



Ahead of the “High-level International Conference for the Peaceful Settlement of the Question of Palestine and the Implementation of the Two-State Solution” (the “Conference”), scheduled for July 28-29 at the United Nations (UN) in New York, Amnesty International is issuing the following recommendations.

The conference must build a platform for **immediate and effective application of international law**, including the *erga omnes* obligations to prevent and punish genocide, the *erga omnes* obligations to prevent and punish apartheid and the implementation of the International Court of Justice’s advisory opinion of July 2024 to bring to an end Israel’s unlawful occupation of Palestinian territory once and for all.

This conference’s success can only be measured by the extent to which states are prepared to **step up their pressure on Israel and take concrete action**. These actions and commitments must match the gravity of the situation amidst a staggering loss of Palestinian lives, the irreparable damage caused to Palestinians, including through extreme dehumanization and continuous violations of international law with impunity, and repeated attacks against the universal values and international obligations that are the foundations of the international community.

The conference’s success will also be measured by the extent and nature of meaningful Palestinians’ participation, input and consent to all measures and decisions agreed to by states. This must include Palestinian civil society.

1. End Israel’s genocide in Gaza and lift Israel’s blockade

- a. States must call for an immediate, unconditional and lasting ceasefire, the withdrawal of Israeli military forces from the Gaza Strip, the unconditional lifting of Israel’s unlawful blockade, and the immediate, unrestricted provision of humanitarian assistance.
- b. States must do everything in their power to implement immediate measures to ensure Palestinian civilians in Gaza have unconditional access to food, medicine and other supplies indispensable to their survival in the face of Israel’s continuous defiance of the International Court of Justice’s provisional measure orders adopted in January, March and May 2024.
- c. States must prevent and end all acts of forced displacement of Palestinians within Gaza or the rest of the Occupied Palestinian Territory (OPT), and any deportation of Palestinians from the OPT.
- d. States must also oppose any attempts by Israel to establish a permanent military presence in Gaza, alter its borders and demographic make-up, or shrink its territory,

including through any expanded buffer zones or the construction of permanent checkpoints.

2. End Israel's unlawful occupation of the Palestinian territory and system of apartheid against the Palestinian people

- a. The road map to end Israel's unlawful occupation has been laid out already in the ICJ's July 2024 advisory opinion declaring that Israel's occupation is unlawful and that its discriminatory laws and policies against Palestinians in the Occupied Palestinian Territory violate the prohibition on racial segregation and apartheid. In 2022, Amnesty had already found that Israel's discriminatory laws and policies against Palestinians throughout the Occupied Palestinian Territory, within Israel, and towards Palestinian refugees outside Israel amount to the crime against humanity of apartheid.
- b. In December 2024, the UN General Assembly adopted a resolution that called for the "withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem; the realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent state;" and for states "[n]ot to render aid or assistance to illegal settlement activities, including not to provide Israel with any assistance to be used specifically in connection with settlements" in the Occupied Palestinian Territory. On 18 September 2024, the UN General Assembly had passed a resolution where it set a 12-month timeline for Israel to withdraw from the Occupied Palestinian Territory. Yet, to date, states have failed to act on these decisions and their obligations under international law. **States should support a follow-up resolution at the General Assembly on Israel's non-compliance and establish a time-bound roadmap for its implementation.**

3. Commit to the reconstruction of Gaza and the rehabilitation of its people:

- a. States should commit to, and deliver on, a reconstruction of the Gaza Strip and the rehabilitation of its people that will exclude any forcible transfer or deportation of Palestinians.
- b. Any reconstruction and rehabilitation plan for the Gaza Strip must be developed in consultation with Palestinian civil society and be aligned with international human rights law and standards, with a view to addressing also social and climate justice.
- c. States should uphold the Palestinians' right of return in line with international law.

4. Establish mechanisms to deliver reparations to Palestinians based on the following principles

- a. States should support the creation of an international register of damages for persons who were harmed by Israel's crimes under international law in Israel and the Occupied Palestinian Territory in order to calculate reparations.

