

**WRITTEN STATEMENT**

submitted by the Republic of Türkiye

to

the International Court of Justice

regarding

the request of the United Nations General Assembly for an advisory opinion from the International Court of Justice on the obligations of Israel in relation to the presence and activities of the United Nations, other international organizations and third States

## INTRODUCTION

The Republic of Türkiye (Türkiye) has the honour to submit its Written Statement to the International Court of Justice (ICJ or the Court) in accordance with Article 66, paragraph 2, of its Statute, to provide information on the questions submitted to the Court by the United Nations General Assembly (UNGA).<sup>1</sup>

Under the terms of Article 65, paragraph 1, of its Statute, the Court is authorised to render an advisory opinion on any legal question when requested by the bodies authorized by or in accordance with the United Nations (UN) Charter.<sup>2</sup>

The UNGA resolution A/RES/79/232 entitled “Request for an advisory opinion of the International Court of Justice on the obligations of Israel in relation to the presence and activities of the United Nations, other international organizations and third States” was adopted on 19 December 2024, by an overwhelming majority vote of 137 to 12, with 22 abstaining.<sup>3</sup>

The UNGA’s request in resolution A/RES/79/232 was submitted pursuant to Article 96, paragraph 1, of the United Nations Charter, which enables the UNGA to seek advisory opinions on any legal question.

The UNGA resolution, on a priority basis and with the utmost urgency, requests to render an advisory opinion on the following question, considering the rules and principles of international law, as regards in particular the Charter of the UN, international humanitarian law (IHL), international human rights law (IHRL), privileges and immunities applicable under international law for international organizations and States, relevant resolutions of the UN Security Council (UNSC), UNGA and the Human Rights Council (HRC), the advisory opinion of the Court of 9 July 2004<sup>4</sup>, and the advisory opinion of the Court of 19 July 2024<sup>5</sup>:

*What are the obligations of Israel, as an occupying Power and as a member of the United Nations, in relation to the presence and activities of the United Nations, including its agencies and bodies, other international organizations, and third states, in and in relation to the Occupied Palestinian Territory, including to ensure and facilitate the unhindered provision of urgently needed supplies essential to the survival of the Palestinian civilian population as well as of basic services and humanitarian and*

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<sup>1</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 (Request for Advisory Opinion), Order of 23 December 2024.*

<https://www.icj-cij.org/sites/default/files/case-related/196/196-20241223-ord-01-00-en.pdf>

<sup>2</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 24.

<sup>3</sup> *Action by UN System and Intergovernmental Organizations Relevant to the Question of Palestine (December 2024 Monthly Bulletin) - Question of Palestine* <https://www.un.org/unispal/document/action-by-un-system-and-intergovernmental-organizations-relevant-to-the-question-of-palestine-december-2024-monthly-bulletin/>

<sup>4</sup> “Legal Consequences of the Construction of A Wall In The Occupied Palestinian Territory,” *Advisory Opinion, I.C.J. Reports 2004*.

<sup>5</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*.

*development assistance, for the benefit of the Palestinian civilian population, and in support of the Palestinian people's right to self-determination?*

In its Order of 23 December 2024, the ICJ decided that "the United Nations and its Member States, as well as the observer State of Palestine, are considered likely to be able to furnish information on the question submitted to the Court for an advisory opinion and may do so within the time-limits fixed in this Order;" and fixed 28 February 2025 as the time-limit within which written statements on the questions may be presented to the Court, in accordance with Article 66, paragraph 2, of the Statute.

The following written statement is submitted by the Government of the Republic of Türkiye by virtue of that Order.

1. The Republic of Türkiye with its long-standing commitment to the peaceful resolution of disputes has been a vocal and active supporter of the two-State solution of the Israeli-Palestinian conflict. The relevant UNSC resolutions on the situation in the Middle East, including the Palestinian question, UNGA resolutions and the ICJ advisory opinions of 9 June 2004 and 19 July 2024 form the legal basis for the establishment of a sovereign, independent and contiguous Palestinian state based on the pre-1967 borders with East Jerusalem as its capital. The UNGA resolution A/RES/181 (1947) introduced a two state solution, which is still the only feasible path to a comprehensive, fair and lasting solution of the conflict. Incidentally, this very resolution and the plan it proposed is also the legal basis of the foundation of the State of Israel (Israel).

2. Türkiye as one of the co-sponsors of the UNGA resolution A/RES/79/232 of 19 December 2024 requesting an advisory opinion from the ICJ concurs with the need to set the course straight about Israel's obligations as a member of the UN, in relation to the presence and activities of the UN, including its agencies and bodies, other international organizations and third States, in and in relation to the Occupied Palestinian Territory (OPT).

The said obligations include but are not limited “to ensure and facilitate the unhindered provision of urgently needed supplies essential to the survival of the Palestinian civilian population as well as of basic services and humanitarian and development assistance, for the benefit of the Palestinian civilian population, and in support of the Palestinian people's right to self-determination.” Israel as a UN member state is also obliged to fulfil in good faith the obligations assumed by the relevant UNSC and UNGA resolutions in accordance with the Charter of the UN including to accept and carry out the decisions of the UNSC.

3. The legal framework governing this advisory opinion request is rooted in the Charter of the UN, international humanitarian law, international human rights law, and relevant resolutions of the UNSC and UNGA. The following principles are of particular relevance:

- a. **The Responsibilities of UN Member States:** These are outlined in the UN Charter. Member states must settle international disputes peacefully and refrain from threat or use of force against other states. (Article 2(3) and 2(4) of the UN Charter). Member states are obligated to carry out decisions of the UNSC, which are binding under international law. Member states are also required to cooperate with the UN in maintaining international peace and security.
- b. **The Privileges and Immunities of the UN:** The inviolability of UN refers to the legal protections and immunities granted to UN organizations, their premises, assets, and personnel under international law. These protections are essential to ensure that UN can operate independently, impartially, and effectively without interference from host states and other external entities. The inviolability of UN is primarily derived from the 1946 Convention on the Privileges and Immunities of the United Nations and other relevant agreements.

