guide%20to%20Implementing%20Articles%20%20&%207%20of%20the%20ATT_EN/ATT_CSP10_WGETI_Voluntary%20Guide%20to%20Implementing%20Articles%20%20&%207%20of%20the%20ATT_EN.pdf), p. 18.

<sup>28</sup> Arms Trade Treaty, art. 7.

<sup>29</sup> *Ibid.*, art. 2.

<sup>30</sup> Common article XXI (c) of General Agreement on Trades and Tariffs (1947) and General Agreement on Trades and Tariffs (1994); General Agreement on Trade in Services, art. XIV bis (1) (c); and [www.wto.org/english/res\\_e/booksp\\_e/gatt\\_ai\\_e/art21\\_e.pdf](http://www.wto.org/english/res_e/booksp_e/gatt_ai_e/art21_e.pdf).

<sup>31</sup> United States-Israel Free Trade Agreement (1985), art. 7; Canada-Israel Free Trade Agreement (1997), art. 20.1; Mercosur-Israel Free Trade Agreement (2009–2010), art. 4; European Union-Israel Association Agreement (2000), arts. 27 and 76.

<sup>32</sup> Israel-United Arab Emirates Bilateral Investment Treaty (2020), art. 14.4; Israel-Japan Bilateral Investment Treaty (2017), art. 15.2; Guatemala-Israel Bilateral Investment Treaty (2006), art. 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](http://www.law4palestine.org/wp-content/uploads/2025/04/L4P_Third-State-Economic-Responsibility-Booklet-PDF.pdf), pp. 34–38.

<sup>33</sup> 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).

<sup>34</sup> Vienna Convention on the Law of Treaties, art. 53; and [A/77/10](https://www.unhcr.org/refugees/77/10), conclusion 10.

<sup>35</sup> United Nations Convention on the Law of the Sea, art. 19 (1), with art. 17; and [https://ascomare.com/wp-content/uploads/2025/03/ascomare-legal-opinion-\\_-innocent-passage-and-due-diligence.pdf](https://ascomare.com/wp-content/uploads/2025/03/ascomare-legal-opinion-_-innocent-passage-and-due-diligence.pdf), para. 44.

<sup>36</sup> United Nations Convention on the Law of the Sea, arts. 2 (1) and 19 (1).

<sup>37</sup> First Geneva Convention, art. 49; and Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention), arts. 146–148.

including corporations, to account for human rights and other violations of international law in their domestic courts.<sup>38</sup>

9. A context of sustained and intersecting violations of peremptory norms, and the obligation to prevent genocide, compound the imperative to act. It may mean that the actions that 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<sup>39</sup> – that is, unless less intrusive measures based on the assessment outlined in paragraph 8 would truly suffice.

10. The conduct of States and international organizations constitutes complicity when their actions (a) aid and assist in a way that materially or substantially enables or facilitates the commission of the wrongful act;<sup>40</sup> and (b) are carried out 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.<sup>41</sup>

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.<sup>42</sup> Such complicity may involve the provision or denial of funds, weapons, fuel or intelligence; diplomatic or political pressure or sanctions; or the non-implementation of orders and arrest warrants.<sup>43</sup> The intention of a third State to facilitate a wrongful act is reasonably inferable from the foreseeable consequences of that State's actions.<sup>44</sup>

<sup>38</sup> *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*, para. 278; United Nations, Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework, principles 1, 2 and 25; General Assembly resolution ES-10/24, para. 5; and [https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper\\_co-israel.pdf](https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper_co-israel.pdf), paras. 30, 31 and 33.

<sup>39</sup> See [www.justsecurity.org/120757/sanctions-against-israel-an-international-law-perspective](http://www.justsecurity.org/120757/sanctions-against-israel-an-international-law-perspective); [https://bdsmovement.net/sites/default/files/2025-03/ASCOMAREpercent20Legalpercent20Opinionpercent20\\_percent20Innocentpercent20Passage percent20andpercent20Due percent20Diligence.pdf](https://bdsmovement.net/sites/default/files/2025-03/ASCOMAREpercent20Legalpercent20Opinionpercent20_percent20Innocentpercent20Passage percent20andpercent20Due percent20Diligence.pdf), paras. 66 and 86–88; and [www.law4palestine.org/wp-content/uploads/2025/04/L4P\\_Third-State-Economic-Responsibility-Booklet-PDF.pdf](http://www.law4palestine.org/wp-content/uploads/2025/04/L4P_Third-State-Economic-Responsibility-Booklet-PDF.pdf), pp. 7 and 51.

<sup>40</sup> See [https://legal.un.org/ilc/texts/instruments/english/commentaries/9\\_6\\_2001.pdf](https://legal.un.org/ilc/texts/instruments/english/commentaries/9_6_2001.pdf), art. 16, para. 5; Vladyslav Lanovoy, “Responsibility for complicity in an internationally wrongful act: revisiting a structural norm”, paper presented at the SHARES Conference “Foundations of Shared Responsibility in International Law”, 17 and 18 November 2011, Amsterdam, pp. 16–20; and Phoebe Okowa, *State Responsibility for Transboundary Air Pollution in International Law*, (Oxford, Oxford University Press, 2001), p. 188.

<sup>41</sup> Responsibility of States for internationally wrongful acts, art. 16; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, *I.C.J. Reports 2007*, paras. 421, 432 and 436, see also, declaration of Judge Bennouna, p. 361; Marko Milanović, “State responsibility for genocide: a follow-up”, *European Journal of International Law*, vol. 18, No. 4 (September 2007), p. 687.

<sup>42</sup> *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment, *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*, para. 279; and *Obligations of States in Respect of Climate Change, Advisory Opinion, I.C.J. Reports 2025*.

<sup>43</sup> Responsibility of States for internationally wrongful acts, arts. 16–18; and [www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges](http://www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges).

<sup>44</sup> 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)*, Judgment, *I.C.J. Reports 2007*, see declaration of Judge Bennouna, pp. 361–363; and Lanovoy, “Responsibility for complicity”, p. 24.

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.<sup>45</sup> 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.<sup>46</sup>

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.<sup>47</sup> As with a joint criminal enterprise under individual criminal responsibility,<sup>48</sup> it is unnecessary to establish that one State performs the wrongful act in its entirety, only that its contribution is a constituent element of the crime and attributable to the State.<sup>49</sup> 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.<sup>50</sup>

13. Israeli violations in the occupied territory have been established for decades.<sup>51</sup> By 2004, in its Advisory Opinion on the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, 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.<sup>52</sup> By 6 October 2023, Israel had long denied the Palestinian people's right to self-determination<sup>53</sup> through occupation, annexation and unlawful use of force,<sup>54</sup> maintaining control over Palestinian lives through a racially discriminatory and apartheid system.<sup>55</sup> The illegal blockade of Gaza,<sup>56</sup> compounded by regular military attacks involving war crimes and crimes

<sup>45</sup> Responsibility of States for internationally wrongful acts, art. 15.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid., arts. 47 and 48; International Law Commission, Commentary to part one, chap. IV of the articles on Responsibility of States for internationally wrongful acts, p. 64, paras 1–3; and International Law Commission, Commentary to article 47, p. 124, para. 2.

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

<sup>49</sup> Christian Dominicé, "Attribution of conduct to multiple States and the implication of a State in the act of another State", in *The Law of International Responsibility*, James Crawford and others, eds. (Oxford, Oxford University Press, 2010), pp. 282 and 283.

<sup>50</sup> Genocide Convention, art. III; Responsibility of States for internationally wrongful acts, arts. 2 and 15; and [A/79/384](#), paras. 76 and 77.

<sup>51</sup> *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion*, I.C.J. Reports 2004; and [A/HRC/50/21](#).

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

<sup>53</sup> General Assembly resolutions [2535 \(XXIV\)](#) A–C, [2649 \(XXV\)](#), [3236 \(XXIX\)](#), [43/177](#), [48/94](#) and [78/192](#). See also, Security Council resolution [2334 \(2016\)](#); and [A/77/356](#).

<sup>54</sup> Security Council resolution [478 \(1980\)](#); General Assembly resolution [76/12](#); [A/74/507](#); and <https://badil.org/phocadownloadpap/badil-new/publications/research/in-focus/EtzionBloc-IsraeliAnnexation.pdf>.

<sup>55</sup> [A/HRC/49/87](#), para. 52.

<sup>56</sup> [A/68/502](#), paras. 7–16; [A/HRC/25/40](#), paras. 24–30; [A/HRC/40/CRP.2](#), paras. 150–194; Security Council resolution [1860 \(2009\)](#); [https://mezan.org/uploads/upload\\_center/kLakShfIAra2.pdf](https://mezan.org/uploads/upload_center/kLakShfIAra2.pdf); <https://ccrjustice.org/sites/default/files/attach/2016/11/GAZA%20CLOSURE%20FOR%20ICC%20November%2022%202016.pdf>; and <https://reliefweb.int/report/occupied-palestinian-territory/opt-gaza%2%A0closure-not-another-year>.

against humanity,<sup>57</sup> had made the Gaza Strip “unliveable”,<sup>58</sup> priming the situation for genocide.<sup>59</sup>

14. In the past two years, Israeli crimes have dramatically escalated. By 20 October 2023, international law experts,<sup>60</sup> genocide scholars<sup>61</sup> and human rights organizations<sup>62</sup> had warned of impending genocide. On 26 January 2024, ICJ confirmed the serious risk of genocide in Gaza, giving rise to States’ obligations to prevent it and to punish incitement, commission or complicity.<sup>63</sup> By May 2024, the Court had issued two further provisional measures orders<sup>64</sup> and made judicial comments in *Nicaragua v. Germany*,<sup>65</sup> the Prosecutor of the International Criminal Court (ICC) had sought arrest warrants for senior Israeli officials,<sup>66</sup> and third States had “actual or constructive knowledge” of the ongoing international crimes that they had failed to prevent, triggering a heightened responsibility to act.<sup>67</sup>

15. In July 2024, 20 years after its 2004 Advisory Opinion, ICJ determined the illegality of the continued presence of Israel in the occupied Palestinian territory in its entirety and the obligation of Israel to withdraw totally, unconditionally and as rapidly as possible.<sup>68</sup> The General Assembly subsequently declared that the occupation must be dismantled by 18 September 2025.<sup>69</sup> Israel has failed to do this.

