



Statement issued by the State of Kuwait to the International Court of Justice on the legal consequences arising from the policies and practices of the Israeli occupation in the Palestinian territories since 1967.

The State of Kuwait, out of its solemn commitment to the UN Charter and the rule of international law as the cornerstone for the achievement of international peace and security, and of its belief in the role of the United Nations in this regard and its permanent responsibility towards the question of Palestine until it is resolved in all its aspects in a satisfactory manner in accordance with international law,¹ and of its commitment to the resolutions issued by the United Nations Security Council and the United Nations General Assembly and the Advisory Opinion issued by the International Court of Justice on 9 July 2004, and to the right of peoples to self-determination and to the territorial integrity and political independence of States, and in view of the importance the State of Kuwait attaches to the Palestinian question, as well as its longstanding and unyielding solidarity with, and support to, the Palestinian people, their inalienable rights and their just cause, submits this Statement in accordance with the Court's Order dated 3 February 2023 pertaining to *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*.

¹ United Nations General Assembly Resolution 77/22 (30 November 2022):”



1. The State of Kuwait recalls that the historical injustice endured by the Palestinian people find its origins in the diversion of the Mandate system to the detriment of the Palestinian people and their right to self-determination, the partition of their land without their consent and the 1948 Nakba (catastrophe) that ensued, as hundreds of thousands of Palestinians were forcibly displaced and their land unlawfully appropriated by the military conquest pursued by Zionist militias. In June 1967, the remaining 22% of historic Palestine was occupied by Israeli forces and remain under colonial occupation to this day.
2. The State of Kuwait considers that the Israeli occupation has sought to consolidate and make permanent its long-term occupation of Palestinian territory by various illegal means, including through colonization and the annexation of Palestinian territory it has occupied since 1967, by the forced displacement of the Palestinian people and the confiscation of their lands and demolishing their homes, and by the illegal transfer of Israeli settlers and the measures aiming at altering the demographic composition of the Holy City of Jerusalem, its character and status, including by the construction of the annexation wall and its adoption of discriminatory legislation and measures, all of which constitute a flagrant violation of international law and relevant United Nations resolutions.
3. Israeli actions in the Palestinian territory constitute the illegal use of force to perpetuate the occupation and undermine the right of the Palestinian people to self-determination and the independence of the State of Palestine and affect all aspects of life of the Palestinian people.
4. The State of Kuwait has always flatly rejected any use of force or the threat of use of force in international relations and has always affirmed the



importance of respecting the independence and sovereignty of states and to ensure the protection of civilians.

5. The State of Kuwait therefore condemns Israeli use of force as a means of imposing and maintaining its control in the Occupied Palestinian Territory in flagrant violation of paragraph (4) of Article of the United Nations Charter, which states that “The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following principles:-

- 4) “All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.”

6. The Israeli occupying Power illegal use of force in the Occupied Palestinian Territory violates the right of the Palestinian people to self-determination, as per paragraph (2) of Article (1) of the United Nations Charter, which states that the Purposes of the United Nations are, inter alia: “To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace”.

7. In the remainder of this Statement, the State of Kuwait will address two of the issues arising from the Request for an Advisory Opinion submitted to the Court by the General Assembly in resolution 77/247 of 30 December 2022, namely:



- i. What are the legal consequences arising from Israeli measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem?
- ii. What are the legal consequences arising from the prolonged Israeli occupation, colonization and annexation of Palestinian territory, including with respect to the denial of the right of the Palestinian people of self-determination?

I. What are the legal consequences arising from Israeli measures aimed at altering the demographic composition, character and status of the Holy City of Jerusalem?

8. The unique legal, political and spiritual status of Jerusalem has been a special concern of the international community for centuries and for the United Nations since its establishment. Accordingly, the United Nations has a permanent responsibility for ensuring and protecting the special status of Jerusalem. Any legal or political steps taken by the occupying Power, in breach of the special and universal status of the Holy City of Jerusalem, or to annex the territory of Jerusalem, are contrary to international law and long-standing resolutions of the United Nations.
9. The annexation of West Jerusalem in 1949, and of East Jerusalem following the 1967 war, are illegal, and therefore null and void. The State of Kuwait notes that, 43 years ago, the United Nations Security Council criticized in no uncertain terms (“strongly deplores”, “gravely concerned”, “flagrant violation”, “must be rescinded forthwith”, “serious obstruction”,