- c. **The Obligations of Israel in OPT:** Under the Fourth Geneva Convention (1949), Israel is obligated to ensure the protection and welfare of the civilian population in the occupied territories. This includes respecting the presence and activities of the UN, international organizations, and third States providing humanitarian and developmental assistance.

4. Israel's UN membership application was sent to Secretary General Trygve Lie by Israel's Foreign Minister Moshe Shertok on 29 November 1948.<sup>6</sup> The next day, a press statement was released by Israeli Foreign Minister Shertok declaring that Israel hereby unreservedly accepts the obligations of the UN Charter and undertake to honour them from the day when it becomes a member of the UN.<sup>7</sup> After the UNSC resolutions that were adopted in December 1948 and March 1949, the UNGA on 11 May 1949, voted 37 to 12, with 9 abstentions, to admit Israel as a member of the UN.

On the same day Moshe Shertok, before the 207th plenary meeting, delivered a speech indicating that the foreign policy of Israel shall be based on the principles of inter alia "loyalty to the fundamental principles of the UN Charter and friendship with all peace-loving States," and "efforts to achieve an Arab-Jewish alliance based on economic, social, cultural and political co-operation with the neighbouring countries."<sup>8</sup> This alliance must be within the framework of the UN and cannot be directed against any of the Members, again Israel is bound by "support for all measures which strengthen peace, guarantee the rights of men and the equality of nations, and enhance the authority and effectiveness of the UN."<sup>9</sup>

In order to secure its membership in the UN, Israel also stressed that it "held no views and pursued no policies on any questions which were inconsistent with the Charter or with the resolutions of the UNGA and the UNSC."<sup>10</sup>

With this regard, in its resolution 273 (1949), which admitted Israel as a UN Member State, the UN General Assembly noted the declaration by the State of Israel that it unreservedly accepts the obligations of the United Nations Charter and undertakes to honour them from the day it becomes a member of the United Nations and statements made by the representative of the Government of Israel before the Ad Hoc Political Committee in respect of the implementation of the resolutions of 29 November 1947 and 11 December 1948, and thereby decided that

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<sup>6</sup> Y Freundlich, *Documents on the Foreign Policy of Israel, October 1948–April 1949* (vol II, Jerusalem, 1984) 245; Abba Eban to Moshe Sharett, 18 May 1949, *DFPI* (vol I), p. 21.

<sup>7</sup> PAL/390, 30/11/1948, <https://www.un.org/unispal/document/auto-insert-206473/>

<sup>8</sup> Application of Israel for admission to membership in the United Nation report of the Ad Hoc Political Committee (A/855), Plenary Meetings Of The General Assembly Summary Records Of Meetings 5 April—18 May, <https://www.un.org/unispal/document/auto-insert-180950/>.

<sup>9</sup> *Ibid.* See also, Official Records of the Security Council, Third Year, Supplement for December 1948, document S/1903 and UN Security Council Resolution of 4 March 1949 S/1277.

<sup>10</sup> Official Records of the General Assembly, Third Session, Ad Hoc Political Committee, Forty-fifth meeting, 5 May 1949, A/AC.24/SR.45, p. 230 (<https://undocs.org/A/AC.24/SR.45>).

“Israel is a peace loving state which accepts the obligations contained in the Charter and is able and willing to carry out those obligations.”<sup>11</sup>

Before delving into the resolutions not being observed by Israel, it should be borne in mind that with the resolution A/RES/181, of 29 November 1947, the UNGA decided that the city of Jerusalem has its own *sui generis* position with its *Corpus Separatum* regime; and an Arab State (with some % 42 of the British Mandate's territory) and a Jewish State (with some % 55 of the British Mandate's territory) would be established.

Furthermore, with the resolution A/RES/194, of 11 December 1948, UNGA has resolved that the Holy Places, religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice that arrangements to this end should be under effective UN supervision and also the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the governments or authorities responsible.

As it has been observed in the last 77 years, Israel has consistently torpedoed all peaceful attempts to establish a Palestinian state, and did not let the refugees of the 1948 War, *videlicet* Nakba, to return safely to their hometown according to the UNGA Resolution A/RES/194, albeit these have been promised by the authorities of Israel prior to the admission of the UN.

Today, Israel’s continued breaches of these UN resolutions constitute clear violations of its obligations under international law, especially in light of increasing number of countries formally recognizing the State of Palestine.

5. On UN membership of states, Paragraph 1 of Article 4 of the UN Charter states that:

*Membership in the United Nations is open to all other peace-loving states, which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.*

In its interpretation of this provision, the ICJ, in its Advisory Opinion on the Conditions of Admission of a State to Membership in the UN, asserted that:

*The requisite conditions are five in number: to be admitted to membership in the United Nations, an applicant must (1) be a State; (2) be peace-loving; (3) accept the obligations of the Charter; (4) be able to carry out these obligations; and (5) be willing to do so.*<sup>12</sup>

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<sup>11</sup> UNGA Resolution 273, A/RES/273(III), (11 May 1949). <https://digitallibrary.un.org/record/210373?v=pdf>

<sup>12</sup> Advisory Opinion on the Conditions of Admission of a State to Membership in the United Nations (Article 4 of the Charter), *ICJ Reports 1948*, 28 May 1948, p. 62.

Accordingly, States seeking membership in the UN must meet these five fundamental conditions. These conditions reflect the foundational principles of the UN, ensuring that membership is reserved for States that contribute to international peace and stability. Consequently, states already admitted to the UN bear a continuous obligation to uphold these commitments, as their membership is based on their ongoing adherence to the Charter's principles. Failure to abide by these obligations not only undermines the credibility of the UN system but may also lead to holding such states accountable under international law. The ratification of the UN Charter by member states signifies a binding legal commitment rather than a mere political declaration.

**6.** A number of UNGA and UNSC resolutions reaffirm the obligation of states to respect the safety and independence of UN personnel and premises, particularly in conflict zones. The UNGA and the UNSC have adopted numerous resolutions that reinforce the inviolability of the UN's agencies, personnel, and premises. These resolutions are critical in affirming and adapting the principles of inviolability to evolving international situations, particularly in conflict zones and humanitarian crises.