16. On 16 September 2025, the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel concluded that Israel was committing genocide in the Gaza Strip, reaffirming the obligations of

<sup>57</sup> [A/HRC/12/48](#), paras. 1332–1335; and [A/HRC/40/CRP.2](#).

<sup>58</sup> [A/HRC/37/75](#), para. 6.

<sup>59</sup> General Assembly resolution 37/123 (D); Martin Shaw, “Palestine in an international historical perspective on genocide”, *Journal of Holy Land and Palestine Studies*, vol. 9, No. 1 (2010); and Haidar Eid, *Banging on the Walls of the Tank: Dispatches from Gaza* (Toronto, Between the Lines, 2025), pp. 61–65.

<sup>60</sup> See [www.un.org/unispal/document/gaza-un-experts-decry-bombing-of-hospitals-and-schools-as-crimes-against-humanity-call-for-prevention-of-genocide](http://www.un.org/unispal/document/gaza-un-experts-decry-bombing-of-hospitals-and-schools-as-crimes-against-humanity-call-for-prevention-of-genocide).

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

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

<sup>63</sup> Legal analysis of the conduct of Israel in Gaza pursuant to the Convention on the Prevention and Punishment of the Crime of Genocide (A/HRC/60/CRP.3), para. 249. Available at <https://www.ohchr.org/en/hr-bodies/hrc/co-israel/index>.

<sup>64</sup> *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 of 26 January 2024, I.C.J. Reports 2024*, 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 of 24 May 2024, I.C.J. Reports 2024*, para. 57.

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

<sup>66</sup> See [www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges](http://www.icc-cpi.int/news/situation-state-palestine-icc-pre-trial-chamber-i-rejects-state-israels-challenges).

<sup>67</sup> Responsibility of States for internationally wrongful acts, art. 16; *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment, I.C.J. Reports 2007*, see declaration of Judge Bennouna, p. 361; and Milanović, “State responsibility for genocide”, p. 687.

<sup>68</sup> *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*, paras. 267–272 and 285.

<sup>69</sup> See General Assembly resolution [ES-10/24](#).

all States to prevent genocide, to cease committing and/or aiding and assisting genocide and to punish those perpetrating and/or inciting genocide.<sup>70</sup>

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,<sup>71</sup> the extent of the unlawful actions of Israel renders any distinction between Israel and the occupied Palestinian territory legally and practically impossible. According to the due diligence tests outlined in the 2024 Advisory Opinion,<sup>72</sup> if Israel itself is unwilling or unable to distinguish between its territory and the occupied Palestinian territory, 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 have created the conditions for their complicity in ongoing Israeli crimes. In the following sections, the Special Rapporteur analyses 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 long-standing 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,<sup>73</sup> Western States helped to justify the genocide against

<sup>70</sup> A/HRC/60/CRP.3, paras. 246–250 (see footnote 63).

<sup>71</sup> Security Council resolution 2334 (2016), para. 5; and *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*.

<sup>72</sup> See [www.ohchr.org/en/statements-and-speeches/2024/09/un-experts-warn-international-order-knives-edge-urge-states-comply](http://www.ohchr.org/en/statements-and-speeches/2024/09/un-experts-warn-international-order-knives-edge-urge-states-comply); and [www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper\\_co-israel.pdf](http://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/coiopt/2024-10-18-COI-position-paper_co-israel.pdf).

<sup>73</sup> Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge, Cambridge University Press, 2005).

Palestinians. On 9 October 2023, immediately after Israel announced a tightened siege on Gaza, key Western leaders expressed support for the “self-defence” of Israel<sup>74</sup> – unwarranted under Article 51 of the Charter of the United Nations.<sup>75</sup> The President of the United States, Joseph Biden, repeatedly cited unsubstantiated reports of “beheaded babies”.<sup>76</sup> The Leader of the Opposition in the United Kingdom of Great Britain and Northern Ireland, Keir Starmer, defended the right of Israel to cut off water and power to civilians.<sup>77</sup>

21. This environment fuelled a ferocious Israeli assault. Even amid urgent calls for a ceasefire, Western States, led by the United States, advocated only for humanitarian “corridors”, “pauses” and “truces” – sidestepping a permanent ceasefire and ensuring a continuation of the violence.<sup>78</sup> 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, thereby providing further leeway for the assault on Gaza.

22. Post-October 2023, the United States used its veto power in the Security Council seven times,<sup>79</sup> controlling ceasefire negotiations and providing diplomatic cover for the Israeli genocide. The United States has not acted alone. Abstentions, delays, watered-down draft resolutions and a simplistic rhetoric of “balance” reinforced the diplomatic protection and political narrative that Israel required to continue the genocide. The United Kingdom maintained alignment with the United States position until November 2024.<sup>80</sup> A bloc of Western States – Australia, Canada and New Zealand, sometimes joined by the Germany, the Kingdom of the Netherlands or the United Kingdom – appeared at times ready to pressurize Israel, for example, in December 2023, when their statements added momentum for a ceasefire. However, their introduction of the term “sustainable ceasefire” produced a diluted Security Council resolution that delayed action.<sup>81</sup> In February 2024, they criticized the planned invasion of Rafah while simultaneously withdrawing funding for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA).<sup>82</sup> Such

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

<sup>75</sup> Charter of the United Nations, art. 51.

<sup>76</sup> See <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>; and [www.washingtonpost.com/politics/2023/11/22/biden-yet-again-says-hamas-beheaded-babies-has-new-evidence-emerged](http://www.washingtonpost.com/politics/2023/11/22/biden-yet-again-says-hamas-beheaded-babies-has-new-evidence-emerged).

<sup>77</sup> See [www.lbc.co.uk/article/sir-keir-starmer-hamas-terrorism-israel-defend-itself-DWzhBf\\_2](http://www.lbc.co.uk/article/sir-keir-starmer-hamas-terrorism-israel-defend-itself-DWzhBf_2).

<sup>78</sup> See S/2023/772 (16 October 2023); S/2023/773 (18 October 2023); S/2023/792 (25 October 2023); Security Council resolution 2712 (2023) (15 November 2023); and [www.theguardian.com/world/2023/nov/05/ceasefire-or-humanitarian-pause-the-bitter-debate-on-the-best-route-to-peace](http://www.theguardian.com/world/2023/nov/05/ceasefire-or-humanitarian-pause-the-bitter-debate-on-the-best-route-to-peace).

<sup>79</sup> This includes S/2023/772.

<sup>80</sup> See S/2024/835; and [www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Vote\\_Middle\\_East\\_large-2.png](http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Vote_Middle_East_large-2.png).

<sup>81</sup> See [www.pm.gc.ca/en/news/statements/2023/12/12/joint-statement-prime-ministers-australia-canada-and-new-zealand](http://www.pm.gc.ca/en/news/statements/2023/12/12/joint-statement-prime-ministers-australia-canada-and-new-zealand). See also General Assembly resolution ES-10/22 (12 December 2023); S/2023/970 (8 December 2023); and consider Security Council resolution 2720 (2023) (22 December 2023); and [www.securitycouncilreport.org/whatsinblue/2023/12/the-middle-east-including-the-palestinian-question-vote-on-a-draft-resolution-2.php](http://www.securitycouncilreport.org/whatsinblue/2023/12/the-middle-east-including-the-palestinian-question-vote-on-a-draft-resolution-2.php).

<sup>82</sup> See [www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0](http://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](http://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>; and [www.rnz.co.nz/news/political/507907/no-more-aid-for-un-aid-agency-until-peters-satisfied-luxon](http://www.rnz.co.nz/news/political/507907/no-more-aid-for-un-aid-agency-until-peters-satisfied-luxon).

diplomacy created an illusion of progress while concrete actions were repeatedly stymied.<sup>83</sup>

23. Sanctions served a similar function. In 2024, Australia, Canada, the European Union, New Zealand and the United Kingdom sanctioned some extremist settlers and organizations<sup>84</sup> and, in June 2025, two ministers of the Government of Israel, Itamar Ben-Gvir and Bezalel Smotrich, were sanctioned by Australia, Canada, Norway and the United Kingdom.<sup>85</sup> However, 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 summits<sup>86</sup> and several extraordinary meetings on Palestine<sup>87</sup> generated some collective efforts, including the Arab plan for early recovery and reconstruction in Gaza.<sup>88</sup> Nevertheless, these actions have not been decisive, even amid Israeli aggression against six Arab States, reflecting the complexity of regional geopolitics. Normalization through the United States-brokered Abraham Accords Peace Agreement: Treaty of Peace, Diplomatic Relations and Full Normalization between the United Arab Emirates and the State of Israel has also shifted economic incentives. Open sources report that influential States in the region facilitated land routes to Israel, bypassing the Red Sea.<sup>89</sup> While Qatar and Egypt sought to broker ceasefire agreements, Qatar hosts the largest United States military base in the region, and Egypt maintained significant security and economic relations with Israel,<sup>90</sup> including energy cooperation<sup>91</sup> and the closing of the Rafah crossing.<sup>92</sup>

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 ICJ, most Western States have persistently denied genocide.<sup>93</sup> None have joined Nicaragua against Germany at ICJ or invoked domestic laws against complicit corporations or individuals. Only seven referred the situation

<sup>83</sup> See [www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0](http://www.pm.gov.au/media/joint-statement-prime-ministers-australia-canada-and-new-zealand-0).

<sup>84</sup> See [www.gov.uk/government/news/uk-sanctions-extremist-settlers-in-the-west-bank](http://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](http://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](http://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](http://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); and [www.foreignminister.gov.au/minister/penny-wong/transcript/sabra-lane-abc-am](http://www.foreignminister.gov.au/minister/penny-wong/transcript/sabra-lane-abc-am).

<sup>85</sup> See [www.gov.uk/government/news/uk-and-partners-unite-to-sanction-ministers-inciting-west-bank-violence](http://www.gov.uk/government/news/uk-and-partners-unite-to-sanction-ministers-inciting-west-bank-violence).

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

<sup>87</sup> See <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>; and [www.spa.gov.sa/en/N2034246](http://www.spa.gov.sa/en/N2034246).

<sup>88</sup> See [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](http://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).

<sup>89</sup> See [www.ynetnews.com/article/hkxcieckt](http://www.ynetnews.com/article/hkxcieckt); and [www.timesofisrael.com/houthi-bypass-quietly-goods-forge-overland-path-to-israel-via-saudi-arabia-jordan](http://www.timesofisrael.com/houthi-bypass-quietly-goods-forge-overland-path-to-israel-via-saudi-arabia-jordan).

