

# INTERNATIONAL COURT OF JUSTICE

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*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*

(Request for advisory opinion)

**WRITTEN STATEMENT  
BY THE RUSSIAN FEDERATION**

26 February 2025

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## **I. Introductory observations and facts**

1. By Resolution 79/232, adopted on 19 December 2024, the United Nations General Assembly decided, 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:

2. *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?*

3. The aforementioned Resolution was adopted with 137 votes in favor, including the Russian Federation, 12 against and 23 abstentions. This vote falls in line with the long-standing position of the Russian Federation on supporting the fundamental principles and norms of international law including those enshrined in the UN Charter which encompass *inter alia* the principles of peaceful settlement of international disputes and self-determination of peoples.

4. Throughout the years the Russian Federation has been an active proponent of international efforts to ensure the long-standing peace between Israel and Palestine, including within the framework of the United Nations. For instance, Russia has been a member of the Quartet since 2002 together with the United Nations, the United States and the European Union, and co-sponsored the 1991 Madrid Conference that played a crucial part in the development of the Oslo Accords.

5. The Russian Federation is on friendly terms with both Palestine and Israel: Russia (including as the continuator State of the Soviet Union) has been a

champion of Palestinian rights and Palestinian Statehood, having recognized the State of Palestine in 1988, and was the first State to recognize Israel in 1948. Russia has been consistently advocating for an unconditional ceasefire, unhindered humanitarian access, the release of all hostages and forcibly detained persons, and the restart of the peace process on a universally recognized international legal foundation based on the formula of “two States for two peoples”. Israel has the right to ensure its own security, but the path to this goal lies exclusively through a comprehensive Middle East settlement process and the realization of the legitimate right of Palestinians to their own State within the borders of 1967, with East Jerusalem as its capital. This right derives from one of the fundamental principles of the United Nations Charter – the right to self-determination of peoples.

6. The activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (hereinafter – UNRWA) are especially crucial: established in 1949, the Agency has for many decades provided Palestinians with what they were deprived of due to hostilities followed by Israeli occupation. UNRWA is called upon to provide assistance to Palestinians in such areas as education, health, social services, and improving infrastructure and living conditions in refugee camps in neighboring Arab countries (Jordan, Lebanon, and Syria). Initially amounting to 750 thousand, the number of people in need has by now reached as many as 5.9 million. UNRWA’s involvement and its experience can in no way be compared with the activities of other organizations in the region, the survival of millions of people depends on its activities.

7. The conflict in question has been the center of attention of the international community for a long period of time, even before the establishment of the United Nations, and has been the subject of two Advisory Opinions of the ICJ: on the legal consequences of the construction of a wall in the Occupied Palestinian Territory of 2004 (hereinafter – *the Wall Advisory Opinion*) and on the legal consequences arising from the policies and practices of Israel in the Occupied Palestinian Territory, including East Jerusalem of 2024 (hereinafter – *the 2024 Advisory Opinion*). The previous Advisory Opinions of the Court

constitute a solid foundation for facilitating peace in the region and ensuring the rights of Palestinians to self-determination, as well as providing for the legal qualification of Israeli actions. They also serve as basis for the present request of the United Nations General Assembly.

8. It is the position of the Russian Federation that the following facts, as presented by the previous ICJ Advisory Opinions and the Secretary General of the United Nations<sup>1</sup>, are pertinent to the question posed by the General Assembly.

9. On 29 November 1947, the General Assembly adopted Resolution 181 (II) on the future government of Palestine, which “[r]ecommend[ed] to the United Kingdom ... and to all other Members of the United Nations the adoption and implementation ... of the Plan of Partition” of the territory, as set forth in the Resolution, between two independent States, one Arab, the other Jewish, as well as the creation of a special international régime for the City of Jerusalem. The Resolution provided that “[i]ndependent Arab and Jewish States ... shall come into existence in Palestine two months after the evacuation of the ... mandatory Power” (meaning the United Kingdom).

