Documenting Violations Against International Organizations Operating in Occupied Jerusalem (Analytical Report)

Commissioned by: MIFTAH

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List of Abbreviations

Term	Definition
AIDA	Association of International Development Agencies
AP I	Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977
BADIL	BADIL Resource Center for Palestinian Residency and Refugee Rights
CERD	International Convention on the Elimination of All Forms of Racial Discrimination, 1965
GCIV	Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949
GDPR	General Data Protection Regulation (EU) 2016/679
HCJ	High Court of Justice (Israel)
HRW	Human Rights Watch
IASC	Inter-Agency Standing Committee
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights, 1966
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
ICTY	International Criminal Tribunal for the former Yugoslavia
IHL	International humanitarian law
INGO	International non-governmental organization
JLAC	Jerusalem Legal Aid and Human Rights Center
MSF	Médecins Sans Frontières
NGO	Non-governmental organization
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the United Nations High Commissioner for Human Rights
OPT	Occupied Palestinian Territory
UNDP	United Nations Development Programme
UNGA	United Nations General Assembly
UNGP	UN Guiding Principles on Business and Human Rights (2011)
UNICEF	United Nations Children's Fund
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNSC	United Nations Security Council

SECTION I: PREAMBLE AND GENERAL CONTEXT

A. Background and General Context

This study documents and analyzes the Israeli restrictions and measures regarding international institutions operating in occupied Jerusalem. Its central contention is that these restrictions have transformed over time from isolated regulatory actions into a consistent pattern of measures narrowing the operational space available to international humanitarian and human rights actors in the city. This introductory section situates the study within its broader political and legal context and demonstrates that developments in occupied East Jerusalem cannot be understood as mere administrative disputes concerning licensing or compliance. The report argues that they form part of a wider structural process whose cumulative effect is to restructure the civic and humanitarian landscape of the city in ways that are incompatible with international law.

From a legal perspective, the analysis must begin with a fundamental premise: East Jerusalem has constituted occupied territory under international law since 1967[1], and the international community has not recognized its annexation by Israel. In this regard, United Nations Security Council Resolution 478 (1980) affirmed that it "does not recognize" the Basic Law that sought to alter the character and status of Jerusalem, and called upon Member States to withdraw their diplomatic missions from the city.[2] This resolution is of particular legal significance, as it firmly establishes the illegality of unilateral measures aimed at imposing permanent Israeli sovereignty over Jerusalem, and confirms that any purported alteration to the city's status has no legal effect under international law. Furthermore, the International Court of Justice, in its advisory opinion issued on 19 July 2024 concerning the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem,

[1] Hague Regulations (1907), Art. 42 (territory is considered occupied when it is actually placed under the authority of the hostile army); Fourth Geneva Convention (1949), Art. 2, second paragraph (the Convention applies to all cases of partial or total occupation of the territory of a High Contracting Party, even if the occupation meets with no armed resistance); ICJ, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024, General List No. 186, paras. 78, 86-87 and 96.

[2] UN Security Council Resolution 478 (1980), 20 August 1980, UN Doc. S/RES/478 (1980), operative paras. 2-3 (censuring the enactment of the 'basic law' and determining that all legislative and administrative measures purporting to alter the character and status of Jerusalem are 'null and void') and para. 5 (deciding not to recognize the 'basic law' and calling upon States that had established diplomatic missions in Jerusalem to withdraw them).

reaffirmed the centrality of this territory within the framework of occupation and assessed Israeli policies in light of the applicable rules of international law.[3]

