

Foreign Affairs Committee calls for public submissions on the Israeli Settlements in the Occupied Palestinian Territory (Prohibition of Importation of Goods) Bill 2025

Dear Chairperson Deputy John Lahart,

Al-Haq appreciates this opportunity to provide the Committee with its views on the General Scheme of the Israeli Settlements in the Occupied Palestinian Territory (Prohibition of Importation of Goods) Bill 2025.

We further appreciate the support which Ireland has provided to the Palestinian people, including by way of diplomatic action and legal interventions, and recognise as hugely significant the solidarity consistently expressed by the Irish public in support of Palestinian human rights.

Al-Haq is an independent Palestinian non-governmental human rights organisation based in Ramallah. Established in 1979 to protect and promote human rights and the rule of law in the Occupied Palestinian Territory (OPT), the organisation has special consultative status with the United Nations Economic and Social Council.

Al-Haq has consistently [emphasised](#) the critical importance of Ireland's proposed legislative ban on trade with unlawful settlements, particularly given Ireland's status as an EU member state. We recognise that in taking a clear leadership role Ireland is liable to receive criticism from states and organisations complicit in Israel's ongoing violations. We stress however that it is vital, not only for the protection of Palestinian rights, but for the integrity of a functioning international legal framework, that Ireland continue to act as an inspiration and a guide that other states may emulate.

Scope of the General Scheme

In 2018 Al-Haq [welcomed](#) as 'historic' the Seanad's adoption of the Occupied Territories Bill 2018, pronouncing that development as 'a critical step in differentiating between unlawful settlement products and products originating from Israel proper. It further gives effect to UN Security Council Resolution 2334 (2016) and to Ireland's obligations under the Fourth Geneva Convention, making Ireland the first State to formally enforce the differentiation requirement.'

The intervening years have been marked by constant escalation of Israeli violence and racism against Palestinians, including ever expanding settlements, and the perpetration of an ongoing genocide. Legal developments have further clarified the nature of third state obligations, indicating that states are obliged not only to prohibit all trade with

settlements, but are obliged to prohibit interactions with Israel which have the effect of maintaining the occupation.

In its landmark Advisory Opinion, which constitutes an authoritative legal interpretation of third state obligations, *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, in July 2024 the International Court of Justice affirmed that Israel's continued presence in the occupied Palestinian territory is unlawful and must end "as rapidly as possible".

Building upon its 2004 *Wall* Advisory Opinion, which had affirmed the illegality of Israel's settlement project in the occupied Palestinian territory, the Court clearly emphasised the legal obligation on all states "not to render aid or assistance" that could maintain Israel's unlawful presence in the OPT. As such the ICJ affirmed that not only is Israel's conduct, for example concerning settlements, unlawful, its very presence in the OPT is also unlawful.

It is clear that states are obliged not only to take action in response to Israel's unlawful settlement activity, but are further obliged to take action to ensure that they refrain from providing any support, by way of aid or assistance, regardless of the motivation or intent behind such support, which has the effect of making any contribution to the maintenance of the unlawful occupation.

As the ICJ affirmed, states are obliged 'to abstain from entering into economic or trade dealings with Israel concerning the Occupied Palestinian Territory or parts thereof which may entrench its unlawful presence in the territory'.

As much was reaffirmed in UN General Assembly resolution ES-10/24 of 18 September 2024 – co-sponsored by Ireland – which detailed the modalities by which states are to give effect to their legal obligations, and which called on all States to comply with their legal obligations, including by "[t]aking steps to prevent trade or investment relations that assist in the maintenance of the illegal situation created by Israel in the [OPT]".

Recommendation

Stressing the importance of the 2024 advisory opinion, and the Court's 'adamant directions', in September 2024 UN human rights experts [warned](#) that 'States remain paralysed in the face of the seismic shift represented by the Court's ruling and appear unwilling or unable to take the necessary steps to meet their obligations.'

In this regard, it is Al-Haq's view that the General Scheme as it stands, given its application only to products from unlawful settlements, does not adequately give effect

to the [full range](#) of obligations on Ireland. This overly narrow application is exacerbated by the present exclusion from the General Scheme of ‘services’. Al-Haq is of the view that the General Scheme’s application to settlement ‘goods’ only represents an unwarranted and arbitrary limitation. It is salient to recall that in the 2024 advisory opinion the ICJ’s analysis recognised the combined function of Israel’s control over ‘goods and services’, and did not disassociate them, when holding 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’.

While welcoming as crucial all efforts on the part of third states, including Ireland, to give meaningful effect to their legal obligations to cease all trade with the unlawful settlements, it remains imperative that third states acknowledge also the full scope of their legal obligations, and progress legislation to cease all trade, and other relevant support to Israel, which has the effect of contributing to the maintenance, not only of unlawful settlements, but of the unlawful occupation.

Conclusion

We again acknowledge and appreciate the efforts Ireland has made at the EU level seeking review of application of the EU-Israel Association Agreement, as well as Ireland’s interventions in support of Palestinian rights and the international legal framework including at the International Criminal Court and at the International Court of Justice.

Indeed, it is precisely the refusal of the EU to abide by its legal obligations which requires Ireland to act promptly. We recall Prof Nuseibah’s [intervention](#) of June 2025 at an Oireachtas Committee, recommending that Ireland immediately act to stop its role in the authorization of Israeli bonds which contribute to Israel’s genocide operations and the long-standing denial of the right of the Palestinian people to exercise their right to self-determination, which stressed that ‘Ireland is an independent sovereign country, with full personality in international law. It is not a region within a federation. The EU itself does not erase the independence, hence the responsibility, of each state within this union.’