“urgently recalls”, “desist forthwith”, “non-compliance”, “censures in the strongest terms”, “serious obstruction”, “decides not to recognize”² the Israeli illegal annexation of Jerusalem in the face of universal international opinion and for flagrantly defying the many decisions and directions of the United Nations up to that point in time. In the years since then, the occupying Power has not only continued to disobey all of the decisions and directions of the United Nations with respect to Jerusalem, it has intensified its efforts to deepen the illegal annexation of the City and to attempt to make permanent its illegal claim of sovereignty.

10. The United Nations was clear from the early days following the June 1967 war that any steps taken by the occupying Power, to annex Jerusalem or any other part of the Occupied Palestinian Territory, would be contrary to international law and opposed by the United Nations. In United Nations General Assembly resolutions 2253 (4 July 1967)³ and 2254 (14 July 1967)⁴, the international community unanimously rejected the Israeli annexation of East Jerusalem and parts of the West Bank adjacent to it. The Israeli occupying Power refused to comply with these resolutions and directions and has proceeded to establish demographic, structural and

² United Nations Security Council Resolution 476 (30 June 1980); United Nations Security Council Resolution 478 (20 August 1980).

³ “The General Assembly, deeply concerned at the situation prevailing in Jerusalem as a result of the measures taken by Israel to change the status of the City, considers that these measures are invalid, calls upon Israel to rescind all measures already taken and to desist forthwith from taking action which would alter the status of Jerusalem...”

⁴ “The General Assembly, recalling its resolution 2243 of 4 July 1967...taking note with the deepest regret and concern of the non-compliance by Israel with resolution 2253, deplores the failure of Israel to implement General Assembly resolution 2253, reiterates its call to Israel in that resolution to rescind all measures already taken and to desist forthwith from taking any action which would later the status of Jerusalem...”



institutional facts on the ground meant to solidify its purportedly permanent sovereignty claim.

11. The United Nations, by Security Council resolution 2334 (2016) and General Assembly resolution 77/126 (2022), has recently reaffirmed these decisions and declarations establishing the illegality of the Israeli annexation of Jerusalem.

12. The State of Kuwait submits that the occupying Power must be directed to:
(i) immediately, fully and unconditionally end its annexation of Jerusalem,
(ii) preserve, protect and honour the special and unique status of the Holy City of Jerusalem and the historic status quo, (iii) recognize the Palestinian right of self-determination and sovereignty in all of the Palestinian territory it occupied in 1967, including East Jerusalem, (iv) strictly apply and obey international law and the decisions and directions of the United Nations with regards to the Holy City of Jerusalem.

II. What are the legal consequences arising from prolonged Israeli occupation, colonization and annexation of Palestinian territory, including with respect to the denial of the right of the Palestinian people of self-determination?

13. The State of Kuwait affirms the position of the United Nations and the international community that Israeli colonization of East Jerusalem and the rest of the West Bank by means of its transfer to these parts of the OPT of more than 700,000 Israeli settlers, and its establishment of hundreds of



settlements constitute a flagrant violation of international law and a principal means by which it is exercising its objective to annex this territory and exercise permanent sovereignty over it. The Israeli settlements are the engine of the occupation, and its locomotive for achieving annexation of the Palestinian territory.

14. At the beginning of 2023, there were approximately 730,000 Israeli settlers and more than 280 Israeli settlements in the occupied West Bank, including East Jerusalem.⁵ Approximately 230,000 settlers are in East Jerusalem and 500,000 settlers are in the West Bank. Supporting these settlements are a dense series of restricted highways, roadblocks, checkpoints, restricted zones and Israeli military forces that constrict the lives, the security and the economy of the Palestinians, and breach their fundamental human rights.⁶

15. The implantation of Israeli settlers and settlements is unquestionably designed to establish permanent 'facts on the ground' and lay the legal and political foundation for the occupying Power's illegal claim of sovereignty. The jurist Awn Al-Khasawneh, in a 1997 report on settler implantation, population transfers and human rights commissioned by the United

⁵ [Peace Now » Population](#)

⁶ See generally: United Nations Secretary General, "Israeli Settlements in the Occupied Palestinian Territory (A/77/493; 3 October 2022); United Nations High Commissioner for Human Rights, "Israeli Settlements in the Occupied Palestinian Territory" (A/HRC/52/76; 15 March 2023); United Nations Human Rights Council, "Report of the Independent International Fact-Finding Mission to Investigate the Implications of the Israeli Settlements" A/HRC/22/63 (7 February 2013); and the regular reports of the United Nations Office for the Coordination of Humanitarian Affairs in the occupied Palestinian territory (<http://www.ochaopt.org/>).