- b. Reparations should include restitution, compensation, rehabilitation, reconstruction, satisfaction and guarantees of non-recurrence in relation to the unlawful occupation, apartheid and genocide.
- c. Reparations should be provided to direct and indirect victims, that is, to all individuals or their family members who were harmed by Israel's crimes under international law, including unlawful demolition, forced displacement, and attacks that resulted in unlawful killings, serious bodily injuries, or property damage by state and non-state actors. Reparations, including in the form of compensation, should also be made to local civilian authorities, including municipal authorities, educational institutions and public and private healthcare providers for damage caused by unlawful attacks on their premises.
- d. Reparations should be provided for the harms suffered by Palestinians in Gaza as a result of Israel's genocide. This should include reparations that allow those requiring further or ongoing medical treatment unconditional access to the necessary healthcare services.
- e. Reparations should be provided regarding all belongings unlawfully confiscated or looted from houses raided by Israeli soldiers or from those detained. This should include the return of all belongings to their rightful owners and compensation, among other forms of reparation.
- f. Israel should bear the primary financial responsibility for delivering reparations.

5. Support or deliver accountability for genocide, apartheid and military occupation

- a. States must enforce arrest warrants issued by the International Criminal Court against those charged with Rome Statute crimes.
- b. States must provide full and vocal public support for the International Criminal Court's Office of the Prosecutor and ensure that its independence and impartiality are respected. Provide the resources necessary for the OTP to expedite its investigations.
- c. States must Support investigations into crimes under international law committed by Israel. Ensure that no statute of limitations or other legal and policy obstacles exist for the investigation and prosecution of crimes under international law. Ensure that no personal or functional immunity from prosecution or amnesty is granted for such crimes.
- d. States must ensure that domestic legal and institutional frameworks enable the effective investigation and prosecution of suspected perpetrators of all crimes under international law.
- e. States must undertake national-level structural investigation – a broad investigation focused on structures related to potential international crimes and potential

perpetrators – into genocide and other crimes under international law committed in Israel and the OPT.

- f. States must ensure that competent authorities conduct criminal investigations and prosecutions in civilian courts. This applies to individuals within their jurisdiction, based on the principles of extra-territorial jurisdiction including universal jurisdiction. This should encompass potential perpetrators who may have committed crimes as members of the Israeli army or the settler organizations. In addition, proactively cooperate with other states who have opened national-level investigations into crimes committed against Palestinians as part of Israel's genocide, apartheid and unlawful occupation of the OPT.
- g. States should repeal all domestic laws and policies that criminalize Palestinian solidarity.

6. Increase pressure on Israel to achieve the above

- a. States must end their self-imposed inertia and stop all direct and indirect support for Israel's violations of international law.
- b. States must immediately, whether independently or collectively, suspend all activities that contribute to or are directly linked to Israel's unlawful occupation, its system of apartheid against all Palestinians whose rights it controls or the genocide against Palestinians in Gaza. These states risk complicity in the crime against humanity of apartheid, genocide, and other crimes under international law.
- c. States should re-establish the Special Committee against Apartheid, originally established by the UN General Assembly (GA resolution 1761 (XVII) 6 November 1962) to focus on all situations, including the situation in Israel and the Occupied Palestinian Territory
- d. Corporations must fulfil their human rights responsibilities and must refuse to contribute to or be directly linked to Israel's unlawful actions and must ensure that they are not responsible for causing serious human rights violations themselves. Corporations and their employees and board members risk incurring civil liability and criminal responsibility for aiding and abetting Israel's crimes under international law.
- e. Civil society and the public at large should continue mobilizing and campaigning to demand that Governments abide by their obligations and to denounce companies, banks and other economic actors that contribute to or are directly linked to Israel's violations of international law, and demand that they stop. They should request that states be held responsible for complicity, and that corporations and individuals be investigated, and where the evidence warrants it, be tried, in fair trials in accordance with international standards, for complicity in crimes under international law.