The report is directly linked to a cumulative escalation that reached a critical juncture in January 2026, marked by the revocation of operating licenses of 37 international humanitarian organizations working in the Occupied Palestinian Territories, which were notified on 30 December 2025 that their registration had expired with effect from 1 January 2026 and that they were required to cease operations by 1 March 2026[4]. That decision did not occur in isolation. It followed years of progressive legislative and administrative tightening, beginning with the 2016 Law for Disclosure Requirements for Recipients of Support from a Foreign State Entity, continuing through the 2024 Law on Prohibition of UNRWA Activities, and extending to the proposed NGO taxation bill (Bill P/5222/25), which, in the version approved at preliminary reading, would impose an 80% tax on donations received from foreign governmental entities. Taken together, these measures form a sequential pattern that has made independent international presence in Jerusalem legally precarious, financially unsustainable, and operationally untenable.[5] This is not merely a political characterization; the report argues that it is an analytical conclusion supported by several indicators: the continued international non-recognition of the annexation of Jerusalem, Israel's persistent efforts to subject international institutions to increasingly restrictive licensing and security oversight mechanisms, and the expansion of such restrictions to encompass humanitarian activity itself. Accordingly, these developments cannot be understood as mere "regulation" of civil or humanitarian work. Rather, the evidence supports the inference that they reflect a broader effort to redefine the public sphere in Jerusalem along unilateral sovereign lines, thereby undermining the possibility of maintaining an independent international presence within the city.

ICJ, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, [3] Advisory Opinion of 19 July 2024 , General List No. 186, in particular paras. 78 and 86-87 (status of the Occupied Palestinian Territory, including East Jerusalem, as occupied territory), paras. 157-179 (annexation) and operative para. 285(3).

[4] Norwegian Refugee Council et al., '53 International NGOs Warn Israel's Recent Registration Measures Will Impede Critical Humanitarian Action,' 2 January 2026, https://www.nrc.no/news/2026/53-international-ngos-warn-israels-recent-registration-measures-will-impede-critical-humanitarian-action (accessed October 2026); Human Rights Watch, 'Israel: Aid Groups Barred From Gaza, West Bank,' 24 February 2026, https://www.hrw.org/news/2026/02/24/israel-aid-groups-barred-from-gaza-west-bank (accessed October 2026). The measure was taken under the registration regime established by Government Resolution No. 2542 of 9 December 2024, examined in Section IV.I below.

[5] Fourth Geneva Convention (1949), Art. 2.

Law for Disclosure Requirements for Recipients of Support from a Foreign State Entity (2016).

Law on Prohibition of UNRWA Activities (2024).

Draft Law on Taxation of NGOs (Bill P/5222/25), imposing an eighty per cent tax on associations receiving funding from foreign governmental entities; passed a preliminary Knesset reading on 19 February 2025. See Adalah, 'The Proposed NGO Taxation Law,' *supra*.

OHCHR, January 2026.

Because these instruments differ in scope, and do not all apply to the same institutions, they are summarized here with some precision. The 2016 Law for Disclosure Requirements for Recipients of Support from a Foreign State Entity applies to bodies registered in Israel as associations (amutot) or public benefit companies whose funding from foreign state entities exceeds half of their total funding in a given reporting year. Such bodies must state that fact in their publications and in their written communications with public officials, and report it to the Registrar of Associations. The Law does not apply directly to international organizations registered abroad or to United Nations entities. It bears upon the institutions discussed in this report principally through their Israeli-registered partners, and as the first stage of the trajectory of state oversight of foreign-funded civil society examined in Section IV.[6]

The 2024 legislation concerning UNRWA comprises two distinct laws, both adopted by the Knesset on 28 October 2024 and in force from 30 January 2025. The first provides that UNRWA shall not operate any representative office, provide any service or conduct any activity, directly or indirectly, in the 'sovereign territory of the State of Israel'. Because Israel treats annexed East Jerusalem as part of that territory, it is in East Jerusalem that this territorial prohibition has its principal effect. The second law prohibits Israeli state authorities, and persons exercising public functions, from maintaining any contact with UNRWA or anyone acting on its behalf, and terminated the 1967 exchange of letters under which Israel had undertaken to facilitate the Agency's work. Its effect therefore extends to UNRWA's operations in the West Bank and Gaza, which depend on coordination with the Israeli authorities. An amendment of 29 December 2025 extended the prohibition to the supply of electricity, water, communications and financial services to UNRWA facilities.[7]

The protections engaged by these measures also differ. UNRWA is a subsidiary organ of the United Nations General Assembly, established by Resolution 302 (IV) of 8 December 1949. Its protection derives from the Charter of the United Nations, in particular Articles 2(5), 100, 104 and 105; from the 1946 Convention on the Privileges and Immunities of the United Nations, to which Israel acceded in 1949; and from the obligations of the occupying power as applied to the United Nations by the International Court of Justice in its Advisory Opinion of 22 October 2025. International humanitarian non-governmental organizations enjoy no comparable privileges and immunities. Their protection derives instead from the obligations of

[6] Law for Disclosure Requirements for Recipients of Support from a Foreign State Entity, 5776-2016, adopted 11 July 2016; see Adalah, 'Foreign Government Funding Law,' https://www.adalah.org/en/law/view/497 (accessed October 2026).