10. On 29 November 1948, referring to Resolution 181 (II), Israel applied for admission to membership of the United Nations. On 11 May 1949, when it admitted Israel as a Member State of the United Nations, in its Resolution 273 (III) the General Assembly recalled Resolutions 181 (II) of 29 November 1947, with the Plan of Partition and 194 (III) of 11 December 1948 on the Palestinian refugees, and took note of Israel’s declarations “in respect of the implementation of the said Resolutions”.

11. By Resolution 302 (IV) of 18 December 1949 with reference to paragraph 11 of the Resolution 194 (III), the General Assembly established UNRWA. Provisional Agreement between UNRWA and Israel concerning Assistance to Palestine Refugees was concluded through the exchange of Letters

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<sup>1</sup> Identical letters dated 9 December 2024 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council, A/79/684-S/2024/892.

on 14 June 1967<sup>2</sup> stating that the Convention on the Privileges and Immunities of the United Nations, adopted by the General Assembly of the United Nations on 13 February 1946 (hereinafter – UN Convention of 1946), to which Israel is a party, shall govern the relations between the Government and UNRWA in all that concerns UNRWA's functions.

12. In 1967, an armed conflict (also known as the “Six-Day War”) broke out between Israel and its neighboring countries Egypt, Syria and Jordan. By the time the hostilities had ceased, Israeli forces occupied the whole territory of Palestine under British Mandate beyond the Green Line, established by the general armistice agreements of 1949 between Israel and its neighboring States.

13. From 1967 onwards, Israel started to establish or support settlements in the territory it occupied and undertook a number of measures aimed at changing the status of the City of Jerusalem. Following an increase in acts of violence from the West Bank, in the early 2000s, Israel began building a “continuous fence” (the “Wall”) largely in the West Bank and East. Notwithstanding the Court's Opinion on *the Wall*, finding that “[t]he construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated régime was contrary to international law”, the construction of the wall continued, as did the expansion of settlements in the Occupied Palestinian Territory.

14. The Court further observed in *the Wall* Advisory Opinion that, in the 1967 armed conflict, Israel occupied the territory between the Green Line and the former eastern boundary of Palestine under the British Mandate, namely the West Bank and East Jerusalem<sup>3</sup>. The situation since then has not improved, but rather deteriorated. According to the 2024 Advisory Opinion, “Israel's withdrawal from the Gaza Strip has not entirely released it of its obligations under the law of occupation”<sup>4</sup>. Therefore, Israel to this day remains an Occupying Power

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<sup>2</sup> Exchange of letters constituting a Provisional Agreement between the United Nations Relief and Work Agency for Palestine Refugees in the Near East and Israel concerning Assistance to Palestine Refugees, Jerusalem, 14 June 1967, United Nations Treaty Series, vol. 620, p. 183.

<sup>3</sup> Paragraph 78 of *the Wall* Advisory Opinion.

<sup>4</sup> Paragraph 94 of the 2024 Advisory Opinion.

in terms of International Humanitarian Law (hereinafter – IHL), and its relevant rules and principles are fully applicable to Israel.

15. On 28 October 2024 the Knesset of Israel enacted two laws concerning UNRWA: the Law to Cease UNRWA Operations and the Law to Cease UNRWA Operations in the Territory of the State of Israel (hereinafter – laws on UNRWA). The laws provide *inter alia* for the following

- The expiration on 7 October 2024 of the invitation to UNRWA, based on an exchange of letters between Israel and UNRWA of 14 June 1967;
- The prohibition of contacts between Israeli government authorities and UNRWA;
- The endorsement of criminal proceedings against employees of UNRWA;
- The prohibition of UNRWA operations within “the sovereign territory of the State of Israel”.

16. According to the letter of the Permanent Representative of Israel addressed to the President of the General Assembly and the President of the Security Council dated 18 December 2024, “the legislation recently passed by the Knesset of Israel on 28 October 2024 in relation to UNRWA came as a direct response to the significant national security risks posed by Hamas’s pervasive infiltration of UNRWA and the latter’s persistent refusal to remedy this intolerable situation”<sup>5</sup>.