Among others, the UNGA Resolution A/RES/57/337 (2003) on "Strengthening the United Nations system" emphasizes the need for Member States to uphold the protection of all UN personnel and facilities, especially in high-risk environments.

The UNSC Resolution S/RES/1502 (2003) explicitly condemns attacks on UN and associated personnel as a violation of international law and call for accountability. The Resolution recognizes such attacks as threats to peace and security and reaffirms the need for compliance with international humanitarian law.

**7.** Several UNGA and UNSC resolutions stress the obligation of Member States to allow unhindered humanitarian access. To exemplify, UNSC Resolution S/RES/2286 (2016) condemns attacks on medical personnel and facilities in armed conflict and urges the Member States to ensure the inviolability of humanitarian actors, including the UN.

**8.** The inviolability of the UN is explicitly stipulated in the 1946 Convention on the Privileges and Immunities of the United Nations.

**9.** The UN's central role in maintaining peace and security, delivering humanitarian aid, and facilitating development has been universally acknowledged since its establishment in 1945.

This recognition has led to widespread state practice in respecting the inviolability of the UN, regardless of treaty obligations.

**10.** In this regard, common Article 3 (applicable in all conflicts) of the Geneva Conventions (1949), which Israel and the State of Palestine are party to, must be upheld. After dispensing with Israel's argument that the Geneva Conventions do not apply *de jure* to the OPT, the Court found as a matter of treaty law that it does indeed apply, as it would apply to "any occupied

territory in the event of an armed conflict arising between two or more High Contracting Parties.”<sup>13</sup>

Common Article 3 of the Geneva Conventions is as follows;

*“Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed 'hors de combat' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.”*

Common Article 3 of the Geneva Conventions (1949) is a foundational provision that protects all persons taking no active part in the hostilities. This includes humanitarian workers providing aid in armed conflict. While it does not specifically mention humanitarian organizations, it lays the groundwork for the protection of civilians and those assisting them, such as medical personnel and relief workers.

**11.** The inviolability of UN is a fundamental principle enshrined in international law. It ensures that the UN is able to carry out its mandate independently, without interference from Member States or other actors. This principle derives from several international legal instruments and customary law, guaranteeing the privileges and immunities necessary for the UN to perform its all functions in an effective way.

The Articles 104 and 105 of the UN Charter grant the UN legal personality in the territory of each of its Members and guarantees the privileges and immunities of the UN and its personnel to ensure they can carry out their functions independently.

Article 104 and 105 are as follows;

*“Article 104: The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.*

*Article 105: The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.”*

Additionally, pursuant to Article 2, paragraph 5 of the UN Charter, Israel is required to “give the United Nations every assistance in any action it takes in accordance with the Charter.”

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<sup>13</sup> “Legal Consequences of the Construction of A Wall In The Occupied Palestinian Territory,” *Advisory Opinion, I.C.J. Reports 2004*, para. 101, p. 177.

**12.** The Convention on the Privileges and Immunities of the United Nations (1946) provides certain privileges and immunities for the UN. According to Article 2, UN offices, facilities, and archives are immune from search, requisition, confiscation, or any interference by the host state.

Article 2, section 3 is as follows;

*“The premises of the United Nations shall be inviolable. The property and assets of the United Nations, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation and any other form of interference, whether by executive, administrative, judicial or legislative action.”*

Article 2, section 4 is as follows;

*“The archives of the United Nations, and in general all documents belonging to it or held by it, shall be inviolable wherever located.”*

According to Article 5 and 6, UN officials and experts on mission enjoy functional immunity from legal processes for acts performed in their official capacity.

Article 5, section 18 is as follows;

*“Officials of the United Nations shall: (a) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;*

Article 6, section 22 reads as follows;

*“Experts (other than officials coming within the scope of Article 5) performing missions for the UN shall be accorded such privileges and immunities as are necessary for the independent exercise of their functions during the period of their missions, including the time spent on journeys in connection with their missions. In particular they shall be accorded: (a) Immunity from personal arrest or detention and from seizure of their personal baggage;”*

Israel is a party -without reservations- to the General Convention on Privileges and Immunities of the United Nations and enacted its provisions in its domestic law. These provisions oblige Israel to respect UN privileges and immunities, including respect for UN premises. The UN property and assets are immune from search, requisition, confiscation, expropriation, and any other form of interference.

It should also be borne in mind that as per Section 20 of the General Convention, privileges and immunities are granted to officials not for their personal benefit but in the interest of the UN so that the Organization can properly fulfil its core mandate as enshrined in the UN Charter.

**13.** Concerning the access of UN officials to Israel and OPT, the “Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (CoI)”, further highlights that Israeli authorities have refused to cooperate with UN investigations and fact-finding mechanisms, barring access to UN officials and medical professionals.<sup>14</sup>

The Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (SR OPT) underscores that Israel’s denial of “access to United Nations mechanisms and investigators of the International Criminal Court (ICC) may constitute obstruction of justice, in defiance of the International Court of Justice (ICJ) order that Israel allow international investigators to enter Gaza and take measures to ensure the preservation of evidence.”<sup>15</sup>

The Office of the High Commissioner for Human Rights (OHCHR) highlights Israel’s refusal to grant entry visas to international staff operating in the OPT.<sup>16</sup>

**14.** In addition to relevant treaties and UN resolutions, the ICJ also elaborated on the inviolability of the UN immunities and privileges. The ICJ’s Advisory Opinion in 1949, titled “Reparation for Injuries Suffered in the Service of the United Nations Reparation for Injuries Case”, illustrates the importance of protecting the UN and links its safety to fundamental principles of international law. In this case ICJ confirmed the UN’s legal personality, granting it rights and protections under international law and emphasized that harm to UN personnel or agencies impairs the organization’s ability to fulfil its purposes, which include maintaining peace and promoting human rights. The ICJ has also highlighted the obligation of states to cooperate with the UN and protect its personnel, reflecting the collective responsibility of the international community to uphold these principles; states that fail to protect UN agents or are complicit in harm may be held accountable for violations.

