

Sanctions Now!

Palestinian Civil Society Demands Immediate International Compliance with the ICJ Findings on Israel's Unlawful Occupation.

September 3rd, 2024

As we, the undersigned Palestinian grassroots and civil society movements and organizations, welcome the International Court of Justice's (ICJ) historic Advisory Opinion, Legal Consequences Arising From the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, we reiterate our demands to the international community, namely Third States, the United Nations (UN), and corporate entities, to work to end Israel's military occupation, settlement enterprise, and apartheid regime, which constitute tools of entrenching Israel's 76-year-old Zionist settler-colonialism and ongoing genocide in Gaza.

In its Advisory Opinion, the ICJ determined that Israel's presence in the Occupied Palestinian Territory (OPT), including its military occupation and settlements, is unlawful and must be brought to an end as rapidly as possible, and that Israel is in breach of the UN Convention on the Elimination of All Forms of Racial Discrimination's prohibition of racial segregation and apartheid.

In its Advisory Opinion, the Court has found that Israel's policies and practices breach the right of the Palestinian people to self-determination. The inaction and direct complicity of most States will only reinforce the *status quo*, which means the continued denial of the Palestinian people to their right to self-determination and the prevalence of an international order based on "might makes right" away from the rule of law. To this end, States, the UN, and international organizations, including businesses, must unequivocally comply with and translate the Advisory Opinion into effective accountability measures to end Israel's long-standing impunity and usher in an era of the rule of law.

This "authoritative determination", as described by UN independent experts, triggers the obligation of all States, international organizations, and corporations, not to recognize and not to render aid or assistance to Israel's unlawful presence in the OPT, including practices of segregation and apartheid, annexation and denial of the right to self-determination. Further, the ICJ confirms that all States must "abstain from entering into economic or trade dealings with Israel concerning the Occupied Palestinian Territory or parts thereof which may entrench its unlawful presence in the territory." In ensuring that relations with Israel do not violate this legal conclusion, States must take into consideration Israel's erasure of any political, financial, economic, academic, and cultural differentiation between it and its colonial settlement enterprise in the OPT established and maintained on *de facto* and *de jure* annexed Palestinian territory.

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In line with well-established Palestinian civil society demands, UN human rights experts stated that all UN member states must comply with the Advisory Opinion and immediately take action to “review all diplomatic, political, and economic ties with Israel, inclusive of business and finance, pension funds, academia and charities” and impose an arms embargo on Israel and put “an end to all other commercial [ties] that may damage the Palestinians, and targeted sanctions, including asset freezes, on Israeli individuals and entities involved in illegal occupation and racial segregation and apartheid policies”.

This Advisory Opinion comes at a time when the international community's deliberate failure and unwillingness to end Israel's decades-old culture of impunity and to address the root causes of the Palestinian plight has emboldened Israel to bring into practice the intrinsically genocidal nature of Zionist settler-colonialism. States must undertake immediate and urgent action to impose a ceasefire in Gaza, to end the ongoing genocide, and to compel Israel to, at the very least, comply with the three provisional measures orders of the ICJ.

In accordance with international law, we urge the mobilization of grassroots and civil society efforts to pressure all States to:

- Impose a mandatory and comprehensive two-way military embargo on Israel including all arms, security, surveillance equipment, jet fuel, training and joint exercises, and stop all export, import and transfer, including parts and components and other dual-use items, to and from Israel. Where applicable, States must suspend all military cooperation with Israel, including joint military and dual-use research and military-industry partnerships.
- Impose lawful and targeted sanctions, including ending diplomatic relations with Israel, imposing banking and financial sanctions, suspension of trade or other cooperation agreement with Israel, until it ends its unlawful presence in the OPT, as well as its settlement enterprise, annexation, persecution, racial segregation and apartheid against the Palestinian people.
- Ensure that States do not aid, assist or recognize the unlawful situation created by Israel's breaches of international law, including through:
 - a comprehensive ban on companies involved in the production, trade or marketing of settlement goods and services;

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- legislation preventing businesses domiciled within the State jurisdiction from directly or indirectly operating, trading, or investing in Israel's illegal settlement enterprise or contributing to their maintenance and/or expansion; and
- where applicable, rescinding "charitable" and other tax-exempt status of, and ending the unlawful flow of investment from, parastatal institutions that benefit from and maintain Israel's military occupation, illegal settlement enterprise, and settler-colonial apartheid regime, including the Jewish National Fund.
- Impose targeted sanctions on complicit physical and legal persons, Israeli and international corporations and institutions involved in Israel's breaches of international law and international crimes.
- Support a resolution at the UN General Assembly that fully adopts the findings of the ICJ and calls:
 - On all States not to recognise the unlawful situation created by Israel's illegal presence in the OPT, nor to render aid or assistance in maintaining the situation;
 - On all States to impose targeted and lawful sanctions against Israel, including a comprehensive military embargo, as well as banking, financial, economic, academic, trade and diplomatic sanctions;
 - On all States to refuse landing and passage facilities to all aircrafts illegally entering Palestinian airspace under agreements concluded with Israel;
 - Call on all States to refuse docking and transit to all vessels transiting through Palestine's exclusive economic zone (EEZ), held by Israel under naval blockade;
 - On all States and regional organizations to end oil, gas and other energy agreements with Israel, where any part of the agreement includes transit and pipelines, and infrastructure located in, or contiguous with the OPT, including its territorial waters, contiguous zone, and Exclusive Economic Zone;
 - On the UN General Assembly to suspend Israel's membership, as apartheid South Africa's membership was suspended;
 - On the UN General Assembly to instruct the UN organs, including the UN Secretary General, to enact effective accountability mechanisms within the UN system to address Israel's unlawful presence in the OPT, segregation and apartheid, annexation of Palestinian territory and denial of the right of the Palestinian people to self-determination;

