



MIFTAH Policy Paper | December 9th, 2025

## ***Implications of UNSC Resolution 2803 and the Future of Gaza***

### **Executive Summary**

On 17 November 2025, the United Nations Security Council adopted Resolution 2803, establishing a new governance framework for Gaza. The resolution endorses U.S. President Donald Trump's Comprehensive Plan to End the Gaza Conflict (CPEGC) and the creation of a transitional international administration through a U.S.-led Board of Peace (BoP) and authorizes an International Stabilization Force (ISF). Rather than ensuring Palestinian sovereignty, this framework transfers control of Gaza's civil administration, security, reconstruction, borders, and humanitarian aid to external actors, entrenching foreign oversight and further consolidating Israeli dominance over the occupied Palestinian territory.

This resolution raises grave legal and political concerns. It departs from foundational principles of international law and undermines the Palestinian people's inalienable right to self-determination. By providing no mechanisms for accountability for Israel's documented violations, offering no concrete safeguards for Palestinian rights, and presenting an undefined framework with no clear timeline or benchmarks, Resolution 2803 risks perpetuating systemic injustices, enabling a reconfigured form of occupation, and further entrenching the colonial-style control already in place.

### **Major Legal and Political Concerns**

#### **a) Violation of the Right to Self-Determination**

This resolution, drafted without Palestinian participation, denies the people of Gaza the right to chart their own political future. This resolution recasts Gaza not as a territory under occupation in need of sovereignty, but as a zone for international trusteeship, a model that substitutes real self-governance with technocratic management. The establishment of the Board of Peace (BoP) and the International Stabilization Force (ISF) as Gaza's governing authorities constitutes imposition of an external administration, denying Palestinians their inalienable right to self-determination. By endorsing Resolution 2803, the United Nations Security Council (UNSC) is abandoning its legal duties under the UN Charter, including the obligation to uphold self-determination, human rights law, and international humanitarian law. The BoP-ISF framework bypasses any meaningful Palestinian representation in decisions about governance, reconstruction, borders, and aid—an unacceptable denial of political agency.

#### **b) Fragmentation of Palestinian Territory**

Resolution 2803 makes no mention of the West Bank or the future of the Palestinian Authority (PA), addressing Gaza in isolation rather than as part of a single occupied Palestinian territory. This omission reinforces political and territorial fragmentation and departs from the long-standing international consensus that Gaza and the West Bank constitute one territorial unit.

By granting the U.S.-led Board of Peace authority over Gaza's political transition—while offering no parallel framework for the West Bank—the resolution sidelines the PA's wider mandate and conditions Gaza's future on external approval. Its only reference to the PA is a requirement for unspecified reforms aligned with the 2020 U.S. peace plan, offering no clear pathway towards reintegration or unified governance. By excluding the West Bank entirely, Resolution 2803 risks entrenching permanent separation and undermining prospects for a coherent Palestinian political future or a unified route toward self-determination.

### **c) Normalization of Unlawful Occupation**

By establishing a transitional administration dominated by external actors, Resolution 2803 risks legitimizing and entrenching Israel's long-standing control over Gaza and the occupied Palestinian territory. The resolution contains no mechanisms for accountability, despite extensive documentation of violations of international humanitarian and human rights law. In doing so, it weakens the credibility of international law and further entrenches impunity.

This normalization occurs at a moment of intensified forcible displacement and unprecedented settlement expansion in the West Bank. Rather than safeguarding Palestinian rights or addressing ongoing violations, the resolution reframes occupation as a program of “stabilization” and “reconstruction,” masking structural domination beneath technocratic language. Such an approach represents a profound departure from the UN's foundational obligations to uphold justice, prevent annexation, and protect the right to self-determination.

### **d) Institutional Fragmentation and Economic Control**

Under the BoP's authority, reconstruction and economic management are likely to be channeled through foreign-backed funds controlled by donor states, or international financial institutions. This cedes Palestinian economic sovereignty and places Gaza's reconstruction in the hands of external actors. Such a model undermines the possibility of rebuilding Gaza under Palestinian ownership or control. Instead of rebuilding a sovereign society, Gaza becomes reliant on conditional aid and subject to external economic agendas, a form of structural dependence and de facto economic occupation.

### **e) Humanitarian Aid Weaponization & Conditionality**

While Resolution 2803 nominally reaffirms the resumption of humanitarian aid, it simultaneously grants the BoP discretion over aid distribution, linking assistance to compliance with demilitarization, reconstruction, and policy conditions. This risks transforming humanitarian aid from neutral relief into an instrument of political leverage. Giving external actors such control, without guarantees of impartiality or transparent oversight, undermines humanitarian principles and can perpetuate collective punishment, dependency, and de facto control over civilian life.

Given the documented scale of destruction and displacement in Gaza, the conditionality embedded in this framework threatens to reduce relief to a privilege rather than uphold it as a fundamental right.

## **Recommendations**

### ***A. Political and Diplomatic Measures***

1. Oppose the implementation of Resolution 2803 and articulate its incompatibility with peremptory norms.
2. Publicly reaffirm Palestinian people's right to self-determination, sovereignty, and return.
3. Insist on full and meaningful Palestinian representation in any future governance or reconstruction framework.

### ***B. Upholding International Law***

4. Align national policies with the 2004, 2024, and 2025 ICJ Advisory Opinions and relevant UN General Assembly resolutions such as the New York Declaration.
5. Refrain from recognizing or participating in the BoP, ISF, or related entities that entrench unlawful occupation.
6. Support the establishment of an independent international investigative mechanism into violations committed against Palestinians.

### ***C. Accountability and Sanctions***

7. Advocate for the investigation and prosecution of Israeli violations of international law, including war crimes, crimes against humanity, and acts amounting to genocide, as documented by UN bodies, human rights organizations, and ICJ findings.
8. Support diplomatic, military, and economic sanctions on Israel, including:
  - A comprehensive arms embargo
  - An energy embargo
  - Suspension of bilateral agreements that facilitate occupation

### ***D. Reinforce the Integrity of Humanitarian Action***

9. Advocate for a UN-mandated reconstruction oversight mechanism grounded in explicit Palestinian consent.
10. Oppose debt-based reconstruction models that undermine Palestinian autonomy.
11. Defend Palestinian sovereignty over natural resources, including offshore and marine energy reserves.

### ***E. Protection of the Palestinian Population***

12. Uphold third-state obligations towards the protection of Palestinians under international law, including through:
  - Sustained support for UN humanitarian agencies, particularly UNRWA
  - Civilian protection initiatives
  - Preventing further displacement, territorial fragmentation, or demographic engineering