<sup>90</sup> See [www.palestinedeepdive.com/p/revealed-trump-is-using-egyptian](http://www.palestinedeepdive.com/p/revealed-trump-is-using-egyptian).

<sup>91</sup> See [www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07](http://www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07).

<sup>92</sup> See [www.nytimes.com/2024/06/20/world/middleeast/palestinians-gaza-gofundme-egypt.html](http://www.nytimes.com/2024/06/20/world/middleeast/palestinians-gaza-gofundme-egypt.html); and [www.nytimes.com/2024/07/19/world/middleeast/rafah-palestinians-gaza-trapped.html](http://www.nytimes.com/2024/07/19/world/middleeast/rafah-palestinians-gaza-trapped.html).

<sup>93</sup> See [www.icj-cij.org/case/192/intervention](http://www.icj-cij.org/case/192/intervention); and <https://committees.parliament.uk/publications/49215/documents/262248/default>.

to ICC,<sup>94</sup> many sought to undermine its arrest warrants<sup>95</sup> and at least 37 States were non-committal or critical, signalling intent to evade arrest obligations.<sup>96</sup> The United States imposed sanctions to paralyse ICC;<sup>97</sup> the United Kingdom threatened its funding;<sup>98</sup> and the Prime Minister of Israel, Benjamin Netanyahu, travelled freely across European airspace,<sup>99</sup> even visiting Hungary, which withdrew from ICC in April 2025.<sup>100</sup>

26. Israel has been sheltered from accountability in courts as well as in global forums, with institutions preventing its deserved expulsion both from sports (e.g. the Paris Olympics, Fédération Internationale de Football Association (FIFA) World Cup qualifiers, the International Basketball Federation (FIBA), the Davis Cup) and from cultural events (Eurovision, Venice Biennale).<sup>101</sup>

27. The groundbreaking ICJ ruling on the illegality of the occupation has yet to bring change. On 18 September 2024, the General Assembly adopted resolution [ES-10/24](#), reaffirming the binding nature of the legal obligations imposed by the Court<sup>102</sup> and formulating a road map to end the occupation by 17 September 2025 through diplomatic, economic and legal measures which States have yet to implement.

28. The meetings of the High-level International Conference for the Peaceful Settlement of the Question of Palestine and the Implementation of the Two-State Solution held in July and September 2025 led to 10 new States recognizing the State of Palestine.<sup>103</sup> While an important step, these tardy recognitions 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,<sup>104</sup> effectively reproducing forms of colonial tutelage.

<sup>94</sup> See [www.icc-cpi.int/sites/default/files/2023-11/ICC-Referral-Palestine-Final-17-November-2023.pdf](http://www.icc-cpi.int/sites/default/files/2023-11/ICC-Referral-Palestine-Final-17-November-2023.pdf); and [www.icc-cpi.int/sites/default/files/2024-01/2024-01-18-Referral\\_Chile\\_Mexico.pdf](http://www.icc-cpi.int/sites/default/files/2024-01/2024-01-18-Referral_Chile_Mexico.pdf).

<sup>95</sup> See [www.icc-cpi.int/palestine](http://www.icc-cpi.int/palestine).

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

<sup>97</sup> See [www.state.gov/releases/office-of-the-spokesperson/2025/08/imposing-further-sanctions-in-response-to-the-iccs-ongoing-threat-to-americans-and-israelis](http://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](http://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](http://www.state.gov/releases/2025/07/sanctioning-lawfare-that-targets-u-s-and-israeli-persons); and [www.state.gov/releases/2025/09/sanctioning-foreign-ngos-directly-engaged-in-iccs-illegitimate-targeting-of-israel](http://www.state.gov/releases/2025/09/sanctioning-foreign-ngos-directly-engaged-in-iccs-illegitimate-targeting-of-israel).

<sup>98</sup> See [www.middleeasteye.net/news/david-cameron-threatened-withdraw-uk-icc-over-israel-war-crimes-probe](http://www.middleeasteye.net/news/david-cameron-threatened-withdraw-uk-icc-over-israel-war-crimes-probe).

<sup>99</sup> See [www.middleeasteye.net/news/france-criticised-allowing-netanyahus-plane-use-its-airspace](http://www.middleeasteye.net/news/france-criticised-allowing-netanyahus-plane-use-its-airspace); [https://x.com/Clemence\\_Guette/status/1909592352714309975](https://x.com/Clemence_Guette/status/1909592352714309975); and [www.timesofisrael.com/liveblog\\_entry/french-official-says-france-gave-netanyahu-permission-to-use-its-airspace-despite-icc-warrant](http://www.timesofisrael.com/liveblog_entry/french-official-says-france-gave-netanyahu-permission-to-use-its-airspace-despite-icc-warrant).

<sup>100</sup> See [https://x.com/PM\\_ViktorOrban/status/1859905807577726996](https://x.com/PM_ViktorOrban/status/1859905807577726996); and [www.icc-cpi.int/news/presidency-assembly-states-parties-responds-announcement-withdrawal-rome-statute-hungary](http://www.icc-cpi.int/news/presidency-assembly-states-parties-responds-announcement-withdrawal-rome-statute-hungary).

<sup>101</sup> See [www.ohchr.org/en/press-releases/2025/09/un-experts-call-suspension-israel-international-football-amid-unfolding](http://www.ohchr.org/en/press-releases/2025/09/un-experts-call-suspension-israel-international-football-amid-unfolding).

<sup>102</sup> General Assembly resolution [ES-10/24](#), paras. 1 and 2.

<sup>103</sup> See [www.un.org/unispal/high-level-conference-two-state-solution-july2025](http://www.un.org/unispal/high-level-conference-two-state-solution-july2025).

<sup>104</sup> See [www.gov.uk/government/news/uk-formally-recognises-palestinian-state#:~:text=Foreign%20Secretary%20Yvette%20Cooper%20said,Palestinian%20people%20to%20self%20determination](http://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%2C%20Sunday%20the%2021st,a%20state%20of%20their%20own](http://www.foreignminister.gov.au/minister/penny-wong/media-release/australia-recognises-state-palestine#:~:text=Effective%20today%2C%20Sunday%20the%2021st,a%20state%20of%20their%20own); and [www.international.gc.ca/world-monde/international\\_](http://www.international.gc.ca/world-monde/international_)

29. Since October 2023, only Belize, Bolivia (Plurinational State of), Colombia and Nicaragua have suspended diplomatic relations with Israel, and only seven States – Bahrain, Chad, Chile, Honduras, Jordan, South Africa and Türkiye – have downgraded their relations with Israel.<sup>105</sup>

30. The most notable effort has come from The Hague Group initiative, launched in January 2025.<sup>106</sup> Led by Colombia and South Africa, 13 States of the Global Majority have committed to enforcing six concrete measures against Israel.<sup>107</sup> Twenty-one other States joined the third meeting of the Group in New York on the sidelines of the eightieth session of the General Assembly.<sup>108</sup> Despite the efforts of some of its members,<sup>109</sup> Israel still holds its United Nations credentials.

31. On 30 September 2025, many States, including Egypt, Indonesia, Jordan, Pakistan, Qatar, Saudi Arabia, Türkiye and the United Arab Emirates, endorsed the “Trump Plan”,<sup>110</sup> despite its silence on ending the occupation, ensuring accountability and 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.<sup>111</sup>

## B. Military ties: providing the means of destruction

32. While United Nations resolutions have contained calls for arms embargoes on Israel since 1976,<sup>112</sup> 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 Organisation for Economic Co-operation and Development (OECD) average, and more than four times greater than that of the United States.<sup>113</sup> This international supply has continued, even as the evidence of genocide has mounted,<sup>114</sup> with the United States, Germany and Italy

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[relations-relations\\_internationales/mena-moan/israeli-palestinian\\_policy-politique\\_israelo-palestinien.aspx?lang=eng.](#)

<sup>105</sup> See [www.axios.com/2023/11/16/israel-gaza-war-countries-against-cease-fire-diplomats](http://www.axios.com/2023/11/16/israel-gaza-war-countries-against-cease-fire-diplomats).

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

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

<sup>108</sup> See [www.middleeasteye.net/news/states-meet-netanyahu-un-speech-weigh-action-israel](http://www.middleeasteye.net/news/states-meet-netanyahu-un-speech-weigh-action-israel); and <https://thehaguegroup.org/meetings-ny-en>.

<sup>109</sup> See A/79/588 and A/79/588/Corr.1.

<sup>110</sup> See <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>.

<sup>111</sup> See [www.ohchr.org/en/press-releases/2025/10/palestine-any-peace-plan-must-respect-international-law-beginning-self](http://www.ohchr.org/en/press-releases/2025/10/palestine-any-peace-plan-must-respect-international-law-beginning-self).

<sup>112</sup> General Assembly resolutions 31/61, para. 5, and ES-9/1, paras. 12 (a) and 12 (b); and Human Rights Council resolution 58/2, para. 14.

<sup>113</sup> Countries ranked based on index of weapons trade relative to total trade (in current United States dollars). Data for weapons import from Stockholm International Peace Research Institute, available at [www.sipri.org/databases](http://www.sipri.org/databases). Trade data taken from the World Bank, available at <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS>.

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

among the largest suppliers.<sup>115</sup> Only a few Western States, notably Spain<sup>116</sup> and Slovenia, have cancelled contracts and imposed embargoes.<sup>117</sup>

33. The United States has financially and militarily supported Israel since its creation.<sup>118</sup> Following the 1967 war, Israel became the leading recipient of United States foreign military financing.<sup>119</sup> The 60-year strategic partnership between the United States and Israel has been underpinned by a legislated commitment to an Israeli “qualitative military edge”,<sup>120</sup> almost 30 years of agreements ensuring Israeli-United States military cooperation,<sup>121</sup> a steady supply of military and economic aid to Israel<sup>122</sup> and preferential access to United States military sales.<sup>123</sup> The third United States-Israel memorandum of understanding, effective until 2028, guarantees \$3.3 billion per year in foreign military financing plus \$500 million per year for missile defence.<sup>124</sup> The United States has supplied arms to Israel through military sales – the United States accounts for two thirds of annual Israeli arms imports<sup>125</sup> – and through access to the United States weapons stockpile (War Reserve Stockpile Allies-Israel) in Israel.<sup>126</sup> Israel also has special permission to use foreign military financing to purchase Israeli-made weapons.<sup>127</sup> Meanwhile, the purchase by Israel of F-15, F-16 and F-35 fighter jets<sup>128</sup> and munitions<sup>129</sup> is supported by access to procurement funds by Israeli subsidiaries in the United States.<sup>130</sup>

34. United States political, diplomatic, military and strategic support to Israel has escalated since 7 October 2023. Senior United States politicians and military officials engaged in unprecedented travel to Israel, including for operational discussions on Israeli military conduct in Gaza.<sup>131</sup> On 20 October 2023, the Biden Administration

<sup>115</sup> See [www.sipri.org/commentary/topical-backgrounder/2025/how-top-arms-exporters-have-responded-war-gaza-2025-update](http://www.sipri.org/commentary/topical-backgrounder/2025/how-top-arms-exporters-have-responded-war-gaza-2025-update).