The Court in the case forwarded that;

*“As this question assumes an injury suffered in such circumstances as to involve a State's responsibility, it must be supposed, for the purpose of this Opinion, that the damage results from a failure by the State to perform obligations of which the purpose is to protect the agents of the Organization in the performance of their duties.”<sup>17</sup>*

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<sup>14</sup> Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel, (A/HRC/56/26), Introduction and Methodology, para 5. <https://docs.un.org/en/A/HRC/56/26>

<sup>15</sup> Francesca Albanese, *Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, “Genocide as colonial erasure”*, (A/79/384) Introduction, para. 2. <https://docs.un.org/en/A/79/384>

<sup>16</sup> “Bachelet deplores Israel’s failure to grant visas for UN Human Rights staff in the occupied Palestinian territory.” <https://www.ohchr.org/en/press-releases/2022/08/bachelet-deplores-israels-failure-grant-visas-un-human-rights-staff-occupied>

<sup>17</sup> Reparation for Injuries Suffered in the Service of the United Nations Advisory Opinion of April 11th, 1949, p. 177. <https://www.icj-cij.org/sites/default/files/case-related/4/004-19490411-ADV-01-00-EN.pdf>

*“This need of protection for the agents of the Organization, as a condition of the performance of its functions, has already been realized, and the Preamble to the Resolution of December 3rd, 1948, shows that this was the unanimous view of the General Assembly.”<sup>18</sup>*

According to the said case, the UN has the right to claim reparations for injuries suffered by its agents in the course of their duties. This includes both direct damage to the UN (e.g., loss of personnel or property) and indirect damage (e.g., harm caused to the organization’s mission and effectiveness).

Furthermore, the ICJ recognized the “principle of implied powers”, emphasizing that the UN must have the authority to take actions necessary to fulfil its purposes, even if such powers are not explicitly stated in the Charter, as follows:

*The Court must therefore begin by enquiring whether the provisions of the Charter concerning the functions of the Organization, and the part played by its agents in the performance of those functions, imply for the Organization power to afford its agents the limited protection that would consist in the bringing of a claim on their behalf for reparation for damage suffered in such circumstances. Under international law, the Organization must be deemed to have those powers, which, though not expressly provided in the Charter, are conferred upon it by necessary implication, as being essential to the performance of its duties.<sup>19</sup>*

In this regard, with the “principle of implied powers” the UN has the possibility to take actions, though not expressly provided in the Charter, are conferred upon it by necessary implication, as being essential to the performance of its duties.

**15.** On 8 December 1949, the UNGA adopted the resolution A/RES/302(IV) 302, thus establishing the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) to provide assistance and relief to Palestine refugees displaced in 1948.<sup>20</sup> With the resolution, UNRWA has been formally established as subsidiary body of the UNGA tasked with, inter alia, addressing the humanitarian needs of Palestine refugees. The objectives of the resolution were to provide direct relief (e.g., food, shelter, medical aid) and to establish works programs to promote the socio-economic development of Palestine refugees and reduce dependence on direct relief. The resolution’s assistance was targeted at Palestine refugees in Jordan, Lebanon, Syria, the West Bank including East Jerusalem, and the Gaza Strip.

The UNRWA mandate is derived from Resolution A/RES/302(IV) and subsequent resolutions adopted by the UNGA, which have periodically renewed and expanded the Agency’s responsibilities. Resolution A/RES/302(IV) called on host countries and relevant parties to cooperate with UNRWA in delivering assistance. It acknowledged the necessity of ensuring the

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<sup>18</sup> *Ibid* p. 183.

<sup>19</sup> *Ibid*, p. 182.

<sup>20</sup> UNGA Resolution 302, A/RES/302 (IV) (8 December 1949). [https://docs.un.org/en/A/res/302\(IV\)](https://docs.un.org/en/A/res/302(IV))

protection and welfare of refugees but did not address long-term solutions for refugee status or political resolutions.

In addition to the periodic mandate resolutions, the UNGA Resolution A/RES/76/78 of 9 December 2021, generally focused on strengthening UNRWA's role and ensuring its ability to provide humanitarian assistance to Palestine refugees. Therefore, the resolution called for respect for the neutrality and inviolability of UNRWA's premises and operations and condemned incidents of violence, and destruction of UN facilities in conflict zones, particularly Gaza.

Israel's unilateral measures preventing UNRWA from fulfilling its mandate have not started with the Knesset bills of 28 October 2024.<sup>21</sup> As a matter of fact, Israel has resorted to unilateral acts ranging from restriction of UNRWA personnel's movements to their ungrounded arrests and military action in numerous periods. The blockade imposed on Gaza and occasional military strikes made it already extremely dangerous for international humanitarian aid operations to continue smoothly in Gaza.

For reference, some instances of Israeli violations are noted below.

The "Emergency Appeal 2010" by UNRWA, states that:

*Israeli checkpoint authorities continued to (a) demand searches of UN vehicles, in contravention of the UN Convention on Privileges and Immunities, (b) apply discriminatory rules which run counter to UN guidelines on staff access and (c) frequently refuse to accept UN ID as legitimate identification. As of December 2009, around one in four UNRWA staff were unable to reach their offices in East Jerusalem, because of Israel's refusal to issue entry permits.<sup>22</sup>*

UNRWA reported an Israeli attack on UNRWA premises in 2009. In a statement issued by UNRWA, it is stated that:

*On 15 January the world watched on as towering plumes of acrid black smoke rose above the skyline of Gaza City. At the base of these looming smoke towers was the Field Office compound of the United Nations Relief and Works Agency (UNRWA), which had been hit by a number of IDF shells mid-morning.*

*UNRWA's compound sustained a number of direct hits from IDF fire, including one or more near the warehouses, workshops and fuel tankers. Shells of white phosphorous – a highly incendiary material - set ablaze the workshop and two vast warehouses containing humanitarian food and medical supplies. Much-needed blankets, mattresses, hygiene kits, tinned meat and wheat flour went up in flames. Three vehicles were*

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<sup>21</sup> On such attacks against UNRWA staff and property see, *UNGA Resolution 104, A/RES/62/104* (17 December 2007). <https://docs.un.org/en/A/RES/62/104>

