



BRIEFING PAPER:

On the Proposal for a July 2025  
UN conference on a two-State solution  
for Israel and Palestine

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# Al-Haq notes the expected convening by the UN of an international conference in New York 28-30 July 2025, ‘aimed at advancing global efforts towards achieving a two-State solution to the Israel-Palestine conflict.’

The legal basis for the Conference, initially [scheduled](#) for June 2025, lies in UNGA resolution ES-10/24 of September 2024.

**Al-Haq stresses that the purpose of such a conference must be to advance and complement, not to replace or substitute, the implementation of international law, and specifically to act to ensure the attainment of the Palestinian right to self-determination.**

At the core of the International Court of Justice’s 2024 Advisory Opinion is the clear affirmation that Israel’s presence in the OPT is unlawful, and that all states are under the legal obligation not to aid or assist in the maintenance of Israel’s illegal presence in the OPT, and to work together to bring the unlawful presence to an end.

Al-Haq warns that the Conference must not be permitted to repeat the calamitous and foreseen errors of prior international initiatives, which sidelined Palestinian human rights and the prerogative of enforcing international law against Israel. Rather than focusing on the implementation of a Two-State solution, the international community, as represented through the United Nations at the present Conference, should be focusing on the implementation of international law, emphasising the primary obligation to ensure the realisation by the Palestinian people of their collective inalienable human right to self-determination including the right of return.

The imperative of enforcing international law is central to the achievement of Palestinian self-determination, without which, progress on all other matters, economic or humanitarian, will remain illusory. For the Conference to contribute to Palestinian self-determination, and an end to occupation, the enforcement of international law must be the driving force which animates each and every thematic study or course of action.

# Background

The General Assembly decided to convene the conference in its [resolution ES-10/24](#) of 19 September 2024. Further details as to the conference, which is planned around eight thematic areas, were outlined in General Assembly [resolution 79/81](#) of 3 December 2024.

[Resolution ES-10/24](#) saw the General Assembly endorse the July 2024 Advisory [Opinion](#) of the International Court of Justice on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, which affirmed the illegality of Israel's continued presence in the Occupied Palestinian Territory.

That Resolution set forth the modalities by which third states and international organisations are to implement their obligations, as identified by the ICJ, in order to bring to a close Israel's widespread, systematic, and ongoing violations of the fundamental norms of international law.

## Collapse of Geneva Conventions High-Contracting Parties Conference

Al-Haq notes that [resolution ES-10/24](#) had also called for the convening of a Conference of High Contracting Parties to the Fourth Geneva Convention relative to the protection of civilian persons in time of war on measures to enforce the Convention in the Occupied Palestinian Territory, including East Jerusalem, and to ensure respect thereof in accordance with common article 1 of the four Geneva Conventions. Swiss led efforts at convening such a Conference [failed](#), and on 6 March 2025, the day prior to the planned Conference, Switzerland [confirmed](#) that the conference would not take place, reporting that: 'Profound

differences between the high contracting parties to the Geneva Conventions emerged during an extensive consultation process. Switzerland, as the depositary state, therefore concluded that a significant number of the high contracting parties did not support such a conference, and has decided against holding one.'

The continued failure to convene that Conference, as mandated by the General Assembly, in the face of intensified Israeli violations of international humanitarian law, evidences the ongoing and alarming undermining of the Geneva Conventions as a basis for ensuring the protection of Palestinians struggling to survive under the unlawful, racist, and genocidal Israeli occupation. It accentuates the warning of UN experts, who, when calling for compliance with the ICJ's Advisory Opinion, [stressed](#) that 'irresponsible inaction' threatens to jeopardise 'the entire edifice of international law and rule of law in world affairs.'

## Mechanisms to Confront Apartheid

Resolution ES-10/24 had also requested the UN Secretary-General, in consultation with the UN High Commissioner for Human Rights and Member States with relevant expertise, to present proposals for the establishment of a mechanism to follow-up on Israel's violations of Article 3 of Convention on the Elimination of Racial Discrimination (CERD), as concluded by the ICJ's Advisory Opinion. While the question posed to the ICJ was limited temporally to the occupation since 1967, to be truly effective, this mechanism must move beyond these constraints and be established as promptly as possible. We stress that any established mechanism must address Israel's institutionalised regime of racial discrimination, fragmentation, oppression and domination over the Palestinian people

as a whole—amounting to apartheid—which has been entrenched since the establishment of the State of Israel in 1948 and serves as a long-standing tool to maintain its Zionist settler-colonial project.