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

<sup>117</sup> See [www.gov.si/en/news/2025-07-31-the-government-instructs-the-ministry-of-defence-to-strictly-enforce-controls-on-arms-trade-with-israel](http://www.gov.si/en/news/2025-07-31-the-government-instructs-the-ministry-of-defence-to-strictly-enforce-controls-on-arms-trade-with-israel).

<sup>118</sup> See [www.everycrsreport.com/files/20070425\\_RL33222\\_ee97f8a100b2abd96b43a0f4d0cc6848e74efb26.pdf](http://www.everycrsreport.com/files/20070425_RL33222_ee97f8a100b2abd96b43a0f4d0cc6848e74efb26.pdf).

<sup>119</sup> See [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf).

<sup>120</sup> See [www.congress.gov/bill/110th-congress/house-bill/7177](http://www.congress.gov/bill/110th-congress/house-bill/7177); and [www.congress.gov/112/statute/STATUTE-126/STATUTE-126-Pg1146.pdf](http://www.congress.gov/112/statute/STATUTE-126/STATUTE-126-Pg1146.pdf).

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

<sup>122</sup> Ibid.; and <https://sgp.fas.org/crs/mideast/RL33222.pdf>.

<sup>123</sup> See [www.congress.gov/crs-product/RL31675](http://www.congress.gov/crs-product/RL31675); <https://www.state.gov/major-non-nato-ally-status>.

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

<sup>125</sup> See [www.sipri.org/sites/default/files/2025-03/fs\\_2503\\_at\\_2024\\_0.pdf](http://www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf), p. 11.

<sup>126</sup> See [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.51.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.51.pdf), pp. 44–47; and [www.justsecurity.org/91213/the-war-reserve-stockpile-allies-israel-explained-why-congress-should-not-expand-it](http://www.justsecurity.org/91213/the-war-reserve-stockpile-allies-israel-explained-why-congress-should-not-expand-it).

<sup>127</sup> See <https://www.state.gov/u-s-security-cooperation-with-israel>; and [https://costsofwar.watson.brown.edu/sites/default/files/2025-10/Hartung\\_US\\_Military\\_Aid\\_to\\_Israel\\_Oct.20.pdf](https://costsofwar.watson.brown.edu/sites/default/files/2025-10/Hartung_US_Military_Aid_to_Israel_Oct.20.pdf), pp. 2–5.

<sup>128</sup> Ibid.; and [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), pp. 26–28.

<sup>129</sup> See [www.washingtonpost.com/world/2025/01/12/israel-weapons-bombs-trump-united-states](http://www.washingtonpost.com/world/2025/01/12/israel-weapons-bombs-trump-united-states).

<sup>130</sup> See [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](http://www.congress.gov/crs_external_products/RL/PDF/RL33222/RL33222.53.pdf), p. 15.

<sup>131</sup> Including the President of the United States, the Secretary of Defense, the Secretary of State, the Director of the Central Intelligence Agency, the Chairman of the Joint Chiefs of Staff, the National Security Advisor and the Commander of the United States Central Command. See [www.war.gov/News/Releases/Release/Article/3556227/secretary-of-defense-travels-to-tel-aviv-to-show-support-for-the-people-of-isra](http://www.war.gov/News/Releases/Release/Article/3556227/secretary-of-defense-travels-to-tel-aviv-to-show-support-for-the-people-of-isra); [www.war.gov/News/Releases/Release/Article/3621153/readout-of-secretary-of-defense-lloyd-j-austin-iiis-visit-to-israel](http://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-](http://www.state.gov/secretary-)

announced that it would request an additional \$14.3 billion for Israel.<sup>132</sup> In April 2024, this passed Congress as a \$26.4 billion package for Israeli defence<sup>133</sup> just as Israel threatened the Rafah invasion, previously a stated (but subsequently denied) “red line” for President Biden.<sup>134</sup> Israel was later exempted from the Trump Administration freeze on military aid.<sup>135</sup>

35. Since October 2023, the United States has transferred 742 consignments of “arms and ammunition” (harmonized system code 93)<sup>136</sup> and approved tens of billions of United States dollars in new sales.<sup>137</sup> The Biden and Trump Administrations reduced transparency,<sup>138</sup> accelerated transfers through repeated emergency approvals,<sup>139</sup> facilitated Israeli access to United States weapons stockpiles held abroad<sup>140</sup> and authorized hundreds of sales just below the amount requiring congressional approval.<sup>141</sup> The United States has deployed military aircraft,<sup>142</sup> special forces<sup>143</sup> and surveillance drones<sup>144</sup> to Israel, with United States surveillance purportedly being used to target Hamas, including in the first raid on Al Shifa’ Hospital.<sup>145</sup>

36. By September 2024, the United States had reportedly supplied 57,000 artillery shells,<sup>146</sup> 36,000 rounds of cannon ammunition, 20,000 M4A1 rifles, 13,981 anti-tank

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[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](#); and [www.centcom.mil/MEDIA/PRESS-RELEASES/Press-Release-View/Article/4235270/uscentcom-commander-conducts-middle-east-trip-to-visit-us-service-members-and-s](#).

- <sup>132</sup> See [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](#), p. 3; and [https://bidenwhitehouse.archives.gov/briefing-room/statements-releases/2023/10/20/fact-sheet-white-house-calls-on-congress-to-advance-critical-national-security-priorities](#).
- <sup>133</sup> See [www.congress.gov/118/plaws/publ50/PLAW-118publ50.pdf](#), pp. 2–10; and [https://docs.house.gov/billsthisweek/20240415/APRIL2024\\_ISRAEL\\_xml.pdf](#), pp. 2, 5 and 6.
- <sup>134</sup> See [www.theguardian.com/us-news/article/2024/may/07/biden-israel-palestine-policy](#).
- <sup>135</sup> See [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](#), p. 10.
- <sup>136</sup> See [https://data.gov.il/dataset/customs\\_import\\_statistics\\_data](#); and [www.middleeastmonitor.com/20250527-israel-receives-940-us-arms-shipments-since-gaza-war-defense-ministry](#).
- <sup>137</sup> See [https://search.usa.gov/search?query=Israel&affiliate=dod\\_dsca&utf8=%26%23x2713%3B](#).
- <sup>138</sup> See [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](#), p. 2; and [https://truthout.org/articles/bill-would-allow-unlimited-us-weapons-transfers-to-israel-with-little-oversight](#).
- <sup>139</sup> See [www.congress.gov/crs\\_external\\_products/RL/PDF/RL33222/RL33222.53.pdf](#), p. 4; and [www.state.gov/military-assistance-to-israel](#).
- <sup>140</sup> See [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; and [https://truthout.org/articles/bill-would-allow-unlimited-us-weapons-transfers-to-israel-with-little-oversight](#).
- <sup>141</sup> See [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; and [www.congress.gov/crs\\_external\\_products/R/PDF/R48289/R48289.6.pdf](#).
- <sup>142</sup> See [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](#).
- <sup>143</sup> See [www.timesofisrael.com/us-special-forces-said-deployed-to-help-israel-track-down-hostages-held-in-gaza](#).
- <sup>144</sup> See [www.nytimes.com/2023/11/02/world/middleeast/israel-hamas-gaza-hostages-us.html](#).
- <sup>145</sup> See [www.cbsnews.com/news/mike-turner-house-intelligence-committee-chair-face-the-nation-transcript-12-03-2023](#); and [www.wsj.com/world/middle-east/u-s-relied-on-intercepts-in-assessing-hamass-operations-at-gaza-hospital-0d99e623](#).
- <sup>146</sup> See [https://media.defense.gov/2024/Dec/11/2003606409/-1/-1/0/PRESS%20RELEASE%20-%20ISRAEL%2024-16%20CN.PDF](#).

missiles and 8,700 MK-82 500-pound bombs.<sup>147</sup> By April 2025, Israel had 751 active sales valued at \$39.2 billion.<sup>148</sup> Both the Biden and Trump Administrations have enabled this constant flow of weapons, except for a short pause in the delivery of 500-pound and 2000-pound bombs on the eve of the Israeli attack on Rafah in May 2024, which lasted until July 2024 for 500-pound bombs<sup>149</sup> and until January 2025 for 2000-pound bombs.<sup>150</sup>

37. Germany has been the second-largest arms exporter to Israel during the genocide,<sup>151</sup> with supplies ranging from frigates to torpedoes.<sup>152</sup> German leaders have justified this support based on its perceived post-Holocaust obligations to Israel.<sup>153</sup> In addition to suspending ethical and legal assessments of the Israeli occupation,<sup>154</sup> from October 2023 to July 2025, Germany issued individual export licences worth €489 million<sup>155</sup> – 15 per cent of all licences to Israel in 22 years.<sup>156</sup> This does not include any arms transferred under collective licences or on a Government-to-Government basis.<sup>157</sup> Although the Chancellor of Germany, Friedrich Merz, temporarily suspended future export approvals in August 2025, €2.46 million in exports were approved a month later.<sup>158</sup>

38. The United Kingdom has also played a key role in military collaboration with Israel,<sup>159</sup> despite internal opposition.<sup>160</sup> From its bases in Cyprus, the United Kingdom has enabled a crucial United States supply line to Tel Aviv<sup>161</sup> and flown more than 600 surveillance missions over Gaza throughout the genocide,<sup>162</sup> sharing intelligence with Israel.<sup>163</sup> Flight numbers and durations, often coinciding with major Israeli

<sup>147</sup> See [https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War\\_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf](https://watson.brown.edu/costsofwar/files/cow/imce/papers/2023/2024/Costs%20of%20War_US%20Support%20Since%20Oct%207%20FINAL%20v2.pdf), p. 2.

