



Press Release

15 November 2022
Canberra, Australia

Australia positions itself against international law and rules-based order

On November 11, 2022, the UN General Assembly Fourth Committee approved a draft resolutionⁱ to request the International Court of Justice (ICJ) for an advisory opinion on the legal consequences of Israel's prolonged occupation, settlement and annexation of the Palestinian territory occupied since 1967. The draft resolution was approved with 98 votes in favour, 17 against, and 52 abstentions. The General Delegation of Palestine regrets Australia's deeply disappointing decision to vote against this draft decision, and considers this a vote against international law and a rules-based order.

After voting, the representative of Australia argued that a referral to the ICJ will not help bring the parties together for negotiations. Bilateral negotiations have been attempted for 30 years, during which time Israel has unwaveringly rejected the natural right of the Palestinian people to self-determination. Israel has continued to deny even the existence of its occupation of Palestine, rejecting global consensusⁱⁱ that the West Bank, Gaza Strip, and East Jerusalem are occupied territories by characterising the Palestinian territories as "disputed", or a part of Israel. Israel has also continuously and actively attempted to destroy any possibility of a two-state solution through de-facto annexation efforts and expansion of its illegal settlements further and further into Palestinian territories. For 30 years, bilateral negotiations have failed and the Palestinian people have suffered the consequences. There is a clear and urgent need for a different approach.

Seeking the advice of the International Court of Justice is a legitimate approach based in international law to protecting the human rights of the Palestinian people and ensuring the effective implementation of the two-state solution. An advisory opinion from the ICJ will establish a strong base and clear terms of reference for bilateral negotiations going forward. It is a tremendous step towards genuine and enduring peace in the Middle East.

It is our hope and expectation that the Australian government will reconsider its concerning deviation from its commitment to international law, and act immediately to protect the right of the Palestinian people to self-determination by recognizing the State of Palestine without any further delay.

For more information, please contact the General Delegation of Palestine to Australia, Aotearoa New Zealand and the Pacific: ph. (02) 6286 9193.

ⁱ Draft resolution "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem" (document A/C.4/77/L.12/Rev.1)

ⁱⁱ The United Nations General Assembly, the United Nations Security Council, and the International Court of Justice all officially consider the West Bank, Gaza Strip and East Jerusalem to be occupied territories.