[7] UNRWA, 'The Lancet: UNRWA's work is at risk again,' https://www.unrwa.org/newsroom/notes/lancet-unrwas-work-risk-again; United Nations - Palestine, 'Israel's new laws banning UNRWA already taking effect,' https://palestine.un.org/en/288442-israel%E2%80%99s-new-laws-banning-unrwa-already-taking-effect; Library of Congress, 'Israel: Law to Cease UNRWA Activities Amended,' 29 January 2026, https://www.loc.gov/item/global-legal-monitor/2026-01-29/israel-law-to-cease-unrwa-activities-amended (all accessed October 2026).

the occupying power under the Fourth Geneva Convention, in particular Articles 59 to 61 (relief schemes) and Article 63 (relief societies); from the customary rules on humanitarian access and the protection of relief personnel; and, as regards the organizations and their staff, from the rights to freedom of association and expression under Articles 22 and 19 of the International Covenant on Civil and Political Rights, which the International Court of Justice has held applicable in the Occupied Palestinian Territory. The two sets of obligations are examined separately in Section III.[8]

The NGO taxation bill requires similar precision. In the version sponsored by MK Ariel Kallner, approved by the Ministerial Committee for Legislation on 16 February 2025 and at preliminary reading on 19 February 2025, the bill would amend the Associations Law to impose a tax of 80 per cent on donations received by Israeli-registered associations from a 'foreign governmental entity', a term that includes foreign states, associations of states such as the European Union, their regional and local authorities, and bodies primarily funded by them. The tax base is therefore the individual donation, not the organization's income as a whole, and the bill specifies no minimum monetary threshold. Associations that receive Israeli state funding and are recognized as public institutions for the purposes of Section 46 of the Income Tax Ordinance would be exempt, and the Minister of Finance, with the approval of the Knesset Finance Committee, could grant further exemptions in special circumstances. The bill would also deny standing to petition the Israeli courts to associations primarily funded by foreign governmental entities.[9] The text has since been under revision in committee: in December 2025 the UN Human Rights Office described a version that would impose a tax of up to 46 per cent on most foreign donations to organizations deemed to engage in 'political activities'.[10] This report refers to the bill as approved at preliminary reading, and its projected effects should be read subject to the final text. Like the 2016 Law, the bill would apply to Israeli-registered associations, including partners of international organizations, rather than to international organizations registered abroad.

[8] UN General Assembly Resolution 302 (IV), 8 December 1949; Charter of the United Nations, Arts. 2(5), 100, 104 and 105; Convention on the Privileges and Immunities of the United Nations, 13 February 1946, 1 UNTS 15; ICJ, Advisory Opinion of 22 October 2025, General List No. 196; Fourth Geneva Convention, Arts. 59-61 and 63; ICRC, Customary IHL Study, Rules 31, 55 and 56; ICJ, Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, ICJ Reports 2004, p. 136, paras. 111-113.

[9] Adalah, 'The Proposed NGO Taxation Law: A Threat to Civil Society in Israel,' https://www.adalah.org/en/content/view/11486 (accessed October 2026); Times of Israel, 'Lawmakers debate controversial 80% tax bill on foreign government donations to NGOs,' 5 May 2025, https://www.timesofisrael.com/lawmakers-debate-controversial-80-tax-bill-on-foreign-government-donations-to-ngos/ (accessed October 2026).

[10] UN Human Rights Office in the Occupied Palestinian Territory (OHCHR), 'The unprecedented assault on civic space in the Occupied Palestinian Territory,' press release, 16 December 2025, https://palestine.un.org/en/node/307178 (accessed October 2026).