Recognising the need for the establishment of an international mechanism for reparation for all damage, loss or injury arising from Israel's internationally wrongful acts against Palestinians in occupied territory, the resolution further calls for the creation of an international register of damage to document evidence of damage, loss, or injury to natural and legal persons, and to the Palestinian people, and support efforts to secure reparations from Israel. While we welcome the proposal to establish such a register, we emphasise that it does not prejudice further reparations owed by Israel for damage caused prior to 1967, including to Palestinian refugees since 1948.

## Proposed Two State Solution Conference

In their pursuit of their inalienable right to self-determination against Israel, Palestinians have been subjected to an ongoing Nakba. Since 1948, Israel has imposed an apartheid system of institutionalised racial discrimination to maintain domination of Israeli Jews over the Palestinian people as a whole, including Palestinian refugees and exiles in the diaspora. The discriminatory apartheid regime on both sides of the Green Line, has been further entrenched by Israel's unlawful occupation of the West Bank, including Jerusalem and the Gaza Strip, since 1967. Israel's policies and practices of Zionist settler-colonialism have sought to dehumanise and erase the Palestinian presence in Palestine, through both its fragmentation and destruction of the Palestinian group.

Israel's conduct, presently being unleashed in a relentless genocidal campaign of military violence killing at least 53,655 Palestinians and injuring 121,950 Palestinians in Gaza since 7 October 2023, its man-made famine against the Palestinians in Gaza, and systematic attacks targeting the erasure of Palestinian refugees in the West Bank is premised on racism and dispossession. The international community has consistently failed to take effective measures to hold Israel accountable for its grave human rights violations, war crimes, crimes against humanity, and genocide. It has further failed to address the root causes of the ongoing dispossession, displacement, domination, and persecution of the Palestinian people, leading to deepening and worsening waves of genocidal colonial violence.

Until international law is enforced, and Israel ceases its genocidal conduct, dismantles its discriminatory apartheid regime on both sides of the Green Line, withdraws from unlawfully occupied territory, and facilitates the right of return of Palestinian refugees -- **and when the Palestinian people have their destiny in their own hands** -- the value or utility of such a Conference as presently framed will remain illusory.

Reducing Palestinian self-determination to formal statehood only, framed in terms of developing its financial position and policing capacity -- while denying the rights of Palestinians in Israel, Palestinian refugees and exiles in the diaspora, and Palestinians in the occupied Palestinian territory the exercise of their rights of self-determination and return, or the exercise of their human rights at all -- is a misguided approach. It essentially legitimises the concept of 'land for peace', portending rewards for the Occupying Power, and hence is a reversion to the foreseeable, and foreseen, errors of the Oslo Process. The exercise of the inalienable

rights of the Palestinian people as a whole, on both sides of the Green Line, and in the diaspora, cannot be constrained by a narrowly framed imposed solution, pertaining only to the territory unlawfully and aggressively occupied by Israel since 1967, and without the centering of the enforcement of international law across all analysis.

Many of the questions proffered by various Working Groups organising roundtables already have clear answers which were overwhelming endorsed by the UN General Assembly when it approved the International Court of Justice's Advisory Opinion of 2024 in Resolution ES-10/24 of 18 September 2024.

The Chapeau to Resolution 79/81 calls for full respect for international law and stresses the need to ensure accountability for all violations of international humanitarian law and international human rights law in order to end impunity, and the urgency of achieving without delay an end to the Israeli occupation.

The text of the Resolution further calls for '(a) 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; (c) A just resolution of the problem of Palestine refugees in conformity with its resolution 194 (III) of 11 December 1948.'

As currently planned the Conference will consist of the following 8 thematic roundtables:

*Roundtable 1:*

**A sovereign and unified Palestinian State living side by side, in peace and security, with Israel.**

*Roundtable 2:*

**Security for Israelis and Palestinians**

*Roundtable 3:*

**Narrative for peace**

*Roundtable 4:*

**Economic viability of the Palestinian State.**

*Roundtable 5:*

**Humanitarian action and reconstruction.**

*Roundtable 6:*

**Preserving the Two-state solution.**

*Roundtable 7:*

**Promoting respect for international law in order to implement the Two-State solution.**

*Roundtable 8:*

**"Peace Day Effort"**

It is a major problem, given that the enforcement of international law serves as the only basis by which to challenge Israel's ongoing unlawful occupation, apartheid, and genocidal violence, that the planned conference locates international law only in a single roundtable, and then in a framing limited to the two-state solution.