<sup>22</sup> "Emergency Appeal 2010," UNRWA, p. 7. <https://www.unrwa.org/sites/default/files/2010012143927.pdf>

*completely burnt and 15 were damaged. Approximately 6,500 square meters of warehouse space was destroyed.*<sup>23</sup>

During an assault of Israeli forces in Kalandia refugee camp in 2013, a UNRWA staff member was killed. In a statement of UNRWA spokesperson, it is stated that:

*UNRWA deeply regrets to confirm that one of its staff members, a 34-year-old father of four, was shot dead by Israeli forces and killed instantly in an operation in Kalandia refugee camp in the occupied West Bank at approximately seven o'clock this morning. Credible reports say that he was on his way to work and was not engaged in any violent activity. He was shot in the chest. Another UNRWA staff member, a sanitation laborer, was shot in the leg during the same operation and is in a stable condition. An UNRWA investigation is ongoing.*

*Today's killing took place during an incursion into Kalandia refugee camp during which three people in total were killed and about twenty injured, some of them seriously.*

*UNRWA condemns the killing of its staff member and calls on all sides, at this delicate time, to exercise maximum restraint and to act in accordance with obligations under international law.*<sup>24</sup>

In implementation of the Knesset Bills of 28 October, Israeli violations against UNRWA continued. Israeli forces and personnel from the Jerusalem Municipality have forcefully entered into the UNRWA Kalandia Training Centre and ordered its immediate evacuation on 18 February 2025. In a statement of UNRWA, it is stated that:

*Children and young people in East Jerusalem denied of their right to education in UNRWA schools.*

*Today, Israeli Forces and personnel from the Jerusalem Municipality have forcefully entered the UNRWA Kalandia Training Centre and ordered its immediate evacuation.*

*At least 350 students and 30 staff were present and impacted. Tear gas and sound bombs were fired.*

*Also, this morning, Israeli police officers, accompanied by staff from the Jerusalem Municipality went to UNRWA schools ordering their closure.*

*Today's incidents have impacted 250 children in three UNRWA schools in East Jerusalem, +350 trainees in the Kalandia Training Centre, a large United Nations compound.*

*This is a violation of the basic right to education as well as of United Nations privileges and immunities.*

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<sup>23</sup> <https://www.unrwa.org/newsroom/official-statements/attacks-against-un-gaza-must-be-investigated>

<sup>24</sup> <https://www.unrwa.org/newsroom/official-statements/unrwa-condemns-killing-un-staff-member-occupied-west-bank>

*Children’s access to education must be preserved and United Nations facilities must be protected and respected at all times wherever they are.*<sup>25</sup>

The UNGA Resolution A/RES/76/78,

*Recalling further its resolutions 75/125 of 11 December 2020 on the safety and security of humanitarian personnel and protection of United Nations personnel and 75/127 of 11 December 2020 on the strengthening of the coordination of emergency humanitarian assistance of the United Nations, calling upon, inter alia, all States to ensure respect for and the protection of all humanitarian personnel and United Nations and associated personnel, to respect the principles of humanity, neutrality, impartiality and independence for the provision of humanitarian assistance and to respect and ensure respect for the inviolability of United Nations premises.*<sup>26</sup>

Furthermore, with the resolutions of A/RES/64/10(2009)<sup>27</sup> and A/RES/74/10 (2019)<sup>28</sup> the UNGA has condemned attacks on UN facilities, including UNRWA schools and offices, and called for accountability, reaffirmed the need to respect the inviolability of UN premises and stressed the obligation of all parties to respect the neutrality and inviolability of UN facilities.

In addition to the UNGA resolutions, UNSC Resolutions S/RES/605(1987),<sup>29</sup> S/RES/681 (1990)<sup>30</sup> and S/RES/2334 (2016)<sup>31</sup> must be upheld as well. With these resolutions, the UNSC has called for the protection of Palestinian civilians and the UN personnel working in the area, urged all parties to respect the inviolability of UN premises and ensure unimpeded access for humanitarian assistance, reaffirmed the need for Israel, as the occupying power, to comply with international law, including ensuring the safety of UN personnel and facilities, called on all parties to respect international law and ensure the safety of humanitarian and UN operations in the OPT.

Additionally, the United Nations Secretary-General, in his letter (A/79/684 – S/2024/892) dated 9 December 2024 addressed to the President of the General Assembly and the President of the Security Council, underlined that “Israel continues to be required to give effect to the terms of the Convention on the Privileges and Immunities of the United Nations (“the General

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<sup>25</sup> <https://www.unrwa.org/newsroom/official-statements/children-and-young-people-east-jerusalem-denied-their-right-education>

<sup>26</sup> A/RES/76/78 Resolution adopted by the General Assembly on 9 December 2021, <https://documents.un.org/doc/undoc/gen/n21/387/75/pdf/n2138775.pdf>

<sup>27</sup> A/RES/64/10, Resolution adopted by the General Assembly on 5 November 2009, <https://documents.un.org/doc/undoc/gen/n09/462/43/pdf/n0946243.pdf>

<sup>28</sup> A/RES/74/10, Resolution adopted by the General Assembly on 3 December 2019, <https://documents.un.org/doc/undoc/gen/n19/392/68/pdf/n1939268.pdf>

<sup>29</sup> UNSC Resolution S/RES/605 (1987) / adopted by the Security Council at its 2777th meeting, on 22 December 1987.

<sup>30</sup> UNSC Resolution S/RES/681 (1990) / adopted by the Security Council at its 2970th meeting, on 20 December 1990.

<sup>31</sup> UNSC Resolution S/RES/2334 (2016) Adopted by the Security Council at its 7853rd meeting, on 23 December 2016.