Nations Commission on Human Rights in the 1990s, stated that: “The range of human rights violated by population transfer and the implantation of settlers place this phenomenon in the category of systematic or mass violations of human rights.”⁷ The United Nations Special Rapporteur reported in 2021 that:

The objectives of the conquering power in implanting settlers have been to solidify its political and military control, augment its economic penetration, and ultimately bolster its legal claim to permanent sovereignty over the subjugated lands. The transferred settlers are almost always willing citizens or subjects of the dominant power, motivated by government inducements, enhanced economic prospects, special legal and political privileges in the subjugated lands, and, on occasion, nationalist, religious or civilizing missions.”⁸

16. Speaking through the United Nations, the international community has long considered that these settlements to be a ‘flagrant violation’ of the *Fourth Geneva Convention*, and in particular Article 49, paragraph 6. This provision specifically forbids the implantation of settlers into occupied territories, so as to protect the sovereignty rights, natural resources and human rights of the occupied people. Article 49, para. 6 states that:

The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.⁹

⁷ Report of the United Nations Special Rapporteur for the situation of human rights in the Palestinian territory occupied since 1967, A/HRC/47/57 (29 July 2021), at para. 29.

⁸ Ibid.

⁹ Geneva Convention Relative to the Protection of Civilian Persons in Time of War, Aug. 12, 1949, 6 U.S.T. 3516, 75 U.N.T.S. 287, Article 49, para. 6.



17. The Security Council has adopted several resolutions explicitly condemning the Israeli settlements as contrary to international law.¹⁰ The most recent of these resolutions is 2334, adopted on 23 December 2016, which reaffirms that:

...the establishment [by the occupying Power] of settlements in the Palestinian territory occupied since 1967, including East Jerusalem, has no legal validity and constitutes a flagrant violation under international law and a major obstacle to the achievement of the two-State solution and a just, lasting and comprehensive peace;

18. The Security Council demanded the occupying Power to “immediately and completely cease all settlement activities”, and it directed the UN Secretary General to report to the Council every three months on the implementation of the resolution. In each of his 26 quarterly reports to the Council since the beginning of 2017 (up until June 2023), the Secretary General has stated that the occupying Power has taken no action whatsoever to comply with this mandatory demand, instead advancing more settlements.¹¹

19. The General Assembly, for its part, has adopted more than 160 resolutions since 1971, always by overwhelming majorities, stating that the Israeli settlements are a violation of the *Fourth Geneva Convention*.¹² UNGA

¹⁰ UNSC Res. 446 (1979); UNSC Res. 452 (1979); UNSC Res. 465 (1980); UNSC Res. 471 (1980); UNSC Res. 476 (1980); UNSC Res. 478 (1980); UNSC Res. 2334 (2016).

¹¹ S/2023/458 (21 June 2023), at para. 2: “In its resolution 2334 (2016), the Security Council...reiterated its demand that Israel immediately and completely cease all settlement activities in the Occupied Palestinian Territory, including East Jerusalem, and that it fully respect all of its legal obligations in that regard. No such steps were taken during the reporting period as settlement activities continued.”

¹² The complete collection of the resolutions can be found at the United Nations website: <http://domino.un.org/UNISPAL.NSF/vGARes>. While General Assembly resolutions do not normally have the force of law, the repeated adoption of a resolution by the UNGA throughout the years by overwhelming majorities can crystallize into a legal rule.



Res. 77/126, adopted in December 2022, is the latest resolution of the UN General Assembly on the issue.¹³ It states the following:

Affirming that the transfer by the occupying Power of parts of its own civilian population into the territory it occupies constitutes a breach of the Fourth Geneva Convention...