The concept of **security**, a recurring theme for the planned conference, has not been defined, but understood in a genuine sense must encompass full and abiding respect for human rights. In order to ensure the attainment of respect for and enjoyment of human rights, it is imperative to recall that before seeking to address perceived gaps or challenges concerning security, it is necessary that the Palestinian people, for generations subjected to widespread and systematic racism, violence, and dispossession by the Israeli state and its proxies, are facilitated and supported in securing their right to self-determination.

A central element of this process must be the identification and holding to account of those Israeli individuals who have been, and continue to be, responsible for the perpetration of widespread human rights abuses, including those constituting war crimes, crimes against humanity, and the crime of genocide against the Palestinian people. Accountability for human rights abuses, in combination with an end to the unlawful occupation, all based on the application of international law, is the foremost means by which political, economic, and social security can be attained. In addition to implementation of universal jurisdiction statutes, the enforcement of the International Criminal Court's arrest warrants for Israeli leaders must be prioritised.

The implementation of an immediate, comprehensive, and effective two-way arms embargo against Israel must be undertaken as an immediate requirement for the Conference to serve a function of achieving any solution that results in Palestinian self-determination.

In terms of the Conference's attention to **economics** and **humanitarian** aid, we emphasise that the ICJ advisory opinion affirmed that '[t]he dependence of the West Bank, East Jerusalem, and especially of the Gaza Strip, on Israel for the provision of basic goods and services impairs the enjoyment of fundamental human rights, in particular the right to self-determination'. A people cannot freely determine its future if its material basis, water, fertile land, and biodiversity, has been destroyed or expropriated by the occupying power, nor where its people are denied their individual and collective human rights, including the ability to travel freely and exercise their right to movement.

Israel's denial of aid and essential services to Palestinians not only exacerbates humanitarian suffering but also entrenches conditions of subjugation that violate the principle of

self-determination under international law, in acts intended to destroy the Palestinian group. By impeding humanitarian actors, including UN agencies such as UNRWA from fulfilling their mandate, Israel has manufactured a situation where Palestinians are entirely dependent on a racist occupying power for their subsistence, a situation which facilitates Israel's capacity to escalate, expand, and intensify its starvation and isolation campaigns against Palestinians at its whim.

It is imperative therefore that the Conference recognise that in all dealings with occupied Palestine, existing regulatory frameworks, including those shaped by the Oslo Accords, including the Paris Economic Protocol and Israeli Military Orders, must be interpreted, applied, and enforced, in such a manner that is fully compatible with, and does not detract from, international humanitarian law and the inalienable rights of the Palestinian people under international law. As was noted by the UN Secretary-General, in its written submission to the ICJ in the pending UNRWA advisory opinion proceedings: 'As far as the relevance of the 1993 and 1995 Oslo Accords signed by Israel and the Palestine Liberation Organization is concerned, the Court, in its Advisory Opinion of 19 July 2024, stated that "the Oslo Accords cannot be understood to detract from Israel's obligations under the pertinent rules of international law applicable in the Occupied Palestinian Territory".'

The duty to ensure unimpeded humanitarian access can also be seen in Security Council Resolutions and the jurisprudence of the ICJ, including in the ICJ's Provisional Measures Orders in the South Africa v Israel proceedings. UN Security Council Resolution 2720 specifically obliges all parties to the conflict, including Israel, to protect civilians and enable humanitarian assistance to the Palestinians in Gaza. The resolution further 'demands that

they allow, facilitate, and enable the immediate, safe and unhindered delivery of humanitarian assistance at scale directly to the Palestinian civilian population'. In order to achieve such an aim, the resolution 'stresses the importance of respecting and protecting' infrastructure used for the delivery of humanitarian assistance.

Sanctions need to be implemented against Israel until such time as it respects international law, forcing it to cease its genocidal famine. As the body mandated under the UN Charter with primary responsibility for the maintenance of international peace and security, the UN Security Council unanimously adopted Resolution 2417 in 2018 recognising the link between armed conflict, violence and food insecurity, and the threat of famine. Resolution 2417 strongly condemned international humanitarian law violations such as the use of starvation of civilians as a method of warfare, the forced displacement of civilians, the unlawful denial of humanitarian access, and the deprivation to civilians of objects indispensable to their survival. Critically, Resolution 2417 urged "those with influence over parties to armed conflict to remind the latter of their obligation to comply with international humanitarian law" and recalled that the Security Council "has adopted and can consider to adopt sanction measures, where appropriate and in line with existing practice, that can be applied to individuals or entities obstructing the delivery of humanitarian assistance, or access to, or distribution of, humanitarian assistance".