<sup>148</sup> See [www.state.gov/u-s-security-cooperation-with-israel](http://www.state.gov/u-s-security-cooperation-with-israel).

<sup>149</sup> See [www.wsj.com/world/middle-east/biden-administration-agrees-to-ship-500-pound-bombs-to-israel-c7e0bb3b](http://www.wsj.com/world/middle-east/biden-administration-agrees-to-ship-500-pound-bombs-to-israel-c7e0bb3b).

<sup>150</sup> See [www.war.gov/News/News-Stories/Article/Article/4055486/us-dods-commitment-to-israel-includes-munitions-previously-withheld](http://www.war.gov/News/News-Stories/Article/Article/4055486/us-dods-commitment-to-israel-includes-munitions-previously-withheld).

<sup>151</sup> See [www.un.org/unispal/document/verbatim-records-icj-09apr24](http://www.un.org/unispal/document/verbatim-records-icj-09apr24).

<sup>152</sup> See [www.sipri.org/sites/default/files/2025-03/fs\\_2503\\_at\\_2024\\_0.pdf](http://www.sipri.org/sites/default/files/2025-03/fs_2503_at_2024_0.pdf); and <https://content.forensic-architecture.org/wp-content/uploads/2023/04/Forensis-Report-German-Arms-Exports-to-Israel-2003-2023.pdf>.

<sup>153</sup> Submission to the Office of the United Nations High Commissioner for Human Rights (OHCHR); and [https://www.idos-research.de/fileadmin/migratedNewsAssets/Files/German\\_Institute\\_of\\_Development\\_and\\_Sustainability\\_EN\\_Furness\\_Baumann\\_30.04.2024.pdf](https://www.idos-research.de/fileadmin/migratedNewsAssets/Files/German_Institute_of_Development_and_Sustainability_EN_Furness_Baumann_30.04.2024.pdf).

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

<sup>155</sup> See <https://dserver.bundestag.de/btd/21/004/2100469.pdf>, p. 66.

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

<sup>157</sup> Submission to OHCHR.

<sup>158</sup> See [www.bundesregierung.de/breg-de/aktuelles/regierungspressekonferenz-vom-10-september-2025-2383822](http://www.bundesregierung.de/breg-de/aktuelles/regierungspressekonferenz-vom-10-september-2025-2383822); and [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](http://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).

<sup>159</sup> See [www.declassifieduk.org/britains-secret-defence-plan-with-israel](http://www.declassifieduk.org/britains-secret-defence-plan-with-israel).

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

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

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

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

operations,<sup>164</sup> suggest detailed knowledge and cooperation in the destruction of Gaza, extending beyond “hostage rescue”.<sup>165</sup>

39. Other States have supplied parts, components and weapons to Israel through an opaque system that obscures transfers, including “dual use” and indirect transfers. From October 2023 to October 2025, 26 States sent at least 10 consignments of “arms and ammunition” (harmonized system code 93) to Israel,<sup>166</sup> the most frequent suppliers being China, India, Italy, Austria, Spain, Czechia, Romania and France. Military aircraft, land vehicles, drones, dogs<sup>167</sup> 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, Czechia, Denmark, Finland, Germany, Greece, Italy, Japan, the Netherlands (Kingdom of the), Norway, Poland, the Republic of 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 in the Kingdom of the Netherlands,<sup>168</sup> Canada,<sup>169</sup> Australia,<sup>170</sup> Denmark<sup>171</sup> and the United Kingdom<sup>172</sup> – all of which defended their roles – and some cancellation of direct exports,<sup>173</sup> States continue to transfer F-35 parts,<sup>174</sup> heavily used in the genocidal destruction of Gaza.

41. States frequently deploy two arguments to justify arms trade with Israel: the arms concerned are said to be either “defensive”<sup>175</sup> or “non-lethal”.<sup>176</sup> 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 Charter of the United Nations, nothing Israel does there can be understood as “defensive” in nature.<sup>177</sup>

<sup>164</sup> See [www.palestinedeepdive.com/p/exposed-flight-path-of-secret-british](http://www.palestinedeepdive.com/p/exposed-flight-path-of-secret-british).

<sup>165</sup> See [www.declassifieduk.org/us-flew-spy-flights-for-uk-months-before-mod-admitted-it](http://www.declassifieduk.org/us-flew-spy-flights-for-uk-months-before-mod-admitted-it).

<sup>166</sup> See [https://data.gov.il/dataset/customs\\_import\\_statistics\\_data/resource/80c1e38e-06b9-4a67-b2a4-cc1a76374ee9](https://data.gov.il/dataset/customs_import_statistics_data/resource/80c1e38e-06b9-4a67-b2a4-cc1a76374ee9).

<sup>167</sup> See [www.somo.nl/unleashing-terror-dutch-dogs-in-israels-war-crimes](http://www.somo.nl/unleashing-terror-dutch-dogs-in-israels-war-crimes).

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

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

<sup>170</sup> See [www.alhaq.org/advocacy/22112.html](http://www.alhaq.org/advocacy/22112.html).

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

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

<sup>173</sup> See [www.cbc.ca/news/politics/melanie-joly-canada-arms-israel-gaza-1.7319112](http://www.cbc.ca/news/politics/melanie-joly-canada-arms-israel-gaza-1.7319112); and <https://breachmedia.ca/israeli-warplanes-canadian-gastops>.

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

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

<sup>176</sup> See [www.crikey.com.au/2025/08/12/f35-fighter-jet-parts-israel-australia-international-law](http://www.crikey.com.au/2025/08/12/f35-fighter-jet-parts-israel-australia-international-law).

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

42. States have continued to grant licences for the export of weapons to Israel, to review and partially retain licences despite acknowledging concerns (e.g. Australia,<sup>178</sup> Canada,<sup>179</sup> United Kingdom<sup>180</sup>) and to permit the transfer of weapons through their ports and airports (e.g. France,<sup>181</sup> Ireland,<sup>182</sup> Italy,<sup>183</sup> Morocco,<sup>184</sup> Netherlands (Kingdom of the)<sup>185</sup>). Italy, the third largest exporter to Israel in the 2020–2024 period, has argued that it complies with legal obligations to cease these exports, while continuing existing agreements<sup>186</sup> and adopting a hands-off approach to transit.<sup>187</sup> These actions, despite clear obligations and compounding concerns, indicate an intent to facilitate Israeli crimes.

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

44. In addition, thousands of citizens from the United States, the Russian Federation, France, Ukraine and the United Kingdom, inter alia, have served in the Israeli military since October 2023. Few have been investigated, and none have been prosecuted for crimes in Gaza.<sup>191</sup>

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

<sup>178</sup> See <https://acij.org.au/australian-government-cannot-rely-on-uk-high-court-decision-on-export-of-f35-arms-parts-to-israel>.

<sup>179</sup> See [https://armsembargonow.ca/wp-content/uploads/2025/07/Exposing-Canadian-Military-Exports-to-Israel\\_07292025\\_compressed-.pdf](https://armsembargonow.ca/wp-content/uploads/2025/07/Exposing-Canadian-Military-Exports-to-Israel_07292025_compressed-.pdf).

<sup>180</sup> See [www.gov.uk/government/news/uk-suspends-around-30-arms-export-licences-to-israel-for-use-in-gaza-over-international-humanitarian-law-concerns](http://www.gov.uk/government/news/uk-suspends-around-30-arms-export-licences-to-israel-for-use-in-gaza-over-international-humanitarian-law-concerns).

<sup>181</sup> See [www.france-palestine.org/IMG/pdf/livraisons\\_darmes\\_de\\_la\\_france\\_vers\\_israel\\_-\\_un\\_flux\\_ininterrompu.pdf](http://www.france-palestine.org/IMG/pdf/livraisons_darmes_de_la_france_vers_israel_-_un_flux_ininterrompu.pdf).

<sup>182</sup> See [www.rte.ie/news/clarity/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military](http://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](http://www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024); and [www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024](http://www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024).

<sup>183</sup> See <https://altreconomia.it/materiale-darmamento-dallitalia-a-israele-lo-squarcio-aperto-dallinchiesta-di-ravenna>.

<sup>184</sup> See [www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](http://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf), p. 3; and [www.middleeasteye.net/news/morocco-support-israel-military-equipment-war-gaza](http://www.middleeasteye.net/news/morocco-support-israel-military-equipment-war-gaza).

<sup>185</sup> See [www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](http://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf).

<sup>186</sup> See [www.sipri.org/commentary/topical-background/2024/how-top-arms-exporters-have-responded-war-gaza](http://www.sipri.org/commentary/topical-background/2024/how-top-arms-exporters-have-responded-war-gaza).

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

<sup>188</sup> See [www.haf.gr/en/structure/htaf/air-tactics-center/iniochos/archives/iniochos-2025](http://www.haf.gr/en/structure/htaf/air-tactics-center/iniochos/archives/iniochos-2025).

<sup>189</sup> See [www.theafricareport.com/382009/us-africa-wargames-apache-helicopters-israel-regional-tension-mark-military-exercise](http://www.theafricareport.com/382009/us-africa-wargames-apache-helicopters-israel-regional-tension-mark-military-exercise); [www.army.mil/article/276952/african\\_lion\\_24\\_concludes\\_with\\_strategic\\_success\\_across\\_four\\_nations](http://www.army.mil/article/276952/african_lion_24_concludes_with_strategic_success_across_four_nations); and [www.africom.mil/pressrelease/35825/us-and-royal-moroccan-armed-forces-launch-african-lion-25-in-morocco](http://www.africom.mil/pressrelease/35825/us-and-royal-moroccan-armed-forces-launch-african-lion-25-in-morocco).

<sup>190</sup> See [www.declassifieduk.org/britain-trained-israeli-soldiers-fighting-in-gaza](http://www.declassifieduk.org/britain-trained-israeli-soldiers-fighting-in-gaza).