Condemning settlement activities by ...the occupying Power, in the Occupied Palestinian Territory, including East Jerusalem, as violations of international humanitarian law, relevant United Nations resolutions, the agreements reached between the parties and obligations under the Quartet road map and as actions in defiance of the calls by the international community to cease all settlement activities,

Reaffirms that the Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem, and in the occupied Syrian Golan are illegal and an obstacle to peace and economic and social development...

[Reaffirms]its demand that [the occupying Power] immediately and completely cease all settlement activities in the occupied Palestinian territory, including East Jerusalem, and that it fully respect all of its legal obligations in this regard;

20. Peter Maurer, the President of the ICRC, stated the position of the Committee on the legal status of the Israeli settlements in 2012:¹⁴

One of the key features of the occupation is the Israeli government's settlements policy. The ICRC's publicly stated position is that this policy amounts to a violation of IHL, in particular the provision of the Fourth Geneva Convention prohibiting the transfer of part of the

¹³ UNGA Res. 77/126 (12 December 2022).

¹⁴ Challenges to international humanitarian law: Israel's occupation policy, Peter Maurer President of the International Committee of the Red Cross, International Review of the Red Cross, Volume 94 Number 888 Winter 2012.



population of the Occupying Power – in this case Israeli citizens – to the occupied territory. This provision aims to prevent the Occupying Power from modifying the social, demographic, and economic pattern of the occupied territory, against the interests of the population living there. The Israeli government's decisive and systematic support over the years to the establishment of settlements, including by taking away land, has effectively achieved just that: a profound alteration of the economic and social landscape of the West Bank,....

21. In December 2014, the High Contracting Parties to the *Fourth Geneva Convention* (HCP) met in Geneva with respect to the Israeli occupation of the Palestinian Territory. In a statement issued on 17 December 2014, HCP referred to the Occupying Power, and said in paras. 4 and 8:

4. The participating High Contracting Parties emphasize the continued applicability and relevance of the Fourth Geneva Convention, which all High Contracting Parties have undertaken to respect and to ensure respect for in all circumstances. As such, they call on the Occupying Power to fully and effectively respect the Fourth Geneva Convention in the Occupied Palestinian Territory, including East Jerusalem...

8. They reaffirm the illegality of the settlements in the said territory and of the expansion thereof and of related unlawful seizure of property as well as of the transfer of prisoners into the territory of the Occupying Power.¹⁵

22. In March 2023, the United Nations High Commissioner for Human Rights found that the Israeli settlements are not only illegal under international

¹⁵ Conference of High Contracting Parties to the Fourth Geneva Convention Declaration, December 2014.



law, but they are also a war crime that may engage individual criminal responsibility.¹⁶ He stated that:

The establishment and expansion of settlements in the Occupied Palestinian Territory and the occupied Syrian Golan, ... amount to the transfer by [the occupying Power] of its own civilian population into the territories it occupies, which is prohibited under international humanitarian law, as consistently confirmed by the competent United Nations organs, including the International Court of Justice. Such transfers amount to a war crime that may engage the individual criminal responsibility of those involved.

23. The Israeli government was well aware of the categorical prohibition in international law against civilian settlements the occupied Palestinian territory within the early months following the June 1967 war. Theodor Meron, the Legal Advisor to the Israeli Ministry of Foreign Affairs at the time, provided a legal opinion in September 1967 to the Israeli government respecting the legality of civilian settlements in occupied territory. Reflecting in 2017 on his legal advice 50 years prior, Meron stated that:

...the establishment of civilian settlements in the occupied West Bank and other conquered territories violates the Fourth Geneva Convention related to the protection of victims of war and, specifically, its prohibition on settlements (Article 49(6)). This prohibition, I wrote, is categorical and “not conditioned on the motives or purposes of the transfer, and is aimed at preventing colonialization on conquered territory by citizens of the conquering state.” Any steps to place citizens in occupied land could only be done “by military bodies and not civilian ones [on military] bases” clearly temporary in nature. With respect to the position of the government of Israel that the West Bank was disputed territory, and therefore not ‘occupied territory’, I opined that this position had not

¹⁶ A/HRC/52/76 (15 March 2023), at para. 58.



been accepted by the international community, which regards the territory concerned as normal occupied territory. Israeli settlements in the area of “Etzion Bloc” would be viewed as evidence of an intent to annex that area, I warned.¹⁷

24. The State of Kuwait submits that an occupying power which builds illegal settlements in the occupied territory for the purposes of conquest and of rupturing the essential link between the occupied people and its territory; which serially defies clear and persistent resolutions by the leading organs of the United Nations to immediately and unconditionally halt and reverse all settlement development; and which continues to plan for hundreds of thousands of new settlers in the occupied territory in the face of universal opposition, is unfaithful to the principles of the United Nations and in flagrant breach of international law. The legal consequences for such unlawful conduct must be the immediate, unconditional and complete removal of all of the Israeli settler population.