B. Research Problem

The central research problem addressed by this study may be formulated as follows: To what extent do Israeli legislative and administrative measures targeting international non-governmental organizations (INGOs), including humanitarian, development, and human rights organizations operating in East Jerusalem constitute a consistent pattern of institutional exclusion that is inconsistent with binding norms of international humanitarian law, international human rights law, the law of occupation, and the international criminal law, and what legal, and advocacy mechanisms are available to respond to this policy?

This formulation reflects a deliberate analytical choice. The problem is not framed in terms of individual disputes between Israeli authorities and particular organizations, nor as a question of regulatory compliance. Rather, it situates the observed pattern of restrictions within a broader structural dynamic: the progressive dismantling of independent international presence in a territory whose status under international law remains that of an occupied territory subject to the full applicability of international humanitarian law and human rights law.

The January 2026 revocation of operating licenses of 37 international non-governmental organizations constitutes the immediate trigger for this inquiry, but the problem extends beyond that event to encompass the cumulative legislative and administrative architecture, from the 2016 foreign funding disclosure law to the 2024 UNRWA prohibition, within which that event must be understood. Three subsidiary questions guide the analysis:

- Does the pattern of restrictions, taken as a whole, amount to a policy of exclusion rather than a series of administrative decisions?
- Which specific norms of international humanitarian law, international human rights law, the law of occupation, and international criminal law are engaged by each category of restriction?
- What legal, and advocacy tools are available to affected institutions, partner organizations, and the international community in response to this policy?

C. Importance of the Study and its Objectives

This study is produced at a moment of critical urgency. The convergence of three developments creates a narrow but significant window in which rigorously documented legal analysis can carry direct operational weight in international arenas: first, the ICJ's July 2024 advisory opinion affirming the illegality of Israel's continued presence in the Occupied Palestinian Territory. Second, the January 2026 mass revocation of operating licenses affecting the

international non-governmental organizations, and third, the ICJ Case concerning Israel's obligations regarding the presence and activities of the UN and international organizations in the OPT.

The significance of this study lies in its analytical approach, which goes beyond the mere documentation of violations; it seeks to transform them into a structured legal and analytical record capable of diplomatic and international advocacy. International institutions operating in Jerusalem are not simply service providers; they perform critical functions related to the protection of the civilian population, the documentation of violations, and the preservation of Jerusalem's linkage to the international system. When these institutions are absent, the impact extends far beyond the institutions themselves, affecting the broader humanitarian protection framework, the right to freedom of association, and the integrity of international operations within an occupied territory. In this sense, the importance of the present report lies in its ability to document not only the outcomes and consequences of the measures but also the mechanisms through which those restrictions are implemented, thereby positioning it as a tool that can effectively serve both international legal discourse and advocacy.

The study pursues three interconnected objectives, each corresponding to a distinct dimension of the analytical work:

- **Documentary objective:** to produce a detailed, verified documentary record of the measures, license cancellations, and other forms of interference experienced by international institutions operating in East Jerusalem, assessed against a standardized analytical template. As explained in Annex F, the presentation of that record in the form of discrete institutional case studies was subsequently discontinued, and the material is instead integrated into the analyses in Sections IV and V.
- **Analytical objective:** to situate documented cases within the governing international legal framework, examining consistency with the Fourth Geneva Convention, the Hague Regulations, the UN Charter, and the UN Guiding Principles on Business and Human Rights, as well as compliance with the humanitarian principles of humanity, neutrality, impartiality, and independence.
- **Advocacy objective:** to produce an actionable evidence base that can be directly deployed across multiple international advocacy tracks. .

In terms of its advocacy perspective and efforts , this report is designed to serve as a tool for:

- Submissions to UN Human Rights mechanisms, treaty and non- treaty bodies.
- Diplomatic advocacy and briefings with state actors and international organizations.

- Policy engagement aimed at protecting civic and humanitarian space in the OPT.

SECTION II: RESEARCH METHODOLOGY

A. Research Methodology

This study employs a qualitative, multi-source research methodology combining primary data collection with comprehensive documentary analysis. This approach is calibrated to the sensitivity of the subject matter and the security and confidentiality constraints faced by many of the institutions involved.

Primary Data Collection

Primary data were collected through a single primary tool, in-depth semi-structured interviews, as described below; documentary review is treated as a secondary source and is described separately.