<sup>191</sup> See [https://fs.knesset.gov.il/globaldocs/MMM/7d0e8fd4-e91c-ef11-815f-005056aac6c3/2\\_7d0e8fd4-e91c-ef11-815f-005056aac6c3\\_11\\_20806.pdf](https://fs.knesset.gov.il/globaldocs/MMM/7d0e8fd4-e91c-ef11-815f-005056aac6c3/2_7d0e8fd4-e91c-ef11-815f-005056aac6c3_11_20806.pdf); and [www.aljazeera.com/news/2025/7/30/belgium-refers-war-crimes-complaint-against-israeli-soldiers-to-icc](http://www.aljazeera.com/news/2025/7/30/belgium-refers-war-crimes-complaint-against-israeli-soldiers-to-icc).

for 23 per cent of Israeli exports,<sup>192</sup> the second-highest share globally<sup>193</sup> – 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 in related military activities.<sup>194</sup> The ongoing genocide has enabled Israel to expand the range of weaponry and surveillance systems tested on the Gaza population.<sup>195</sup> As a result, the value of arms exports increased by 18 per cent during the genocide,<sup>196</sup> with exports to the European Union more than doubling and accounting for 54 per cent of Israeli military exports in 2024. Other significant destinations include Asia and the Pacific (23 per cent) and Arab countries under the Abraham Accords (12 per cent).<sup>197</sup>

### 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. Even before 7 October 2023, the illegal Gaza blockade imposed by Israel and Egypt – with severe restrictions on the movement of goods, even down to calculated caloric intake<sup>198</sup> – had made 80 per cent of the population aid dependent, with 1.1 million people relying on UNRWA for food and basic services.<sup>199</sup> The agency is the bedrock of economic, social and 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.<sup>200</sup>

49. Since October 2023, Israel has turned existing restrictions into a full blockade.<sup>201</sup> 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.<sup>202</sup> In March 2025, Israel further tightened its siege.<sup>203</sup> By August 2025, famine in Gaza was declared by the

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

<sup>193</sup> Countries ranked based on index of weapons trade relative to total trade (in current United States dollars). Data for weapons export from Stockholm International Peace Research Institute, available at [www.sipri.org/databases](http://www.sipri.org/databases). Trade data taken from the World Bank, available at <https://data.worldbank.org/indicator/NE.TRD.GNFS.ZS>.

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

<sup>195</sup> [A/HRC/59/23](https://www.unhcr.org/refugees/59/23), para. 36.

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

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

<sup>198</sup> See [www.ochaopt.org/sites/default/files/HNO\\_2023.pdf](http://www.ochaopt.org/sites/default/files/HNO_2023.pdf), p. 11; and

[www.gisha.org/UserFiles/File/publications/redlines/red-lines-presentation-eng.pdf](http://www.gisha.org/UserFiles/File/publications/redlines/red-lines-presentation-eng.pdf).

<sup>199</sup> See [www.unrwa.org/gaza15-years-blockade](http://www.unrwa.org/gaza15-years-blockade).

<sup>200</sup> See [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](http://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).

<sup>201</sup> [A/HRC/55/73](https://www.unhcr.org/refugees/55/73), paras. 26, 36 and 40; and [A/HRC/60/CRP.3](https://www.unhcr.org/refugees/60/crp3), paras. 190–203 (see footnote 63).

<sup>202</sup> See [www.ochaopt.org/data/crossings](http://www.ochaopt.org/data/crossings); and [www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/244-stopping-famine-gaza](http://www.crisisgroup.org/middle-east-north-africa/east-mediterranean-mena/israelpalestine/244-stopping-famine-gaza).

<sup>203</sup> See [www.ohchr.org/en/press-releases/2025/03/gaza-experts-condemn-israeli-decision-re-open-gates-hell-and-unilaterally](http://www.ohchr.org/en/press-releases/2025/03/gaza-experts-condemn-israeli-decision-re-open-gates-hell-and-unilaterally).

Integrated Food Security Phase Classification, and at least 461 people have died from malnutrition-related causes.<sup>204</sup>

50. In violation of its obligations to ensure adequate means of survival<sup>205</sup> – as reaffirmed by ICJ<sup>206</sup> – Israel, in its genocidal campaign, has deliberately sought to destroy the humanitarian system sustaining the occupied population.<sup>207</sup> It has done so through: (a) directly bombing UNRWA warehouses,<sup>208</sup> food distribution sites,<sup>209</sup> schools<sup>210</sup> and clinics,<sup>211</sup> killing more than 370 personnel;<sup>212</sup> (b) defamation campaigns against UNRWA;<sup>213</sup> and (c) promoting ad hoc pseudo-humanitarian agencies.<sup>214</sup>

51. When Israel alleged, without evidence, that UNRWA staff were involved in the events of 7 October,<sup>215</sup> 18 States immediately suspended funding,<sup>216</sup> uncritically endorsing the Israeli narrative. Despite inconclusive investigations, the accused staff were fired,<sup>217</sup> and most donors took months to resume contributions to UNRWA. The United States, its largest donor, passed a law to prohibit United States funding.<sup>218</sup> When the Israeli Knesset took the unprecedented step of outlawing UNRWA operations by 30 January 2025,<sup>219</sup> only some States took action by seeking an ICJ advisory opinion.<sup>220</sup>

52. The brutal attack on the United Nations system was complemented by its attempted substitution with an aid mechanism controlled by Israel and the United

<sup>204</sup> See [www.un.org/unispal/wp-content/uploads/2025/08/IPC\\_Famine\\_Review\\_Committee\\_Report\\_Gaza\\_Aug2025-compressed.pdf](http://www.un.org/unispal/wp-content/uploads/2025/08/IPC_Famine_Review_Committee_Report_Gaza_Aug2025-compressed.pdf); and [www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip](http://www.ochaopt.org/content/humanitarian-situation-update-329-gaza-strip).

<sup>205</sup> Fourth Geneva Convention, arts. 55 and 60; and Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I).

<sup>206</sup> *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 of 26 January 2024, I.C.J. Reports 2024*, p. 29.

<sup>207</sup> A/HRC/60/CRP.3, para. 198 (see footnote 63).

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

<sup>209</sup> See [www.unrwa.org/newsroom/official-statements/least-one-unrwa-staff-killed-when-israeli-forces-hit-unrwa-centre-used](http://www.unrwa.org/newsroom/official-statements/least-one-unrwa-staff-killed-when-israeli-forces-hit-unrwa-centre-used).

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

<sup>211</sup> See [www.aljazeera.com/video/newsfeed/2025/4/3/deadly-israeli-air-attack-on-unrwa-clinic-in-gaza](http://www.aljazeera.com/video/newsfeed/2025/4/3/deadly-israeli-air-attack-on-unrwa-clinic-in-gaza).

<sup>212</sup> See [www.unrwa.org/resources/reports/unrwa-situation-report-192-situation-gaza-strip-and-west-bank-including-east-jerusalem](http://www.unrwa.org/resources/reports/unrwa-situation-report-192-situation-gaza-strip-and-west-bank-including-east-jerusalem).

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

<sup>214</sup> See [www.idf.il/media/phthyhtm/08-בוקצה-המנהרה-08-אור-בוקצה-המנהרה-08.pdf](http://www.idf.il/media/phthyhtm/08-בוקצה-המנהרה-08-אור-בוקצה-המנהרה-08.pdf), pp. 109–113.

<sup>215</sup> See [www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip](http://www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip); and <https://govextra.gov.il/media/d21mw2f3/the-connection-between-unrwa-and-amas-280425.pdf>.

<sup>216</sup> See [www.ohchr.org/en/press-releases/2024/02/states-must-reinstate-and-strengthen-support-unrwa-amid-unfolding-genocide](http://www.ohchr.org/en/press-releases/2024/02/states-must-reinstate-and-strengthen-support-unrwa-amid-unfolding-genocide).

<sup>217</sup> See [www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip](http://www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip).

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

<sup>219</sup> See <https://main.knesset.gov.il/en/news/pressreleases/pages/press22724y.aspx>; and <https://main.knesset.gov.il/EN/News/PressReleases/Pages/press291024q.aspx>.

<sup>220</sup> *Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory, Advisory Opinion of 22 October 2025*.

States.<sup>221</sup> The Gaza Humanitarian Foundation – conceived as early as December 2023,<sup>222</sup> with United States support and funding – used aid distribution, through military-run sites staffed with United States mercenaries,<sup>223</sup> to facilitate the forced displacement of Palestinians towards Egypt.<sup>224</sup> This seemed to anticipate the so-called “Gaza Riviera” plan, which would have led to Palestinian forced displacement.<sup>225</sup>

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

54. Instead of opposing this human-made humanitarian catastrophe, Belgium,<sup>230</sup> Canada,<sup>231</sup> Denmark,<sup>232</sup> Jordan<sup>233</sup> and the United Kingdom,<sup>234</sup> inter alia, parachuted aid into Gaza – an expensive, inadequate and dangerous response.<sup>235</sup> While purporting to be taking action to ease shortages, this served only to mislead international public opinion while the famine worsened. Naval aid missions to Gaza and 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.<sup>236</sup>

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.<sup>237</sup>

<sup>221</sup> A/HRC/60/CRP.3, paras. 197 and 198 (see footnote 63).

<sup>222</sup> See [www.nytimes.com/2025/05/24/world/middleeast/israel-gaza-aid-plan.html](https://www.nytimes.com/2025/05/24/world/middleeast/israel-gaza-aid-plan.html).

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

<sup>224</sup> See [https://content.forensic-architecture.org/wp-content/uploads/2025/08/2025.08.22\\_The-Architecture-of-Genocidal-Starvation-in-Gaza\\_FA.pdf](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; and [www.doctorswithoutborders.org/sites/default/files/documents/MSF-Gaza-ThisIsNotAid-FINAL.pdf](https://www.doctorswithoutborders.org/sites/default/files/documents/MSF-Gaza-ThisIsNotAid-FINAL.pdf), p. 6.

<sup>225</sup> See [www.whitehouse.gov/videos/president-trump-holds-a-press-conference-with-prime-minister-netanyahu-of-israel](https://www.whitehouse.gov/videos/president-trump-holds-a-press-conference-with-prime-minister-netanyahu-of-israel), minute 38:31–40:07.

<sup>226</sup> See [www.unrwa.org/resources/reports/unrwa-situation-report-163-situation-gaza-strip-and-west-bank-including-east-jerusalem](https://www.unrwa.org/resources/reports/unrwa-situation-report-163-situation-gaza-strip-and-west-bank-including-east-jerusalem); and [www.unrwa.org/resources/reports/unrwa-situation-report-187-situation-gaza-strip-and-west-bank-including-east-jerusalem](https://www.unrwa.org/resources/reports/unrwa-situation-report-187-situation-gaza-strip-and-west-bank-including-east-jerusalem).

