



INTERNATIONAL COURT OF JUSTICE

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Press Release

Unofficial

No. 2024/84

23 December 2024

The General Assembly of the United Nations requests an advisory opinion from the Court on “the 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

THE HAGUE, 23 December 2024. On 19 December 2024, the General Assembly of the United Nations adopted resolution A/RES/79/232 in which, referring to Article 65 of the Statute of the Court, it requested the International Court of Justice to give an advisory opinion. The relevant part of the resolution reads as follows:

“The General Assembly,

.....

10. *Decides*, in accordance with Article 96 of the Charter of the United Nations, to request the International Court of Justice, pursuant to Article 65 of the Statute of the Court, on a priority basis and with the utmost urgency, 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 United Nations, international humanitarian law, international human rights law, privileges and immunities applicable under international law for international organizations and States, relevant resolutions of the Security Council, the General Assembly and the Human Rights Council, the advisory opinion of the Court of 9 July 2004, and the advisory opinion of the Court of 19 July 2024, in which the Court reaffirmed the duty of an occupying Power to administer occupied territory for the benefit of the local population and affirmed that Israel is not entitled to sovereignty over or to exercise sovereign powers in any part of the Occupied Palestinian Territory on account of its occupation:

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

The request for an advisory opinion was transmitted to the Court by the Secretary-General of the United Nations by a letter dated 20 December 2024, which was received in the Registry on 23 December 2024.

Procedure

Article 96 of the United Nations Charter gives the General Assembly and the Security Council the power to request an advisory opinion from the Court on any legal question. The General Assembly may also authorize other organs of the United Nations, specialized agencies or related organizations to ask the Court for advisory opinions on legal questions “arising within the scope of their activities”. At present, two other United Nations organs, one subsidiary organ of the General Assembly, one related organization and 15 specialized agencies are authorized to submit such requests.

Advisory proceedings begin with the filing of a written request, which is communicated to the Court by the body authorized to do so in accordance with the United Nations Charter. The Registrar immediately informs all States entitled to appear before the Court. An Order is then adopted, inviting States and international organizations considered likely to be able to furnish information on the question to submit written statements.

All States and organizations invited to submit written statements are subsequently invited to make an oral statement at public sittings held on dates fixed by the Court, whether or not they have participated in the written phase. After the closing of the oral proceedings, the preparation of the Court’s opinion follows the same deliberation and drafting process as for judgments. As with the delivery of judgments in contentious cases, advisory proceedings also conclude with the delivery of the opinion at a public sitting of the Court.

Note: The Court’s press releases are prepared by its Registry for information purposes only and do not constitute official documents.

The International Court of Justice (ICJ) is the principal judicial organ of the United Nations. It was established by the United Nations Charter in June 1945 and began its activities in April 1946. The Court is composed of 15 judges elected for a nine-year term by the General Assembly and the Security Council of the United Nations. The seat of the Court is at the Peace Palace in The Hague (Netherlands). The Court has a twofold role: first, to settle, in accordance with international law, legal disputes submitted to it by States; and, second, to give advisory opinions on legal questions referred to it by duly authorized United Nations organs and agencies of the system.

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