17. The question before the Court posed by the General Assembly is more concise than those dealt with in the previous Advisory Opinions, and in the view of the Russian Federation concerns two main aspects:

- a) the obligations of Israel as an Occupying Power to ensure and facilitate unhindered provision of humanitarian aid and assistance under IHL, namely the Fourth Geneva Convention relative to the

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<sup>5</sup> Identical letters dated 18 December 2024 from the Permanent Representative of Israel to the United Nations addressed to the President of the General Assembly and the President of the Security Council, A/79/710-S/2024/940.

protection of civilian persons in time of war of 1949 (hereinafter – the Fourth Geneva Convention) and the Regulations Respecting the Laws and Customs of War on Land annexed to the Fourth Hague Convention of 1907 (hereinafter – the Hague Regulations) in the Occupied Palestinian Territory, which directly affect the right of the Palestinian people to self-determination;

- b) the obligations of Israel 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, in particular within the context of the work of UNRWA in the region.

18. This written contribution will focus on three main issues: jurisdiction and discretion of the Court, obligations of Israel as an Occupying Power to ensure the provision of humanitarian aid and exercising the right of Palestinians to self-determination, and obligations of Israel in relation to the presence of international organizations, in particular UNRWA, in the Occupied Palestinian Territory.

## **II. Jurisdiction and discretion of the Court in relation to the request of the General Assembly**

19. Under Article 96 of the UN Charter, the General Assembly “may request the International Court of Justice to give an advisory opinion on any legal question”. According to Article 65, paragraph 1, of the ICJ Statute, “[t]he Court may give an advisory opinion on any legal question at the request of whatever body may be authorized by or in accordance with the Charter of the United Nations to make such a request”. This provision has been recognized as providing for the discretionary power of the Court to decline to give an advisory opinion, even if the conditions of jurisdiction are met.

20. The Russian Federation invites the Court to follow its own reasoning and conclusions on jurisdiction and discretion stipulated in paragraphs 23 – 50 of the 2024 Advisory Opinion. The Russian Federation proceeds from the fact that the factual and legal background of the present request of the General Assembly and



the previous one are quite similar. Yet, there are important distinctions, which in Russia's view further speak in favor of an advisory opinion to be given in this case.

21. First, in 2024 the Court did not consider the events that transpired in the Gaza Strip in and after October 2023<sup>6</sup>. Even so, it is the view of the Russian Federation, that this hardly changes the position of the Court as to the jurisdiction and discretion of the Court in the present case since the Occupied Palestinian Territory includes the Gaza Strip<sup>7</sup> and the current request was made after the said events.

22. Secondly, part of the request of the General Assembly deals with the obligations of Israel in relation to the presence of international organizations. Given the factual background of the present case<sup>8</sup> the main concern of the General Assembly seems to be the presence of the United Nations, namely UNRWA, in terms of the application to its activities of privileges and immunities stipulated in the UN Convention of 1946. As will be shown below<sup>9</sup>, the Russian Federation is of the view that it is applicable to the present case.

23. According to section 30 of Article VIII of the said Convention "if a difference arises between the United Nations on the one hand and a Member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court". Thus, the UN Convention of 1946 can be considered as an additional basis for the advisory jurisdiction of the Court.

24. The difference referred to in section 30 of the Convention exists, judging from the Letters of the Permanent Representative of Israel to the United Nations and the Secretary General of the United Nations, as bilateral attempts at solving the dispute have not been fruitful.

25. Therefore, the Russian Federation respectfully submits that the Court has jurisdiction to consider the present request for an Advisory Opinion, and there

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<sup>6</sup> The 2024 Advisory Opinion, ¶81.

<sup>7</sup> Ibid, ¶78.

<sup>8</sup> See above, ¶17.

<sup>9</sup> See below, ¶45.

are no compelling reasons for the Court to exercise its discretion not to consider the question posed by the General Assembly.

### **III. Obligations of Israel as an Occupying Power under International Humanitarian Law in ensuring and facilitating the unhindered provision of humanitarian aid and assistance**

26. As stated above<sup>10</sup>, the Court in its Advisory Opinions of 2004<sup>11</sup> and of 2024<sup>12</sup> found IHL, including the Fourth Geneva Convention and the Hague Regulations, applicable to the conduct of Israel as an Occupying Power in the Palestinian Territory.