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

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

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

<sup>230</sup> See [www.belganeagency.eu/belgian-military-returns-after-humanitarian-drops-in-gaza](https://www.belganeagency.eu/belgian-military-returns-after-humanitarian-drops-in-gaza).

<sup>231</sup> See [www.canada.ca/en/global-affairs/news/2025/08/canadian-armed-forces-air-drop-humanitarian-assistance-in-gaza.html](https://www.canada.ca/en/global-affairs/news/2025/08/canadian-armed-forces-air-drop-humanitarian-assistance-in-gaza.html).

<sup>232</sup> See [www.fmn.dk/da/nyheder/2025/forsvarets-transportfly-kaster-nodhjelp-ned-over-gaza](https://www.fmn.dk/da/nyheder/2025/forsvarets-transportfly-kaster-nodhjelp-ned-over-gaza).

<sup>233</sup> See [www.jaf.mil.jo/NewsViewen.aspx?NewsId=59946](https://www.jaf.mil.jo/NewsViewen.aspx?NewsId=59946).

<sup>234</sup> See [www.gov.uk/government/news/uk-forces-airdrop-100-tonnes-of-aid-for-gaza-civilians](https://www.gov.uk/government/news/uk-forces-airdrop-100-tonnes-of-aid-for-gaza-civilians).

<sup>235</sup> See [www.unrwa.org/resources/reports/unrwa-situation-report-182-situation-gaza-strip-and-west-bank-including-east-jerusalem](https://www.unrwa.org/resources/reports/unrwa-situation-report-182-situation-gaza-strip-and-west-bank-including-east-jerusalem).

<sup>236</sup> See [www.ohchr.org/en/press-releases/2025/10/israel-must-ensure-safety-and-liberty-flotilla-activists-after-another](https://www.ohchr.org/en/press-releases/2025/10/israel-must-ensure-safety-and-liberty-flotilla-activists-after-another); and [www.ohchr.org/en/press-releases/2025/09/un-experts-stand-solidarity-global-sumud-flotilla-demand-full-protection-all](https://www.ohchr.org/en/press-releases/2025/09/un-experts-stand-solidarity-global-sumud-flotilla-demand-full-protection-all).

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

## 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 equalled 54 per cent of Israeli gross domestic product (GDP) (down from 61 per cent in 2022).<sup>238</sup> The European Union, its largest trade partner, provided almost a third of total trade for the past two years.<sup>239</sup>

57. Imports beyond weapons are vital to secure the goods necessary to sustain the illegal occupation and other unlawful Israeli policies and practices.<sup>240</sup> 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 per cent of Israeli merchandise imports from the European Union.<sup>241</sup>

58. Exports earned Israel \$474 billion in the period 2022–2024,<sup>242</sup> fuelling the economy, filling fiscal coffers and enhancing its arms manufacturing capacity through the export of dual-use items. In 2023, integrated circuits became the country's top export, accounting for 16 per cent of Israeli merchandise exports (\$10 billion).<sup>243</sup> Often marketed as civilian technologies,<sup>244</sup> these dual-use items are essential to Israeli military systems that surveil, control and kill Palestinians, reinforcing a military-civilian economic symbiosis and the country's role in the global tech arms race.<sup>245</sup> 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 European Union, the United States and the United Arab Emirates (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 occupied Palestinian territory, 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,<sup>246</sup> many developing dual-use and military technologies.<sup>247</sup> The programme's European Innovation Council has also financed 34 Israeli companies

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

<sup>239</sup> See [https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/israel\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region/countries-and-regions/israel_en).

<sup>240</sup> A/HRC/59/23, paras. 34 and 56.

<sup>241</sup> Author's calculation based on dual use goods, see [https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items\\_en](https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items_en); and Eurostat bilateral trade data from <https://ec.europa.eu/eurostat/comext/newxtweb/submitopensavedextraction.do?extractionId=18707148&datasetID=DS-059322&keepsessionkey=true>.

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

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

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

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

<sup>246</sup> See [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](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).

<sup>247</sup> A/HRC/59/23, para. 84.

with €550 million of equity and blended finance since 2021, making Israel among the highest per capita beneficiaries.<sup>248</sup>

61. Since 1981, the European Investment Bank has financed Israeli entities with €2.7 billion,<sup>249</sup> including €760 million in loans to Bank Leumi,<sup>250</sup> listed in the Office of the United Nations High Commissioner for Human Rights (OHCHR) database.<sup>251</sup> Other agreements include the United States-Israel Binational Industrial Research and Development (BIRD) Foundation and United States-Israel Binational Science Foundation (BSF), the agreement between the Israeli Foreign Trade Risks Insurance Corporation and United Arab Emirates Etihad Credit Insurance and the China-Israel Joint Committee on Innovation Cooperation.

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

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.<sup>256</sup> Similarly, the European Union-Israel Association Agreement makes human rights and democratic principles an “essential elements clause”.<sup>257</sup> However, these principles remain unfulfilled. A 2024 internal paper of the European Union, leaked in August 2025, shows how the European Union 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.<sup>258</sup> The proposal of the

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

<sup>249</sup> See [www.eib.org/en/projects/country/israel](http://www.eib.org/en/projects/country/israel).

<sup>250</sup> See [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](http://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).

<sup>251</sup> See <https://files.nettsteder.regjeringen.no/wpuploads01/sites/275/2025/08/Leumi-ENG.pdf>; [www.hrw.org/sites/default/files/report\\_pdf/israel0518\\_web.pdf](http://www.hrw.org/sites/default/files/report_pdf/israel0518_web.pdf); and [www.whoprofits.org/companies/company/3790](http://www.whoprofits.org/companies/company/3790).

<sup>252</sup> See <https://ticaret.gov.tr/data/675d31b813b8761ad0813b54/Ticaret%20Bakanl%C4%B1g%C4%B1%20%20C4%B0srail%20ile%20Ticaretin%20Durudurulmas%C4%B1%20S%C3%BCreci%20Hakk%C4%B1nda%20Bilgi%20Notu.pdf>; and <https://x.com/ticaret/status/1786126879763599797/photo/2>.

<sup>253</sup> See [www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx](http://www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx).

<sup>254</sup> See [www.duvarenglish.com/turkey-breaches-its-own-trade-embargo-on-israel-by-shipping-crude-oil-report-news-65319](http://www.duvarenglish.com/turkey-breaches-its-own-trade-embargo-on-israel-by-shipping-crude-oil-report-news-65319); and [www.duvarenglish.com/new-report-reveals-series-of-crude-oil-shipments-from-turkey-to-israel-news-65412](http://www.duvarenglish.com/new-report-reveals-series-of-crude-oil-shipments-from-turkey-to-israel-news-65412).

<sup>255</sup> Reported figures are changes between 2023 and 2025 from January to August. Bilateral trade data from [www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx](http://www.cbs.gov.il/en/mediarelease/Pages/2025/Israel-Foreign-Trade-in-Goods-by-Country-August-2025.aspx).

<sup>256</sup> See [www.trade.gov.tr/free-trade-agreements/israel](http://www.trade.gov.tr/free-trade-agreements/israel).

<sup>257</sup> See [https://eeas.europa.eu/archives/delegations/israel/documents/eu\\_israel/asso\\_agree\\_en.pdf](https://eeas.europa.eu/archives/delegations/israel/documents/eu_israel/asso_agree_en.pdf).

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

European Commission to cancel core trade preferences on 37 per cent of Israeli exports to the European Union still awaits approval.<sup>259</sup>

64. Besides the suspension of the trade agreement with Israel, States must also suspend all trade with Israel in dual-use products, as the European Union did with the Russian Federation following its invasion of Ukraine.<sup>260</sup> In the case of the European Union, this represented 38 per cent of all European Union-Israel trade (\$17.5 billion) in 2024, based on the European Union definition of dual use.<sup>261</sup> The largest dual-use trade is in integrated circuits with Ireland, which increased from \$2.2 billion in 2022 to \$3.2 billion in 2024.<sup>262</sup>

65. Energy trade has often been subject to embargoes aimed at bringing countries in line with their international legal obligations: examples include apartheid South Africa<sup>263</sup> and, currently, the Islamic Republic of Iran<sup>264</sup> and the Russian Federation.<sup>265</sup> In the case of Israel, only Colombia, which banned coal exports to Israel in 2024, has acted.<sup>266</sup> The Russian Federation and the United States were major suppliers of refined fuel products to Israel, while Azerbaijan, Brazil, Kazakhstan and South Africa continued to supply Israel with essential raw materials.<sup>267</sup> Countries such as Morocco<sup>268</sup>, Italy,<sup>269</sup> France<sup>270</sup> and Türkiye<sup>271</sup> have continued to provide key ports for products, including oil and gas.<sup>272</sup> 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.<sup>273</sup> In August 2025, as starvation gripped Gaza, Egypt expanded its partnership with Israel through a \$35 billion natural gas deal – the largest export deal in Israeli history.<sup>274</sup>

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

<sup>259</sup> See [www.middleeasteye.net/news/eu-commission-proposes-freezing-trade-pact-israel-gaza](http://www.middleeasteye.net/news/eu-commission-proposes-freezing-trade-pact-israel-gaza).

<sup>260</sup> See [https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-dual-use-goods\\_en](https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-dual-use-goods_en).

<sup>261</sup> Own calculations based on dual use items, see [https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items\\_en](https://policy.trade.ec.europa.eu/help-exporters-and-importers/exporting-dual-use-items_en); and Eurostat data from <https://ec.europa.eu/eurostat/comext/newxtweb/submitpensavedextraction.do?extractionId=18707148&datasetID=DS-059322&keepsessionkey=true>.

<sup>262</sup> See [www.cbs.gov.il/en/Pages/Imports-and-Exports.aspx](http://www.cbs.gov.il/en/Pages/Imports-and-Exports.aspx).

<sup>263</sup> See [www.econ.yale.edu/growth\\_pdf/cdp796.pdf](http://www.econ.yale.edu/growth_pdf/cdp796.pdf).

<sup>264</sup> See [www.state.gov/releases/2025/07/sanctioning-entities-that-have-traded-in-irans-petroleum](http://www.state.gov/releases/2025/07/sanctioning-entities-that-have-traded-in-irans-petroleum).