Convention”), to which Israel has been a party since 21 September 1949 and which is applicable to UNRWA as an integral part of the United Nations...”<sup>32</sup>

**16.** As per OCHA, as of 19 January 2025, “according to data received by the UN and its partners, at least 377 aid workers, including 270 UN staff and at least 73 NGO staff have been killed in the Gaza Strip since October 2023.”<sup>33</sup>

Nearly %88 of school buildings in the Gaza Strip (496 out of 564) have been directly hit or damaged and are currently estimated to require either full reconstruction or major rehabilitation work to be functional again. 161 of the schools hit are UNRWA schools.<sup>34</sup>

UNRWA has stated that schools “have turned into rubble or overcrowded places of refuge for displaced families living in fear.”<sup>35</sup> According to the Gaza Strip Interim Report Damage Assessment, "Hospitals, schools, UN facilities, and other protected sites continue to be severely impacted by the conflict, as a result service delivery as well as the delivery of humanitarian aid is impeded or halted.”<sup>36</sup>

UNRWA recorded cases of local UNRWA staff in Gaza detained by the Israeli army – including some detained during the performance of their official duties for the UN, including while working at UNRWA installations and in one case during a coordinated humanitarian movement. UNRWA staff were reportedly held incommunicado and subjected to the same conditions and ill-treatment as other detainees, both in Gaza and in Israel.<sup>37</sup>

As a country that is one of the main political and financial supporters of UNRWA, Türkiye has an additional interest in this context as it chairs the Working Group on the Financing of UNRWA. In addition to its annual contribution, Türkiye has also been assisting to the activities of the Agency through its Disaster and Emergency Management Presidency.

It should be borne in mind that the attacks on UNRWA and other agencies are not limited to Gaza. The violations kept taking place nearly daily by the Israeli army staff in the West Bank. Israel relentlessly attacks anyone, anywhere trying to alleviate the long-lasting suffering of Palestinian people in any way, shape or form.

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<sup>32</sup> <https://www.un.org/unispal/wp-content/uploads/2024/12/n2439256.pdf>

<sup>33</sup> Humanitarian Situation Update #257 | Gaza Strip, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-257-gaza-strip>

<sup>34</sup> Humanitarian Situation Update #152 | Gaza Strip, <https://www.unrwa.org/resources/reports/unrwa-situation-report-152-situation-gaza-strip-and-west-bank-including-east-jerusalem>

<sup>35</sup> Humanitarian Situation Update #221 | Gaza Strip, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-221-gaza-strip-enhe>

<sup>36</sup> Gaza Strip - Interim Damage Assessment: Summary Note, World Bank, European Union and United Nations, 29 March 2024.

<sup>37</sup> [https://www.unrwa.org/sites/default/files/content/resources/summary\\_on\\_detention\\_and\\_alleged\\_ill-treatmentupdated.pdf](https://www.unrwa.org/sites/default/files/content/resources/summary_on_detention_and_alleged_ill-treatmentupdated.pdf)

The forced displacement of Palestine refugees from the camps in the West Bank has been escalating at an alarming pace. The Israeli military operations “started in Jenin camp and then expanded to Tulkarm, Nur Shams, and El Far’a camps, displacing 40,000 Palestine refugees.”<sup>38</sup>

Türkiye has been directly affected by such ruthless attacks with the murder of 26 year-old Turkish national Ayşenur Ezgi Eygi in the occupied West Bank on 6 September 2024.

17. On 28 October 2024, the Israeli Parliament (Knesset) voted in favour of legislation targeting UNRWA, which could effectively bring its operations in the OPT to a halt.

The bills would prohibit the country’s authorities from having any contact with UNRWA and bar the agency from operating within Israel itself, as passage of aid into Gaza and the West Bank requires close coordination between UNRWA and the Israeli authorities. By virtue of the legislation, Israel will no longer issue the agency’s staff with work or entry permits, and coordination with the Israeli military will no longer be possible, which is essential- inter alia- for the safe passage of aid.

Regarding the situation in Gaza, Israel's legislative actions further violate the three sets of provisional measures ordered by the International Court of Justice in the case of *South Africa v. Israel* (26 January, 28 March, and 24 May 2024).<sup>39</sup> The Court specifically ordered Israel, inter alia, to desist from actions creating conditions calculated to bring about the physical destruction of the Palestinians and to “take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip.”<sup>40</sup> The prohibition of UNRWA operations in Gaza, given the Agency's status as the primary provider of humanitarian assistance to the civilian population, may be characterized as a potential breach of the Genocide Convention, specifically actions calculated to bring about the destruction of Palestinians as a protected group.

In recent months, several senior Israeli government officials have denounced UNRWA, with Israel’s Permanent Representative at the UN describing the agency as “a Palestinian organization fully committed to the Jewish State’s destruction.”<sup>41</sup>

However, it was self-evident that these claims were baseless disinformation to target the UN aid organization and the rights of Palestinian refugees living in the OPT. An independent UN review in April 2024 confirmed UNRWA’s seamless commitment to uphold the humanitarian

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<sup>38</sup> “Israeli military operation displaces 40,000 in the West Bank,” *UN News*, 10 February 2025.

<https://news.un.org/en/story/2025/02/1159971>

<sup>39</sup> <https://icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>; <https://icj-cij.org/sites/default/files/case-related/192/192-20240328-ord-01-00-en.pdf>; <https://icj-cij.org/sites/default/files/case-related/192/192-20240524-ord-01-00-en.pdf>.

<sup>40</sup> <https://www.icj->

[cij.org/node/203447#:~:text=It%20refers%20to%20the%20rights,and%20conspiracy%20to%20commit%20genocide.](https://www.icj-cij.org/node/203447#:~:text=It%20refers%20to%20the%20rights,and%20conspiracy%20to%20commit%20genocide.)

<sup>41</sup> Israeli laws blocking UNRWA – devastating humanitarian impact for Palestinians?, <https://news.un.org/en/story/2024/10/1156326>

principle of neutrality and concluded that “the Agency has a more developed approach to neutrality than similar UN entities or NGOs.”<sup>42</sup>

According to the Knesset bills, the barring of UNRWA activities would commence in three months after the enactment of the bills, which corresponds with 28 January 2025. On 24 January, Israel through its UN Permanent Representative ordered UNRWA to vacate all premises in occupied East Jerusalem and cease its operations there by 30 January 2025.