25. Further, the State of Kuwait affirms the view that the occupation of a territory by a belligerent occupying power is a temporary de facto situation and it cannot be indefinite, let alone permanent. Under long established rules of international law, the occupying power can neither claim possession nor exercise its sovereignty over any part of the territory that it occupies. As the distinguished international legal scholar Lassa Oppenheim stated in 1917: “...everyone agrees that through military

¹⁷ L.F.L. Oppenheim, “The Legal Relations between an Occupying Power and the Inhabitants” (1917), 33 *Law Quarterly Review* 363-4.



occupation the authority over the territory and the inhabitants only *de facto*, and not by right, and only temporarily, and not permanently, passes into the hands of the occupant.”¹⁸

26. Accordingly, an occupying power cannot annex any part of the occupied territory. In modern international law, this principle is found in Article 2, paragraph 4 of the Charter of the United Nations;¹⁹ and the 1970 Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States.²⁰ With respect to Israeli colonial occupation of Palestinian and other Arab territory, the Security Council specifically endorsed the principle of “the inadmissibility of the acquisition of territory by war” in Resolution 242 in November 1967, and has reaffirmed this principle on multiple occasions since.²¹ Any measures or actions taken by the occupying Power to annex any parts of the territory, whether formally proclaimed or not, whether *de jure* or *de facto*, are absolutely prohibited under international law. The inadmissibility of territorial acquisition of threat or use of force or war is a *jus cogens* norm of international law.²²

¹⁸ Ibid.

¹⁹ Article 2, para. 4 of the Charter of the United Nations forbids its members from using “...the threat or use of force against the territorial integrity or political independence of any state.”

²⁰ “No territorial acquisition resulting from the threat or use of force shall be recognized as legal.”

²¹ See UN Security Council resolutions 252 (1968), 267 (1969), 298 (1971), 476 (1980), 478 (1980), 497 (1981) and 2334 (2016).

²² The seriousness of the “inadmissibility” principle in international law is highlighted by the designation of annexation as an act of aggression in the *Rome Statute of the International Criminal Court*: Article 8 *bis* (2)(a): “The invasion or attack by the armed forces of a State of the territory of another State, or any military occupation, however temporary, resulting from such invasion or attack, or any annexation by the use of force of the territory of another State or part thereof” qualifies as an act of aggression.



27. The State of Kuwait thus stresses that Israeli occupation of Palestinian and other Arab territories has been since its onset and to this day unlawful as it was the result of military conquest and aimed at the acquisition of territory by force. The State of Kuwait underlines in this regard that there should be no double standards in upholding the UN Charter and the most fundamental rules of international law, including the prohibition of the acquisition of territory by force and the right of peoples to self-determination.

28. The State of Kuwait affirms the fundamental importance of Article 25 of the Charter of the United Nations, which states that:

“The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.”

29. The State of Kuwait recalls that the Court in the *Namibia Advisory Opinion* (1971) stated that, when a competent organ of the United Nations had issued a binding decision on the illegality of a situation, “such a situation cannot remain without consequences”. Member states of the United Nations have “an obligation...to bring that situation to an end.”²³ And as Judge Hirsh Lauterpacht stated in *Voting Procedures* (1955):²⁴

²³ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa), notwithstanding Security Council resolution 276 (1970)*, Advisory Opinion, ICJ Reports 1971,

²⁴ *Voting Procedures on Questions relating to Reports and Petitions Concerning the Territory of South West Africa, Advisory Opinion*, [1955] I.C.J. Reports 67, at 120.