<sup>265</sup> See <https://commission.europa.eu/topics/eu-solidarity-ukraine/eu-sanctions-against-russia-following-invasion-ukraine/sanctions-energy>.

<sup>266</sup> See [www.mincit.gov.co/normatividad/decretos/2024/decreto-1047-del-14-de-agosto-de-2024](http://www.mincit.gov.co/normatividad/decretos/2024/decreto-1047-del-14-de-agosto-de-2024).

<sup>267</sup> See <https://docs.datadesk.eco/public/976ce7dcf00743dc/>; <https://oilchange.org/wp-content/uploads/2024/08/behind-the-barrel-august-2024-v3.pdf>; and [www.somo.nl/powering-injustice](http://www.somo.nl/powering-injustice).

<sup>268</sup> See [www.genocidewatch.com/single-post/fuelling-the-machinery-of-genocide-morocco-s-backdoor-support-for-israel-s-war-on-gaza](http://www.genocidewatch.com/single-post/fuelling-the-machinery-of-genocide-morocco-s-backdoor-support-for-israel-s-war-on-gaza).

<sup>269</sup> See [www.politico.eu/article/italian-dockworkers-threaten-israel-cargo-ban-gaza-flotilla-departs-genova](http://www.politico.eu/article/italian-dockworkers-threaten-israel-cargo-ban-gaza-flotilla-departs-genova).

<sup>270</sup> See [www.france24.com/en/live-news/20250605-french-dock-workers-block-shipment-of-military-material-for-israel-union-1](http://www.france24.com/en/live-news/20250605-french-dock-workers-block-shipment-of-military-material-for-israel-union-1).

<sup>271</sup> See <https://thecradle.co/articles/israel-is-not-isolated-a-global-web-of-oil-and-complicity>.

<sup>272</sup> See <https://docs.datadesk.eco/public/976ce7dcf00743dc/>.

<sup>273</sup> A/HRC/59/23, para. 58; [https://energy.ec.europa.eu/publications/eu-egypt-israel-memorandum-understanding\\_en](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>; and [www.tni.org/en/article/leaking-imperialism](http://www.tni.org/en/article/leaking-imperialism).

<sup>274</sup> See [www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07](http://www.reuters.com/business/energy/israels-leviathan-signs-35-billion-natural-gas-supply-deal-with-egypt-2025-08-07).

Israel of F-35 parts,<sup>275</sup> weapons, jet fuel, oil<sup>276</sup> and/or other materials include ports in Belgium,<sup>277</sup> France,<sup>278</sup> Greece,<sup>279</sup> Italy,<sup>280</sup> Morocco,<sup>281</sup> the Kingdom of the Netherlands,<sup>282</sup> Türkiye<sup>283</sup> and the United States.<sup>284</sup> Airfields in Belgium,<sup>285</sup> Ireland<sup>286</sup> and the United States<sup>287</sup> also support transfers. Many ports also facilitate Israeli gas exports, including through the Eastern Mediterranean gas pipeline to Egypt.<sup>288</sup> Port workers in multiple countries blocked illicit trade in Belgium,<sup>289</sup> Cyprus,<sup>290</sup> France,<sup>291</sup> Greece<sup>292</sup> (including Crete),<sup>293</sup> Italy,<sup>294</sup> Malta,<sup>295</sup> Morocco,<sup>296</sup> Spain,<sup>297</sup> Sweden,<sup>298</sup> and the United States,<sup>299</sup> as well as in Gibraltar.<sup>300</sup> In response, ships and aircraft often

<sup>275</sup> See [www.maskoffmaersk.com/reports](http://www.maskoffmaersk.com/reports).

<sup>276</sup> See <https://docs.datadesk.eco/public/976ce7dcf00743dc/>.

<sup>277</sup> See <https://en.flows.be/shipping/2025/07/antwerp-port-not-allowed-to-forward-military-equipment-to-israel>.

<sup>278</sup> See <https://disclose.ngo/fr/article/la-france-sapprete-a-livrer-des-equipements-pour-mitrailleuses-vers-israel>.

<sup>279</sup> See <https://bdsmovement.net/news/Military-Supplies-Israeli-Military-Industries-Bombay>.

<sup>280</sup> See <https://bdsmovement.net/news/stop-transit-military-materiel-israel-through-italian-port-ravenna>.

<sup>281</sup> See [www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](http://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf), p. 3.

<sup>282</sup> See [www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk\\_-Sustaining-the-Israeli-Militarys-F-35s.pdf](http://www.maskoffmaersk.com/s/Technical-Briefing-on-Dutch-Ports-and-Maersk_-Sustaining-the-Israeli-Militarys-F-35s.pdf).

<sup>283</sup> See <https://progressive.international/wire/2024-10-28-international-call-to-action-bp-and-socar-stop-fuelling-genocide/en>.

<sup>284</sup> See [www.maskoffmaersk.com/s/Report-MaerskShipmentsIsrael-Rev7Nov2024-Final.pdf](http://www.maskoffmaersk.com/s/Report-MaerskShipmentsIsrael-Rev7Nov2024-Final.pdf); and [www.somo.nl/fuelling-the-flamesin-gaza](http://www.somo.nl/fuelling-the-flamesin-gaza).

<sup>285</sup> See [https://ipisresearch.be/wp-content/uploads/2024/03/20240305\\_Vredesactie-IPIS-Belgische-wapenexport-naar-Israel.pdf](https://ipisresearch.be/wp-content/uploads/2024/03/20240305_Vredesactie-IPIS-Belgische-wapenexport-naar-Israel.pdf).

<sup>286</sup> See [www.rte.ie/news/clarity/2025/0530/1515792-why-shannon-airport-remains-a-key-gateway-for-us-military](http://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](http://www.shannonwatch.org/content/us-military-aircraft-through-shannon-between-18-march-and-31-july-2024); and [www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024](http://www.shannonwatch.org/content/us-military-aircraft-through-shannon-and-irish-airspace-between-7-oct-2023-and-17-march-2024).

<sup>287</sup> See [www.maskoffmaersk.com/s/Exposing-Oakland-Airports-Military-Cargo-Shipments-To-Israel.pdf](http://www.maskoffmaersk.com/s/Exposing-Oakland-Airports-Military-Cargo-Shipments-To-Israel.pdf).

<sup>288</sup> See [https://energy.ec.europa.eu/document/download/c9e9d864-1e30-48ec-a0c3-b4de89873b65\\_en?filename=MoU%20EU%20Egypt%20Israel.pdf](https://energy.ec.europa.eu/document/download/c9e9d864-1e30-48ec-a0c3-b4de89873b65_en?filename=MoU%20EU%20Egypt%20Israel.pdf); and [www.tni.org/en/article/leaking-imperialism](http://www.tni.org/en/article/leaking-imperialism); [www.instagram.com/p/C6ZkRHloMdi/?img\\_index=1](https://www.instagram.com/p/C6ZkRHloMdi/?img_index=1).

<sup>289</sup> See [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).

<sup>290</sup> See <https://in-cyprus.philenews.com/local/akel-joins-international-call-to-block-fuel-shipment-to-israel>.

<sup>291</sup> See [www.france24.com/en/live-news/20250605-french-dock-workers-block-shipment-of-military-material-for-israel-union-1](http://www.france24.com/en/live-news/20250605-french-dock-workers-block-shipment-of-military-material-for-israel-union-1).

<sup>292</sup> See <https://pamehellas.gr/arms-shipment-to-israel-blocked-by-workers-of-piraeus>.

<sup>293</sup> See [www.euronews.com/2025/07/29/pro-palestine-group-in-greece-protests-arrival-of-israeli-cruise-ship-on-crete-island](http://www.euronews.com/2025/07/29/pro-palestine-group-in-greece-protests-arrival-of-israeli-cruise-ship-on-crete-island).

<sup>294</sup> See <https://thecradle.co/articles/italian-dockworkers-block-passage-of-saudi-ship-carrying-arms-for-israel?fbclid=IwY2xjawNDIgdleHRuA2FlbQIxMABiEmIkE>.

<sup>295</sup> See <https://timesofmalta.com/article/fuel-tankers-heading-israel-make-no-official-request-refuel-malta.1096274>.

<sup>296</sup> See [www.newarab.com/news/morocco-bds-wants-stop-maersks-f-35-shipment-israel](http://www.newarab.com/news/morocco-bds-wants-stop-maersks-f-35-shipment-israel).

<sup>297</sup> See [www.telecinco.es/noticias/sociedad/20240727/manifestantes-algeciras-gobierno-no-barcos-armamento-israel\\_18\\_013124695.html](http://www.telecinco.es/noticias/sociedad/20240727/manifestantes-algeciras-gobierno-no-barcos-armamento-israel_18_013124695.html).

<sup>298</sup> See [www.socialisterna.org/hamnstrejken-fortsatter](http://www.socialisterna.org/hamnstrejken-fortsatter).

<sup>299</sup> See <https://liberationnews.org/block-the-boat-coalition-pickets-israeli-apartheid-ship-in-elizabeth-nj>.

<sup>300</sup> See [www.chronicle.gi/overseas-santorini-sails-from-gibraltar-after-brief-logistics-stop-without-refuelling](http://www.chronicle.gi/overseas-santorini-sails-from-gibraltar-after-brief-logistics-stop-without-refuelling).

disable transponders to conceal routes: ports (e.g. in Morocco)<sup>301</sup> have rerouted shipments and some deliveries go through third-State traders.<sup>302</sup> Belgium,<sup>303</sup> Spain<sup>304</sup> 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 and/or directly participate in unlawful acts, including war crimes, crimes against humanity and genocide.**

69. **Many third States have operated with the very impunity that 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 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.**

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

<sup>302</sup> See [www.middleeasteye.net/news/new-evidence-reveals-routine-oil-shipments-turkey-israel](http://www.middleeasteye.net/news/new-evidence-reveals-routine-oil-shipments-turkey-israel).

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

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

## VI. Recommendations

71. Recalling her previous recommendations (A/79/384, paras. 89–93), 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 Charter of the United Nations and the Convention on the Prevention and Punishment of the Crime of Genocide.

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 reopening 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, corporate entities and individuals involved in or facilitating genocide, incitement to commit genocide, 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 United Nations system as a whole;

(f) Suspend Israel from the United Nations under Article 6 of the Charter of the United Nations;

(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.