27. This status entails a set of obligations, namely, in terms of providing humanitarian aid and assistance to the civilian population of the occupied territory, which is the subject of the request of the General Assembly. These obligations arise from the following provisions of the Hague Regulations (which have become part of customary international law, according to the position of the Court<sup>13</sup>) and the Fourth Geneva Convention.

28. Under Article 43 of the Hague Regulations the occupant “shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety”. Under the Court’s interpretation in the Opinion of 2024 this includes the “duty to administer the territory for the benefit of the local population”<sup>14</sup>.

29. Article 50, paragraph 1, of the Fourth Geneva Convention provides that “the Occupying Power shall, with the cooperation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children”.

30. Article 55, paragraph 1, of the Fourth Geneva Convention further provides that “to the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other

<sup>10</sup> See above, ¶14.

<sup>11</sup> *The Wall* Advisory Opinion, ¶101.

<sup>12</sup> The 2024 Advisory Opinion, ¶96.

<sup>13</sup> *The Wall* Advisory Opinion, ¶89.

<sup>14</sup> The 2024 Advisory Opinion, ¶105.

articles if the resources of the occupied territory are inadequate”. This norm derives from a notion that starvation as a means of warfare is unacceptable and prohibited under international humanitarian law including customary international law.

31. Article 56, paragraph 1, of the Fourth Geneva Convention provides that “to the fullest extent of the means available to it, the Occupying Power has the duty of ensuring and maintaining, with the cooperation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territory, with particular reference to the adoption and application of the prophylactic and preventive measures necessary to combat the spread of contagious diseases and epidemics. Medical personnel of all categories shall be allowed to carry out their duties.”

32. Article 59 of the Fourth Geneva Convention provides that “if the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal”, and that “all Contracting Parties shall permit the free passage of these consignments and shall guarantee their protection”.

33. The Fourth Geneva Convention not only lays down that the Occupying Power must “agree” to relief schemes on behalf of the population, but insists that it must “facilitate” them by all the means at its disposal. The occupation authorities must therefore co-operate wholeheartedly in the rapid and scrupulous execution of these schemes.

34. Under Article 60 of the Fourth Geneva Convention “relief consignments shall in no way relieve the Occupying Power of any of its responsibilities under Articles 55, 56 and 59”.

35. The abovementioned norms of the IHL therefore provide that Israel as the Occupying Power has an obligation to accept relief supplies for the population of the Occupied Palestine Territory if it is inadequately supplied. The UNRWA operations constitute such a relief scheme on behalf of the Palestinian refugees

according to its mandate, stipulated in paragraph 7 of the Resolution 302 of the United Nations General Assembly.

36. Under the current crisis in Gaza, UNRWA is the backbone of the United Nations humanitarian relief operations, providing a lifeline, shelter and other support for the large majority of the population of nearly 2.3 million in Gaza who have all been affected by the ongoing conflict. This includes food assistance to approximately 1.9 million people, polio vaccinations for over 200,000 children, healthcare to around 15,000 people representing more than 60 per cent of total primary healthcare provision in Gaza.

37. According to the Secretary General's letter to the Security Council and the General Assembly of the United Nations of 9 December 2024, UNRWA operates almost 400 schools, over 65 primary health clinics and 1 hospital in the Occupied Palestinian Territory, which enable the provision of education to over 350,000 children and over 5 million health consultations annually. More specifically, in East Jerusalem, UNRWA schools provide education to approximately 2,000 students and its health clinics serve around 40,000 registered patients. UNRWA has also been providing vital poverty relief and social services, including a social safety net, emergency assistance and food vouchers, benefiting over 1.2 million people.

38. In light of the above, given the crucial role UNRWA has played in over 75 years of its activities in the region on behalf of the Palestinians, the cessation of its operations will result in the catastrophic scarcity of supplies to the population of the Occupied Palestinian Territory, including refugees.

39. Israel's Laws on the prohibition of the work of UNRWA<sup>15</sup> will undoubtedly worsen the humanitarian situation in the Occupied Palestinian Territory and will make the population in the said Territory "inadequately supplied" (the language of Article 59 of the Fourth Geneva Convention). Therefore, Israel's conduct is in direct violation of international humanitarian law, namely the abovementioned provisions of the Fourth Geneva Convention, as the

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<sup>15</sup> See above, ¶15.