International humanitarian law applicable to situations of occupation, including unlawful occupation, as confirmed by the ICJ's 2024 Advisory Opinion, requires as a basic principle that the Occupying Power ensures the provision of essential goods to the protected population, and that where the occupying power does not make such provision, it is obliged to facilitate the provision of such essentials by other actors.

In its present conduct, Israel is not only in fundamental breach of international humanitarian and human rights law, but is manufacturing and inflicting famine on a defenceless civilian population for the purpose of genocide. Israel's attack on the Palestinian population is simultaneously an attack on the UN as a whole.

Israel's continued impunity, and its ongoing, persistent, and egregious disregard for international law or principle, including for its military and legislative attacks on United Nations organs and their personnel, along with its wilful breach of the Provisional Measures Orders of the International Court of Justice under the Convention Against Genocide in the South Africa v Israel proceedings, is liable to cause the collapse of the international legal system, and constitutes a threat to the maintenance of international peace and security. Israel, by implementing an apartheid system against the Palestinian people as a whole, over a people it is subjecting to genocide, has breached the terms of its UN membership to such a degree of gravity that its suspension from the UN General Assembly is warranted, as is action taken under Article 6 of the UN Charter.

The safest and most effective immediate way for the civilian population in the Occupied Palestinian Territory to receive adequate humanitarian assistance is through the ending of the unlawful occupation in parallel with humanitarian assistance operations, coordinated with Palestinians, by the United Nations, third States or impartial humanitarian organizations.

Palestinian officials must ensure a comprehensive **representation** of the Palestinian people as a whole, including Palestinian refugees and exiles abroad and Palestinian citizens inside the Green Line, through functional and democratic institutions, in pursuing the realisation of the collective right of the Palestinian people to

self-determination.

UN General Assembly resolution 79/81 acknowledged ‘the efforts being undertaken by civil society to promote respect for human rights and a peaceful settlement of the question of Palestine, stressing the need for the protection of civil society actors to allow them to conduct their work freely and without fear of attacks and harassment from any party, and rejecting any attack against civil society’.

Palestinian civil society, working for progress across each of the thematic areas identified in the Conference roundtables, requires urgent protection from Israeli attacks, whether physical, administrative, or legalistic. The UN and international community must support the critical role of Palestinian local, regional, and international civil society in their human rights work particularly in the face of an ongoing and protracted smear campaign by Israel and its affiliated bodies targeting human rights defenders. Their targeting is intended to silence and repress Palestinian voices from the ground who advocate against Israeli impunity, including those who demand the full dismantling of the Israeli apartheid regime, and the right of return of Palestinian refugees.

Al-Haq notes the planned emphasis on a proposed **Peace Day** effort, again an undefined, nebulous concept, which might be seen as signalling the very opposite of the enforcement of international law. As [described](#) by the European Union on 23 May 2025, the Peace Day Effort entails: ‘producing a peace-supporting package, with concrete input from all interested stakeholders, able to incentivize direct peace negotiations between Israelis and Palestinians. It builds on the Arab Peace Initiative of 2002, on pertinent UN resolutions and internationally agreed parameters.’ We caution against the failure to explicitly recognise that peace is

dependent on the enforcement of law and the enjoyment of human rights.

Palestine recognises and commemorates Nakba Day, Land Day, Prisoners’ Day, Women’s Day. These occasions, reflecting and furthering the collective struggle for national liberation, will not cease. It is within, and for Palestinians to determine commemorative moments, or landmark initiatives. Such can neither be imposed, nor forced or manufactured, until the Palestinian people, with the solidarity of the global community of peoples, have the choice and freedom to determine that freedom has been attained.

Once international law is enforced, and Israel ceases its genocidal conduct, dismantles its racist discriminatory apartheid regime on both sides of the Green Line, withdraws from unlawfully occupied territory, facilitates the right of return of refugees, and respects human rights, and when the Palestinian people have their destiny in their own hands and are in a position to exercise self-determination, then it will be appropriate for the UN to liaise with their representatives, again on the basis of international law, not least with regards to reparations and compensation owed, to negotiate on matters pertaining to subjects such as economics, development, and security. For the present Conference to make any contribution to peace it must ensure that the enforcement of international law is brought front and centre to all discussion and analysis. Israel’s conduct has exemplified a state which is operating outside the realm of law or accountability, as it continues to attack UN organs such as UNRWA, and ignore the Orders and Advisory Opinions of the International Court of Justice. To seek, as a matter of supposed political compromise, to sideline international law, would be to render the UN complicit in Israel’s violations, to fundamentally break the promise of the UN Charter, and to fuel only ever intensifying human carnage.