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- Call on the General Assembly to reconstitute the UN Special Committee on Apartheid and UN Centre Against Apartheid, to bring Israel's segregation and apartheid to an end, to ensure that Israel "repeal[s] all legislation and measures creating or maintaining the unlawful situation, including those which discriminate against the Palestinian people in the OPT";
- Call on Israel to pay full reparation to all natural or legal persons for the damage caused by its internationally wrongful acts in the context of its unlawful presence in the OPT, including East Jerusalem, since 1967, recalling the essential principle that "reparation must, as far as possible, wipe out all the consequences of the illegal act and reestablish the situation which would, in all probability, have existed if that act had not been committed," and creating an international reparations mechanism for this purpose;
- Set out concrete steps for the withdrawal of Israeli troops unlawfully present in the OPT, for the evacuation of settlers from the settlements, the dismantling of the Wall, the return of Palestinians displaced during the occupation to their original place of residence, and the restitution of Palestinian land and other immovable property, as well as all assets seized from any natural or legal person since the occupation that started in 1967, and all cultural property and assets taken from Palestinians and Palestinian institutions, including archives and documents; and
- Request the UN Secretary General and relevant agencies to provide assistance to the displaced Palestinian population to return to their homes.
- Provide clear advice and direction to pension, sovereign, and other investment funds, businesses, universities, charities, and financial institutions to ensure they are not engaging in commercial or non-commercial activities with Israel or with its complicit institutions.
- Fully cooperate with the resettlement of Palestinians displaced during the belligerent occupation into Palestinian territory of 1967, and the evacuation of Israeli settlers unlawfully present in the occupied territory;
- Prosecute nationals under their jurisdiction involved in pillaging Palestinian resources in breach of international law; including through exploitative oil and gas and concession agreements with Israel in the territory and EEZ waters of the OPT;
- Support the independence of the International Criminal Court (ICC) and protect the Court against attacks or political pressure as it conducts its investigation into the Situation in Palestine;

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- Where a State has not taken such action, refer the Situation in Palestine to the ICC, highlighting in particular, the crimes of apartheid, genocide, and crimes related to settlements and Israel's unlawful presence in the occupied territory;
- Investigate and prosecute dual citizens serving in Israel's military and provide clear directives to citizens to refrain from enlisting in the Israeli military.
- Activate universal jurisdiction mechanisms to hold suspected perpetrators of international crimes accountable, including the crimes of population transfer and apartheid, in their own domestic courts.

We call on the UN to:

- Undertake an extensive review and urgent inquiry, with the purpose of identifying economic relationships, investments, trade agreements, cooperation schemes and programs with Israel and corporations complicit in Israel's breaches of international law, and, in line with the UN Charter and Code of Conduct, cancel them immediately and establish appropriate procurement guidelines. This should, among others, lead to the exclusion of the companies listed in the UN Database and companies complicit in international crimes against Palestinians, including genocide and apartheid.

We call on organizations, including corporations, to:

- End all business dealings and divest from all business activities and relationships that may render them complicit in Israel's international crimes, including apartheid and genocide, that deny the Palestinian people their inalienable right to self-determination.

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Signatories:

Palestinian BDS National Committee ([BNC](#))*

Al-Haq

Law for Palestine

Community Action Center- Al-Quds University

Palestinian Center for Human Rights

Al Mezan Center for Human Rights

The Palestinian Initiative for the Promotion of Global Dialogue and Democracy - MIFTAH

Jerusalem Legal Aid and Human Rights Center (JLAC)

Union Of Agricultural Work Committees (UAWC)

The Palestine Institute for Public Diplomacy (PIPD)

Addameer Prisoner Support and Human Rights

The Women's Centre for legal aid and Counselling (WCLAC)

Human Rights and Democracy Media Centre (SHAMS)

AMAN Coalition

Palestinian Center for Development and Media Freedoms (MADA)

Arab world Democracy and Electoral Monitor (Al Marsad)

Center for Defence of Liberties and Civil Rights (Hurryyat)

Defense for Children International Palestine (DCIP)

Independent Commission for Human Rights (ICHR)

Palestinian Bar Association

Al-Haq Europe

** The BNC is the largest coalition in Palestinian society (in Palestine and in exile), comprising the largest alliance of political parties, all major trade and professional unions, grassroots movements, among others. The BNC leads the global BDS movement.*

Please find the online link to the statement [HERE](#).