Russian Federation has numerous underlined in its Statements in the Security Council, and in the General Assembly.

40. The Court in its Advisory Opinion of 2024 stated that “Israel, as the occupying Power, has the obligation not to impede the Palestinian people from exercising its right to self-determination, including its right to an independent and sovereign State, over the entirety of the Occupied Palestinian Territory”<sup>16</sup>. This was further affirmed e.g. by the General Assembly Resolution ES-10/24 of 18 September 2024.

41. Due to unprecedented dependency of the Palestinian people on the activities of UNRWA, the role of the Agency in facilitating the survival of Palestinians, the inability to ensure its functions and humanitarian relief by Israel will also hinder the realization by the Palestinians of the cornerstone UN Charter principle of self-determination.

42. It may be argued that UNRWA is not the only agency that Israel may use in order to fulfill its obligations towards the Palestinian population. However, Israel is still under the IHL obligation to ensure that the necessary services and assistance are provided in the event that UNRWA is compelled to cease its operations in the Occupied Palestinian Territory. Thus, Israel is obliged to adopt a scheme of humanitarian relief to the Palestinians comparable to UNRWA’s activities in order not to disrupt the much needed support of the people.

#### **IV. Obligations of Israel in relation to the presence and activities of the United Nations**

43. The question put before the Court also encompasses the status of “the United Nations, including its agencies and bodies, other international organizations and third States”. Since the main concern of the General Assembly is the prohibition of the activities of UNRWA in view of Israel’s recent legislation<sup>17</sup>, the

<sup>16</sup> The 2024 Advisory Opinion, ¶237.

<sup>17</sup> See above, ¶15.

Russian Federation will only limit itself to the obligations of Israel in relation to the status of this entity.

44. Under Article 22 of the United Nations Charter “the General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions”. It did precisely so by adopting the Resolution 302 (IV) in 1949 when it established UNRWA<sup>18</sup>. According to paragraph 17 of the said Resolution it was called upon the governments to accord to UNRWA privileges, immunities exemptions and facilities which have been granted to the United Nations Relief for Palestine Refugees (UNRPR), together with all other privileges, immunities, exemptions and facilities necessary for the fulfilment of its functions. UNRPR was in turn the predecessor of UNRWA<sup>19</sup>. Article 105 of the United Nations Charter provides that the Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes.

45. Since UNRWA was established by the General Assembly in line with Article 22 of the United Nations Charter, UNRWA should be regarded as the integral part of the United Nations, the organ of the General Assembly with the rights, privileges and immunities conferred by international agreements applicable to the United Nations. In this respect the major document regarding the status of UNRWA is the UN Convention of 1946. The privileges and immunities of the UN Convention of 1946, *inter alia*, include immunity of the UN from every form of legal process, the inviolability of the premises, its archives, immunities of the UN officials.

46. The privileges and immunities of the United Nations play an important role in ensuring the functioning of this Organization. They are necessary to fulfill the basic functions of the United Nations, such as maintaining peace and security, promoting international cooperation and protecting human rights. Privileges and immunities allow the United Nations to carry out its activities freely

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<sup>18</sup> See above, ¶11.

<sup>19</sup> United Nations General Assembly Resolution 302 (IV) of 18 December 1949, ¶¶11,12.



without fear of persecution by States or individuals. This ensures the independence and impartiality of the Organization in carrying out its tasks.

47. A truly alarming trend in this respect is the blatant disregard by some States of the norms and principles of international law deriving from the host country status. This negative practice also applies not only to the United Nations, but also towards the representatives of Member States, premises and property of Permanent Missions<sup>20</sup>. The impunity of host countries in this regard further encourages such violations by others.

48. Israel is under the obligation to ensure that the provisions of the UN Convention of 1946 are implemented thoroughly with respect to UNRWA. The adoption of the laws on UNRWA in October 2024 on the expiration of invitation of UNRWA provided for by the Provisional Agreement between UNRWA and Israel concerning Assistance to Palestine Refugees of 1967, does not change the fact that Israel is still bound by the provisions of the UN Convention of 1946. This fact directly follows from the above mentioned Provisional Agreement. Furthermore, the laws on UNRWA do not explicitly provide for the termination of the Provisional Agreement as such.