In-depth semi-structured interviews. Interviews were conducted with representatives of affected international institutions (both those whose licenses have been cancelled and those operating under increasing pressure). A minimum of ten interviews with international institution representatives was envisaged at the design stage; nine interviews were ultimately obtained, for the reasons set out under Limitations below and in Annex F. The interviews were conducted between June and August 2026 with representatives of nine international organizations, drawn from a substantially larger group of institutions approached, the majority of which did not respond or were unable to participate. The interview guides were tailored to each respondent category and structured around the key analytical themes of the report, including: the nature of institutional operations and mandate, the administrative and legal mechanisms used to impose restrictions, adaptation strategies adopted, and the impact on local partnerships and beneficiaries.

Secondary Sources and Documentary Review

Secondary sources are reviewed comprehensively and include: the full range of applicable international legal instruments, Israeli legislation and administrative decisions, prior field reports , UN agency situation reports and press releases, official statements issued by affected institutions, and relevant judicial proceedings before Israeli and international courts. A curated reference database, encompassing sources across four categories (international law instruments and court decisions, Israeli legislation and judicial proceedings, reports of international non-governmental organizations, and reports of official international bodies), has been compiled and forms the documentary backbone of this report.

Quality Assurance

Quality assurance procedures include internal review by the research team before any submission, cross-checking of findings against independent evidence where such evidence was available, and specialized legal review of all legal content before finalization. Accounts that could not be corroborated from an independent source are identified as single-source accounts wherever they are relied upon. The report also distinguishes factual confirmation, where an independent source establishes the same fact, from convergent opinion, where several interviewees share an assessment without independent confirmation of its factual basis. Where identifying information has been disclosed by participants requesting anonymity, such information is protected throughout all stages of documentation and reporting. Informed consent is obtained from all participants before interviews are conducted.

B. Measurement Indicators: Analytical Questions Guiding Assessment of Restrictions and Potential Violations

The analytical assessment of each restriction or measure documented in this study is structured around a set of operational indicators organized across five analytical dimensions. These indicators translate the governing legal framework into concrete evaluative questions applicable to each documented case.

1. Nature and Form of the Violation

- Does the measure constitute a partial restriction on operations, a suspension, or a total prohibition?
- Was the measure imposed through legislative, administrative, judicial, or extrajudicial means?
- Was the measure targeted at a specific institution, or applied as part of a broader sweep affecting multiple organizations simultaneously?
- Is there a discernible pattern linking this measure to others imposed on the same or comparable institutions over time?

2. Legal Characterization

- Does the measure violate specific provisions of the Fourth Geneva Convention, in particular Articles 59–63 (relief and humanitarian organizations)?

- Does it infringe upon the privileges and immunities of the United Nations, its subsidiary organs (including UNRWA) and its officials under the UN Convention on Privileges and Immunities (1946)? This indicator is applied only to entities and persons entitled to that protection. For international non-governmental organizations, which do not enjoy such privileges and immunities, the relevant protections are assessed separately under the law of occupation (in particular Articles 59-63 of the Fourth Geneva Convention and the corresponding customary rules) and applicable international human rights law.
- Does it breach the ICCPR guarantee of freedom of association (Article 22)? And Article 19 (right to freedom of expression)
- Does it violate the humanitarian principles of humanity, neutrality, impartiality and independence, as articulated in UN General Assembly Resolutions 46/182 and 58/114, in respect of organizations with a humanitarian mandate?

3. Impact Assessment

- What is the direct impact on the institution's operational capacity and program delivery?
- What is the documented impact on the civilian population served, including access to essential services, humanitarian assistance, and human rights monitoring?
- Has the measure resulted in secondary or cascading effects on Palestinian partner organizations?
- Has the measure generated a chilling effect on other institutions not directly targeted?

4. Proportionality and Legitimate Justification

- Have the governmental authorities advanced a legitimate security, public order, or administrative justification for the measure?
- Is the measure proportionate to any stated objective, or does it go beyond what is strictly necessary?
- Were less restrictive alternatives available that could have achieved the same stated aim without impeding humanitarian operations?
- Does the measure target organizations engaged in human rights documentation or the protection of civilians?