Finally, during or directly following the conference, states should adopt a General Assembly resolution laying out their commitments as well as clear, time-bound and measurable benchmarks to monitor the implementation of their commitments to pressure Israel to end its genocide against Palestinians, its unlawful occupation, and its system of apartheid.

Legal Obligations

In January 2024, the International Court of Justice (ICJ) found that there was a real and imminent risk of irreparable harm to the rights of Palestinians in Gaza under the Genocide Convention and ordered Israel to take all measures within its power to prevent genocidal acts. The Court reiterated its orders to Israel again in March and May 2024. The ICJ also affirmed that all States have an obligation to prevent, suppress and punish genocide. With regard to the obligation to prevent genocide, this means that all states have the responsibility to employ all means reasonably available to them, so as to prevent genocide so far as possible, particularly those states with the capacity to influence effectively the action of persons likely to commit, or already committing, genocide.

In September 2024, the UN General Assembly passed a resolution demanding that Israel end its unlawful presence in the Occupied Palestinian Territory within 12 months, in compliance with the ICJ's July 2024 advisory opinion which declared that Israel's occupation of the Palestinian territory is unlawful and that its discriminatory laws and policies against Palestinians in the Occupied Palestinian Territory violate the prohibition on racial segregation and apartheid.

In December 2024, the General Assembly adopted another resolution that called for “the withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem; the realization of the inalienable rights of the Palestinian people, primarily the right to self-determination and the right to their independent state;” and for states “[n]ot to render aid or assistance to illegal settlement activities, including not to provide Israel with any assistance to be used specifically in connection with settlements” in the Occupied Palestinian Territory.

In June 2025, following yet another US veto on a ceasefire resolution, the General Assembly adopted its own ceasefire and humanitarian access resolution which included a broader call for “member states to individually and collectively take all measures necessary, in line with international law and the Charter of the United Nations, to ensure compliance by Israel with its obligations.”

Under international law, all States also have a responsibility to prevent and respond to the crime of apartheid. Apartheid is a violation of public international law, a serious human rights violation and a crime against humanity. The prohibition of apartheid is a rule of customary international law, amounts to a peremptory norm of international law (*jus cogens*), entailing obligations for all States (*erga omnes*). This means that all states are under an international obligation to take all possible measures to bring an end to apartheid where it exists. They are prohibited from supporting apartheid or providing assistance which could maintain apartheid. Possible measures include suspending direct and indirect supply, sale or transfer, including transit and transshipment of all weapons, munitions and other military and security equipment, including the provision of training and other military and security assistance. Other measures include banning trade and investments where these are contributing to maintaining apartheid.

Under Common Article 1 of the 1949 Geneva Conventions and customary international humanitarian law (IHL), states have an obligation to “ensure respect” for IHL. This entails that states have an obligation to take all available measures at their disposal to ensure that Israel, Hamas and other Palestinian armed groups fully comply with IHL. As the International Committee of the Red Cross has clarified, at a minimum, “Common Article 1 requires High Contracting Parties to refrain from transferring weapons if there is an expectation, based on facts or knowledge of past patterns, that such weapons would be used to violate the Conventions”. Moreover, “[t]his obligation is not limited to stopping ongoing violations but includes an obligation to prevent violations when there is a foreseeable risk that they will be committed and to prevent further violations in case they have already occurred” (GC I Commentary, 2016, pars 162 and 164). With specific respect to Israel's violations of IHL in the Occupied Palestinian Territory, in its July 2024 advisory opinion the ICJ

stated that “all the States parties to the Fourth Geneva Convention have the obligation, while respecting the Charter of the United Nations and international law, to ensure compliance by Israel with international humanitarian law as embodied in that Convention” (Para 279).

Article 6 of the Arms Trade Treaty prohibits transfers of arms where the state party has knowledge at the time of authorization that they would be used in the commission of genocide, crimes against humanity, or grave breaches of the Geneva Conventions of 1949. If the export is not prohibited under Article 6, Article 7 bars transfers of arms where there is an overriding – meaning substantial – risk that they could be used to commit or facilitate a serious violation of international human rights or humanitarian law.