According to UNRWA<sup>43</sup>:

*This order is in contradiction to international law obligations of UN member states including the State of Israel, which is bound by the General Convention on Privileges and Immunities of the United Nations.*

*United Nations premises are inviolable and enjoy privileges and immunities under the United Nations Charter.*

*The State of Israel is a signatory -without reservations- to the General Convention on Privileges and Immunities of the United Nations and enacted its provisions in its domestic law. These provisions oblige the State of Israel to respect United Nations privileges and immunities, including respect for United Nations premises.*

*UNRWA property and assets including in East Jerusalem are immune from search, requisition, confiscation, expropriation, and any other form of interference.*

*Claims from the Israeli authorities that UNRWA has no right to occupy the premises are without foundation. They promote anti-UNRWA rhetoric, placing the Agency’s facilities and personnel at risk. The Government of Israel has stated publicly that the aim to vacate UNRWA premises in Sheikh Jarrah is to expand Israeli illegal settlements in occupied East Jerusalem.*

*The State of Israel must take all appropriate measures consistent with international law obligations to ensure that UNRWA’s property and installations are respected and protected.*

However, the main question is that Israel is hindering UN subsidiary body by retrospectively annulling and reneging on the letter sent by the Minister of Foreign Affairs of Israel Michael Comay, to Lawrence Michelmore, Commissioner-General UNRWA, on 14 June 1967. According to the said letter, Israel is prepared to agree in principle, to ensure the protection and security of the personnel, installations and property of UNRWA.<sup>44</sup> The exchange of letters between Comay and Michelmore, constituting a Provisional Agreement between UNRWA and

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<sup>42</sup>[https://www.unrwa.org/sites/default/files/content/resources/final\\_colonna\\_report\\_key\\_messages\\_20240820.pdf](https://www.unrwa.org/sites/default/files/content/resources/final_colonna_report_key_messages_20240820.pdf)

<sup>43</sup> <https://www.unrwa.org/newsroom/official-statements/government-israel-orders-unrwa-vacate-its-premises-occupied-east>

<sup>44</sup> <https://www.palquest.org/en/historictext/33980/exchange-letters-between-israel-and-unrwa>

Israel concerning Assistance to Palestine Refugees did not establish but reaffirmed the immunity of UNRWA, which originates from the UN Charter, 1946 General Convention and relevant UN resolutions.

As is known, in addition to the State of Palestine, UNRWA is the second biggest employer in the OPT, running 279 schools, 65 primary health facilities and 28 women centres.<sup>45</sup> The responsibility of UNRWA in Palestine refugee camps is limited to providing services and administering its installations. The Agency does not own, administer or police the camps, as this is the responsibility of the host authorities. UNRWA has a camp services office in each camp, which the residents visit to update their records or to raise issues relating to Agency services with the Camp Services Officer (CSO). The CSO, in turn, refers refugee concerns and petitions unremittingly to the UNRWA administration in the area in which the camp is located.

In total, UNRWA provides services to approximately 2.4 million Palestine refugees in OPT and has showed its prowess for decades. Therefore, it is obvious that the work done by UNRWA, which has been referred to by the UN Secretary General as “the backbone of all humanitarian response in Gaza,”<sup>46</sup> is so broad-ranged under current conditions that it cannot be delegated to or supplanted by other NGOs or UN agencies. By effacing the rights and duties of UNRWA from the OPT, Israel has not clarified how to provide services to at least 2.4 million refugees in the OPT. However, under Article 59 of the Fourth Geneva Convention, Israel is obligated to allow and facilitate the rapid and unimpeded delivery of humanitarian aid essential for the survival of the Palestinian civilian population. This includes, ensuring not only UNRWA but also other that UN agencies, such as WHO, WFP and UNICEF, and other humanitarian organizations to operate without obstruction. Furthermore, Israel has a legal duty to protect the Palestinian civilian population under Article 55, 56, 59 and 60 of the Fourth Geneva Convention.

According to article 55 of the Fourth Geneva Convention:

*“The Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate.”*

Moreover, Article 56 of the Fourth Geneva Convention states that:

*“To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring and maintaining, with the cooperation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territory, with particular reference to the adoption and application of the prophylactic and preventive measures necessary to combat the spread of contagious*

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<sup>45</sup> <https://www.unrwa.org/where-we-work/west-bank>; <https://www.unrwa.org/where-we-work/gaza-strip>.

<sup>46</sup> “Humanitarian response in Gaza 'completely dependent' on UNRWA, says relief chief”, <https://news.un.org/en/story/2024/01/1146067>

*diseases and epidemics. Medical personnel of all categories shall be allowed to carry out their duties. "*

Additionally, Article 59 of the Fourth Geneva Convention stipulates that;

*"If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal".*

Lastly, Article 60 of the Fourth Geneva Convention provides that;

*"Relief consignments shall in no way relieve the Occupying Power of any of its responsibilities under Articles 55, 56 and 59."*

The "Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (CoI)", the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 (SR OPT) and the Office of the High Commissioner for Human Rights (OHCHR) have documented systematic violations by Israel of its obligations as an occupying Power under Article 55, in particular regarding the facilitation of humanitarian aid and essential services for the Palestinian civilian population.

The CoI documents that Israeli security forces obstructed access by humanitarian agencies, prevented the entry of goods and medical equipment, exit/entry of civilians, and prevented safe evacuations.<sup>47</sup>

The SR OPT highlights that Israel's actions have deliberately restricted humanitarian aid, including blocking essential supplies such as food, water, and medical assistance, exacerbating the humanitarian crisis in Gaza.<sup>48</sup>

The OHCHR highlights that Israel's blockade and restrictions on humanitarian aid have severely limited the entry of essential supplies, leading to widespread hunger and malnutrition among civilians. The report also notes that attacks on humanitarian convoys and aid workers have further exacerbated the humanitarian crisis.<sup>49</sup>

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<sup>47</sup> Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel (A/79/232), para. 7, p. 10.  
<https://documents.un.org/doc/undoc/gen/n24/262/79/pdf/n2426279.pdf>

<sup>48</sup> Francesca Albanese, *Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*, (A/HRC/55/73), para. 26, p. 36.  
<https://docs.un.org/en/A/HRC/55/73>

Also see, Francesca Albanese, "Genocide as colonial erasure", para. 19-21, pp. 63-64.