5. Systemic Character

- Is the measure isolated or part of a broader and coordinated pattern,

- Does the timing of the measure correlate with heightened political, military, or judicial activity at the national or international level?
- Does the measure form part of a cumulative legislative architecture designed to progressively narrow operational space for international actors in the OPT?
- Have affected institutions documented shared experiences or coordinated patterns in how restrictions have been applied?

C. Scope and Limitations of the Study

Scope

This study focuses on international humanitarian and human rights institutions operating in occupied East Jerusalem. Its temporal scope extends from the adoption of the 2016 Law on Disclosure Requirements for Recipients of Support from a Foreign State Entity to September 2026, thereby encompassing the full legislative trajectory leading to the January 2026 license revocations. While the latter event affected institutions across the Occupied Palestinian Territory, the analytical focus of this report centers specifically on occupied East Jerusalem, given its distinct legal status, its symbolic and political centrality, and the particular significance of maintaining an independent international presence in the city.

The core empirical material of this report is drawn from case studies and confidential interviews with representatives of affected international institutions, selected on the basis of the nature and severity of the measures they have experienced, the diversity of their mandates and operational profiles, and the availability of documentary and testimonial evidence, supplemented by comprehensive documentary review for institutions from which interviews could not be obtained.

Limitations

The following constraints are acknowledged and have been incorporated into the project design and methodology:

- **Access constraints:** A substantial number of institutions whose licenses were revoked in January 2026, or which are otherwise operating under the restrictions documented in this report, could not be reached or were unable to grant interviews, owing to personal sensitivities, the suspension of their operations, or the absence of a responsive contact

channel. In such cases, this report relies on documentary evidence, official statements, and secondary reporting by UN agencies and international NGOs. Where interviews were obtained, they are incorporated on a fully anonymized basis in accordance with the confidentiality terms agreed with each interviewee, and are cited in this report as key findings drawn from the confidential interviews, identified by interview number in Annex B and without attribution to any named organization.

- **Evidentiary limitations:** Certain Israeli administrative decisions and internal security assessments have not been published in full or in accessible form, limiting the scope of direct textual legal analysis. The report identifies and notes such gaps where they arise.
- **Institutional sensitivity:** Some institutions operating under sustained legal, security, and administrative pressure have requested that specific operational details or identifying information not be published. Anonymization measures are applied in such cases, which may affect the level of granularity in certain case descriptions.

Evolving situation: The legal and operational situation on the ground is subject to rapid change. This report reflects the state of documented information as of September 2026, the date of finalization (the interviews on which it draws were conducted between June and August 2026). Subsequent developments may require updates to both specific findings and broader conclusions. The report's conclusions reflect the evidence available at the stated cut-off date.

SECTION III: THE GOVERNING INTERNATIONAL LEGAL FRAMEWORK

The governing international legal framework constitutes a fundamental reference point for assessing the legality of Israeli measures targeting international institutions operating in occupied Jerusalem. This framework is not a collection of abstract principles; it represents an integrated system of binding obligations that regulates the conduct of the occupying power, defines the limits of its authority, and simultaneously ensures the continued functioning of international humanitarian operations free from interference. The analysis proceeds through a deliberate sequence. It begins by establishing the de jure and de facto status of East Jerusalem, because it is that status which determines the entire applicable legal regime. It then demonstrates that Israel's unilateral application of its domestic law to the territory is itself in violation of international law, before showing that Israel is additionally violating even that applied framework in ways that compound the underlying breach.

A. The De Jure and De Facto Status of East Jerusalem: A Threshold Legal Question

Under universally accepted international law, East Jerusalem remains occupied territory, not Israeli sovereign territory. The Hague Regulations (1907) define occupation by actual authority, subject to the rule that the occupant is merely "administrator and usufructuary" of the public property.[11] Israel's 1980 Basic Law, purportedly annexing the city,[12] was explicitly repudiated by UN Security Council Resolution 478 (1980), which declared all such measures "null and void" and reaffirmed that the Fourth Geneva Convention continues to apply to Jerusalem.[13] In its 2024 advisory opinion, the ICJ likewise reasserted that Israeli civil and military measures in East Jerusalem must be judged under the law of occupation.[14] In practice, this means Israel may not extend its sovereign laws and demographic policies to East Jerusalem; its authority is limited by occupation law, which also imposes affirmative duties toward the protected civilian population in the territory and to respect existing local laws, unless absolutely prevented (Hague Art. 43).[15] A corollary of this regime is that Palestinians in East Jerusalem remain "protected persons" under GCIV, entitled to its full guarantees.