It is no less imperative to recall that all states are obliged under the Convention Against Genocide to act to prevent Israel’s escalating and expanding genocide, and to condemn Israel for its violation of article 3 of the Convention on Racial Discrimination, the prohibition of racial segregation and apartheid. The General Scheme as it stands, cannot be understood as satisfying Ireland’s legal obligations. A comprehensive prohibition on

all trade – including goods and services – related to unlawful settlements is indeed required, yet it could not in and off itself satisfy Ireland’s legal responsibilities.

Al-Haq would like to draw the Committee’s attention also to the [recent report](#) of the UN’s Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967 entitled *From economy of occupation to economy of genocide*, and its crucial observation that ‘Normalisation of the illegal is essential to the survival of Israel’s settler-colonial enterprise.’ Echoing the ICJ’s finding that Israel has turned the occupied Palestinian territory into a captive market, the Report highlights the fact that corporate entities, including financial and academic institutions, agribusiness, and global retail and tourism, ‘have played a key role in stifling the Palestinian economy, sustaining Israeli expansion in occupied land while facilitating the replacement of Palestinians.’

The terms of the General Scheme go only part way in satisfying Ireland’s legal obligations as they had been understood when the occupied territories bill was initially contemplated, and fall dramatically short of Ireland’s legal obligations as presently understood in the light of the 2024 Advisory Opinion. Action to end all trade and complicity with settlements, whether in goods or services, is required, as is additional and further legislative action to end all trade and other complicity with Israel which has the effect of contributing to the maintenance of the unlawful occupation.

The present Irish initiative has the potential to mark an historically critical moment, and to provide leadership and energy in support of efforts at confronting and reversing the politics of normalising the illegal. Al-Haq remains available to provide any further analysis, information, or clarification as may be supportive of the Committee in its task.

Al-Haq calls upon Ireland:

- To ensure that the Occupied Palestinian Territory (Prohibition of Importation of Goods) Bill 2025 is amended so as to confirm the prohibition of all trade with unlawful settlements, whether that trade is in goods or services.
- Move to legislate for the prohibition of all trade, and any other form of engagement with Israel, which has the effect of assisting in the maintenance of the illegal situation arising from Israel’s presence in occupied Palestinian territory.
- Enact a comprehensive [two-way arms embargo](#) on Israel including a cessation of the export, import, and transfer, including parts and components and other dual-

use items, of any military related products, intelligence, or materials, to and from Israel.

- Enact a comprehensive ban, underpinned by a rigorous regulatory regime, on companies and entities involved to any degree with the production, trade or marketing of Israeli goods and services that assist in the maintenance of the illegal situation, including settlements products.
- Enact targeted sanctions on physical and legal persons, Israeli and international, including corporations, institutions, and non-profit entities, complicit in Israel's breaches of international law.
- Enact a ban on oil, gas and other energy agreements with Israel, particularly where any part of the agreement includes transit and pipelines, and infrastructure located in, or contiguous with the OPT, including its territorial waters, contiguous zone, and Exclusive Economic Zone.
- Develop punitive mechanisms sufficient to effectively halt and deter trade and investments by governmental and national companies, with Israeli companies, financial institutions, or banks that are contributing to maintain Israel's unlawful occupation.
- Prohibit all other forms of collaboration with the Israeli state and Israeli entities, such as science and technology collaboration, sports events, cultural events, university exchanges and partnerships, unless it can be demonstrated that they in no way contribute to the maintenance of the unlawful occupation.

Annex: About Al-Haq

Al-Haq is an independent Palestinian non-governmental human rights organisation based in Ramallah, West Bank. Established in 1979 to protect and promote human rights and the rule of law in the Occupied Palestinian Territory (OPT), the organisation has special consultative status with the United Nations Economic and Social Council.

Al-Haq documents violations of the individual and collective rights of Palestinians in the OPT, irrespective of the identity of the perpetrator, and seeks to end such breaches by way of advocacy before national and international mechanisms and by holding the violators accountable. The organisation conducts research; prepares reports, studies and interventions on breaches of international human rights and humanitarian law in the OPT; and undertakes advocacy before local, regional and international bodies. Al-Haq

also cooperates with Palestinian civil society organisations and governmental institutions in order to ensure that international human rights standards are reflected in Palestinian law and policies. The organisation has a specialised international law library for the use of its staff and the local community.

Al-Haq is the West Bank affiliate of the International Commission of Jurists - Geneva and is a member of the International Network for Economic, Social and Cultural Rights (ESCR-Net), the Euro-Mediterranean Human Rights Network (EMHRN), the World Organisation Against Torture (OMCT), the International Federation for Human Rights (FIDH), Habitat International Coalition (HIC), the Palestinian Human Rights Organisations Council (PRHOC), and the Palestinian NGO Network (PNGO).

For its work in protecting and promoting human rights, the organisation has been awarded the Fayez A. Sayegh Memorial Award, the Rothko Chapel Award for Commitment to Truth and Freedom, The Carter-Menil Human Rights Foundation Prize, the Geuzenpenning Prize for Human Rights Defenders, the Welfare Association's NGO Achievement Award, The Danish PL Foundation Human Rights Award, the Human Rights Prize of the French Republic, the Human Rights and Business Award, the Bruno Kreisky Prize in 2022 and the MESA Academic Freedom Award 2022. In 2021, professor Lynn Welchman published a book titled "Al-Haq: A Global History of the First Palestinian Human Rights Organization" - (University of California Press, 2021 - New Directions in Palestinian Studies). The publication studies the origins of Al-Haq, the first Palestinian human rights organization, and of the wider significance of the methodologies and approaches instigated by Al-Haq and developed under Israeli occupation and into the early years of the Palestinian Authority. Read the publication in full here.