49. According to section 20 Article V of the UN Convention of 1946 privileges and immunities are granted to officials in the interests of the United Nations and not for the personal benefit of the individuals themselves. The Secretary-General shall have the right and the duty to waive the immunity of any official in any case where, in his opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the United Nations. Moreover, under section 21 the United Nations shall co-operate at all times with the appropriate authorities of Members to facilitate the proper administration of justice, secure the observance of police regulations and prevent

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<sup>20</sup> E.g. numerous violations by Biden and Obama administrations of the Agreement regarding the Headquarters of the United Nations of 1947 and the UN Convention of 1946: part of the official premises of the Russian Mission to the United Nations in New York was blocked, issuance of visas to the state representatives for meetings under the auspices of the United Nations and to the UN staff members of specific nationality was deliberately hindered, movement restrictions were put into effect. These violations are the subject of the recommendations of the Committee on Relations with the Host Country and UN General Assembly Resolutions (e.g. A/RES/79/130 of 4 December 2024, A/RES/38/116 of 7 December 2023). Similar violations with regard to issuance of visas are committed by France as the Host Country of UNESCO.

the occurrence of any abuse in connection with the privileges, immunities and facilities.

50. It should also be noted that according to the UN Secretary General's letter of 8 January 2025 UNRWA regularly engages with Israel with regard to allegations raised against UNRWA and its personnel and takes the steps necessary to investigate those allegations in accordance with the UN regulations, rules and policies. Moreover, upon receiving allegations of breaches of UNRWA neutrality, an Independent Review Group on UNRWA was created, which issued its final report on 20 April 2024. The Review Group concluded that "UNRWA has established a significant number of mechanisms and procedures to ensure compliance with the humanitarian principles, with emphasis on the principle of neutrality, and that it possesses a more developed approach to neutrality than other similar United Nations or non-governmental organization entities".

51. It is evident from the facts that active measures are being taken on the part of the UN to ensure the independent functioning of UNRWA. Moreover, arising issues must be subject to bilateral consultations between the concerned parties, but in no way do the provisions of the UN Convention of 1946 allow the unilateral revocation of privileges and immunities.

52. Therefore, the Russian Federation submits that the ban imposed by Israel on the UNRWA's activities and its unilateral revocation of privileges and immunities of this Agency contradict the purposes and principles of the United Nations Charter and constitute a gross violation of its international legal obligations, including those arising from the UN Convention of 1946. No State has the right to unilaterally deprive the United Nations and its staff of applicable privileges and immunities. Such an approach makes meaningless the very concept of privileges and immunities, designed, when applicable, to ensure the unhindered performance of official duties by international employees.



## V. Conclusions

On the basis of the foregoing, the Russian Federation respectfully submits the following:

1) The Court has jurisdiction to give the Advisory Opinion requested by the General Assembly.

2) There are no compelling reasons for the Court to exercise its discretion not to consider the question posed by the General Assembly.

3) In accordance with the Court's Advisory Opinion of 2024 Israel, as the Occupying Power, has the obligation not to impede the Palestinian people from exercising its right to self-determination.

4) As confirmed by the Court's Advisory Opinion of 2024, Israel is an Occupying Power in relation to the Palestinian Territory. Therefore, Israel is obliged under IHL to ensure and facilitate the unhindered provision of humanitarian aid and assistance to the Palestinian population.

5) Due to the unique role of UNRWA in the Occupied Palestinian Territory, Israeli laws on the prohibition of the Agency's activities grossly violate IHL norms and principles; implementation of these laws will undoubtedly worsen the humanitarian situation for the Palestinian population and significantly hinder the realization of the Palestinian peoples' right to self-determination.

6) By passing laws on UNRWA, Israel unilaterally deprives UNRWA of its privileges and immunities which is a violation of the United Nations Charter and the Convention on Privileges and Immunities of the United Nations of 1946.

Ambassador of the Russian Federation  
to the Kingdom of the Netherlands

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