“[A state] which consistently sets itself above the solemnly and repeatedly expressed judgment of the [United Nations] Organization, in particular in proportion as that judgment approximates to unanimity, may find that it has overstepped the imperceptible line between impropriety and illegality, between discretion and arbitrariness, between the exercise of the legal right to disregard the recommendation and the abuse of that right, and that it has exposed itself to consequences legitimately following as a legal sanction.”

30. The State of Kuwait observes that the occupying Power is in direct breach of numerous resolutions and decisions of the Security Council and General Assembly, including Security Council resolution 476 (30 June 1980), in which the Council:

1. “Reaffirm[ed] the overriding necessity for ending the prolonged occupation of Arab territories occupied by Israel since 1967, including Jerusalem;
2. Strongly deplore[d] the continued refusal of Israel, the occupying Power, to comply with the relevant resolutions of the Security Council and the General Assembly...;”

31. The State of Kuwait asks the question: if there was an “overriding necessity” in 1980 -- after 13 years of occupation -- to end the prolonged occupation of Arab territories occupied since 1967, what are we to say about this occupation 43 years later, when it has qualitatively deepened and thickened its illegal presence? This has become a legal oxymoron: a permanent occupation.



32. And if the Security Council “strongly deplore[d]” the refusal of the occupying Power to comply with the relevant resolutions of the United Nations in 1980, what are we to say about Israeli violations over the following 43 years of the resolutions adopted by the United Nations and the international consensus? Israeli defiance of the hundreds of United Nations resolutions adopted with respect to its unlawful occupation.

33. Accordingly, the State of Kuwait submits that the occupying Power has breached the spectrum of legal duties and obligations required of an occupying power when it administers another territory. Israeli occupation is not temporary, but intended to be permanent and irreversible, a prohibited act of conquest. Its colonial occupation has actively engaged in the annexation of occupied territory since the very beginning of the occupation in 1967. It has consistently acted in bad faith and in conscious defiance of scores of Security Council resolutions and hundreds of General Assembly resolutions. It has breached its legal obligations, and instead created a dual legal, social and political system with full political legal rights to its settler population unlawfully transferred to the occupied territory and a denial of all basic rights to the protected population. This dual legal system amounts to apartheid.

34. The State of Kuwait submits that the Israeli occupation of Palestinian territory must be condemned as an ongoing illegal situation and, as such, it must be brought to a complete, immediate and unconditional end. With robust parallels to the illegal mandate rule of apartheid South Africa over



Namibia,²⁵ Israeli occupation is in fundamental breach of its international obligations and the most fundamental rules of international law and its presence in the occupied territory is illegal.

35. Accordingly, the legal consequences that the General Assembly requested the Court to identify must include the occupying Power's complete, immediate and unconditional withdrawal from all parts of the Occupied Palestinian Territory, including the complete removal of its military forces and settlers. Moreover, Member states of the United Nations must be directed to recognize the illegality and invalidity of the situation, and they must be directed not to render aid or assistance to its maintain and to take all legal steps to compel the occupying Power to end its occupation and to enable the Palestinian people to exercise their right of self-determination. The United Nations itself must recognize the illegality of the Israeli occupation of the OPT, in all of its aspects, facilitate its immediate termination, refrain from taking any action to aid or abet the occupation, and take action to support the Palestinian people in the exercise their right of self-determination.

36. The State of Kuwait, in this regard, recalls the Final Statement of the 14th Session of the Islamic Summit Conference held in Mecca on 31 May 2019, which reaffirmed the rejection of any position issued by any international body in support of prolonging the occupation, and its expansionist settlement project at the expense of the legitimate national rights of the Palestinian people, and its rejection of all illegal Israeli measures and



decisions aiming to alter the facts in the occupied Palestinian territories including East Jerusalem, as well as undermining the two-state resolution, either by annexation or colonialist occupation expansion on Palestinian territories.

37. For the foregoing reasons, the State of Kuwait calls upon the esteemed Court to assume its role as an important and effective United Nations body in establishing the rules and principles of justice in the Organization and prioritize the rule of law, for the world has not witnessed a tragedy similar to the tragedy of the Palestinian people, who must be relieved from the illegal Israeli occupation of their native land so that they will be allowed to enjoy the fundamental rights to which all peoples are entitled under international law, including especially their inalienable rights to self-determination, including to the independence of their State and the right of return of Palestinian refugees.

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To the Kingdom of the Netherlands