<sup>49</sup> Six-month update report on the human rights situation in Gaza: 1 November 2023 to 30 April 2024, paras. 34-38.  
<https://www.ohchr.org/sites/default/files/documents/countries/opt/20241106-Gaza-Update-Report-OPT.pdf>

OHCHR, CoI and SR OPT have also specifically reported on attacks on medical care, personnel and facilities as well as restrictions of access to medical care. OHCHR documents direct targeting of hospitals, medical personnel, and convoys;<sup>50</sup> CoI documents direct attacks on

medical convoys operated by the International Committee of the Red Cross (ICRC), the United Nations, the Palestine Red Crescent Society and non-governmental organizations,<sup>51</sup> and SR OPT documents systematic destruction of healthcare and restrictions of access to medical care.<sup>52</sup> OHCHR also reminded Israel, as the occupying power, to ensure and facilitate access to adequate healthcare for the Palestinian population.<sup>53</sup>

The CoI finds that Israeli security forces' airstrikes and occupation of the Turkish Hospital, despite prior notification of its coordinates by the Turkish government, led to its closure, depriving 10,000 cancer patients of treatment and causing multiple deaths. The unjustified military seizure of the hospital amounted to the war crime of seizing protected property.<sup>54</sup>

These violations have severely hindered the ability of United Nations agencies, international organizations, and third states to provide urgently needed humanitarian assistance and basic services, including medical ones for the Palestinian civilian population in the OPT, in violation of international humanitarian law, including Article 55 of the Fourth Geneva Convention.

With its adoption and implementation of Knesset bills, it is obvious that Israel is not going to meet the basic needs of Palestine refugees in the OPT, thus violating article 55, 56, 59 and 60 of the Fourth Geneva Convention.

According to these legal documents, Israel must ensure public order and safety while respecting the laws of the occupied territory, must meet the basic needs of the population, including food, water, medical care, and sanitation, especially when the local resources are insufficient and protect humanitarian actors and ensuring that they can provide life-saving assistance without fear of harm or interference.

Furthermore, Israel, as a state party to core international human rights treaties such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention on the Rights of the Child (CRC) must ensure the protection of the Palestinian population's human rights.

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<sup>50</sup> Thematic Report: Attacks on hospitals during the escalation of hostilities in Gaza (7 October 2023 – 30 June 2024), para. 20-26.

<https://www.ohchr.org/sites/default/files/documents/countries/opt/20241231-attacks-hospitals-gaza-en.pdf>

<sup>51</sup> Report of the Independent International Commission of Inquiry, para. 10.

<sup>52</sup> Francesca Albanese, "Genocide as colonial erasure," (A/79/384), para. 27, 31 and 63.

<sup>53</sup> Thematic Report: Attacks on hospitals during the escalation of hostilities in Gaza (7 October 2023 – 30 June 2024), para. 50.

<https://www.ohchr.org/sites/default/files/documents/countries/opt/20241231-attacks-hospitals-gaza-en.pdf>

<sup>54</sup> Report of the Independent International Commission of Inquiry, para. 23, 24 and 91.

In its 2004 advisory opinion, the ICJ stated that;

*[t]he territories occupied by Israel have for over 37 years been subject to its territorial jurisdiction as the occupying Power. In the exercise of the powers available to it on this basis, Israel is bound by the provisions of the International Covenant on Economic, Social and Cultural Rights. Furthermore, it is under an obligation not to raise any obstacle to the exercise of such rights in those fields where competence has been transferred to Palestinian authorities.<sup>55</sup>*

In the same advisory opinion, the Court further confirmed that Israel, as an Occupying Power, is bound by its obligations under the ICCPR, the ICESCR, and the CRC.<sup>56</sup>

Accordingly, Israel must guarantee the right to health, food, water, education, and an adequate standard of living and allow international organizations to support these rights through development projects and service provision.

Consequently, removing a UN Agency, whose mandate was established through a UNGA Resolution, and endorsed also by Israel, would cause a new infringement of Israel on its stipulation while becoming a UN member in 1949.

## **CONCLUSION**

Türkiye is of the view that Israel has been far from complying with the abovementioned legal obligations. Until today, the Palestinian people, whose inalienable rights have been consistently breached, is the primary victim of Israeli in compliance. This impunity furthermore compromised the international law, international humanitarian law, and the multilateral system. Therefore, Türkiye requests the ICJ to determine the obligations of Israel, and to take measures to prevent further violations of these obligations.

Türkiye is deeply concerned about Israel's persistent non-compliance with its obligations under international law. The obstruction of humanitarian aid, the targeting of UN facilities, and the harassment of UN personnel not only exacerbate the suffering of the Palestinian people but also undermine the credibility of the international legal order. It is difficult to think of another country that has managed to defy as many international legal instruments as Israel and act in impunity. Such infringements have the combined effect of seriously weakening the authority and efficacy of international bodies such as the UN and legal instruments such as the fourth Geneva Convention. The above-mentioned are gross violations of international law. Such actions must be addressed by the international community urgently to ensure accountability and justice.

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<sup>55</sup> "Legal Consequences of the Construction of A Wall In The Occupied Palestinian Territory," *Advisory Opinion, I.C.J. Reports 2004*. p. 181. <https://www.icj-cij.org/sites/default/files/case-related/131/131-20040709-ADV-01-00-EN.pdf>

<sup>56</sup> *Ibid*, p. 137.

Against this backdrop, Türkiye respectfully requests the International Court of Justice to issue an advisory opinion that reaffirms Israel's obligations under international law and underscores the importance of respecting the presence and activities of the UN, other international organizations, and third states in the OPT. Türkiye remains committed to supporting a just and lasting solution to the Israeli-Palestinian conflict based on the two-State solution, in accordance with international law and relevant UN resolutions.

On behalf of the Republic of Türkiye  
Selçuk Ünal  
Ambassador Extraordinary and Plenipotentiary of  
the Republic of Türkiye to  
the Kingdom of the Netherlands