[11] Hague Regulations (1907), Art. 55.

[12] Israel, Basic Law: Jerusalem, Capital of Israel (1980, as amended 2018).

[13] UN Security Council Resolution 478 (1980).

[14] ICJ, Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem, Advisory Opinion, 19 July 2024. (see, in particular, paras. 224–229 and operative paras. (3)–(4))

[15] Hague Regulations (1907), Arts. 43.

The de jure position is clear. In practice, Israel applies its domestic administrative framework to East Jerusalem .*De facto*, Israel has unilaterally annexed East Jerusalem through its 1980 Basic Law: Jerusalem, Capital of Israel, and has since applied Israeli domestic law, administrative structures, taxation regimes, and licensing requirements to the territory as though it constituted sovereign Israeli soil.

This de facto situation, the application of Israeli domestic law to occupied territory, is not a neutral administrative reality. It is per se a violation of international law. The Hague Regulations prohibit an occupying power from extending its own legislative framework over occupied territory in ways that alter the existing legal order beyond what is strictly necessary for the maintenance of public order and safety. The Fourth Geneva Convention reinforces this prohibition by providing that protected persons in occupied territory "shall not be deprived, in any case or in any manner whatsoever, of the benefits of the present Convention", including by the purported extension of the occupier's domestic law. The ICJ's 2004 Wall Advisory Opinion confirmed that the application of Israeli civilian administrative law to the Occupied Palestinian Territory, including East Jerusalem, is inconsistent with the requirements of the law of occupation.

The analytical consequence of this sequencing is critical. International institutions operating in East Jerusalem are, as a matter of practical reality, subject to Israeli administrative, licensing, and taxation requirements. The relevant legal question is therefore not simply whether those institutions have complied with Israeli domestic law. The analysis must proceed on two parallel tracks: first, that the application of Israeli domestic law to East Jerusalem is itself not permissible under international law; and second, that Israel is additionally violating even that illegally applied domestic framework in ways that compound the underlying breach. It is to this second dimension that the analysis now turns.

[16][17]Taken together, the law prohibits Israel from asserting permanent sovereignty in East Jerusalem. The recent licensing laws and expropriations must be viewed against this backdrop: as breaches of the occupier's limited mandate.

B. Israel's Violation of Its Own Illegally Applied Law: The Compounding Breach

Having established that the application of Israeli domestic law to East Jerusalem is itself a violation of international law, a further and analytically distinct layer of illegality emerges from

[16]Hague Regulations (1907), Arts. 55–56.

[17]UN Res. 478 (1980).

the documented facts. Even if Israeli domestic law is taken as the operative frame, as the Israeli authorities themselves take it to be, the measures examined below are difficult to reconcile with core principles of Israeli administrative law, including the requirements that administrative decisions rest on relevant considerations and be reasonable and proportionate, that the affected party be heard before an adverse decision is taken, and that reasons be given. The report argues that this second layer compounds, but does not replace, the primary illegality identified above.

The 2016 Law for Disclosure Requirements imposes onerous obligations selectively on Israeli-registered organizations receiving more than half of their funding from foreign governmental sources, falling disproportionately upon Palestinian civil society organizations registered in Israel and other Israeli-registered partners of international NGOs. The 2024 UNRWA prohibition law purports to ban entirely the operations of a United Nations agency within Israeli "sovereign territory", a characterization legally unsustainable with respect to East Jerusalem. The proposed Draft Law on NGO Taxation would, in the version approved at preliminary reading in February 2025, impose an 80% tax on each donation received by an Israeli-registered association from a foreign governmental entity, so that the recipient would retain one-fifth of the value of such a grant. The report argues that, for organizations dependent on such funding and not eligible for an exemption, the measure would render independent operations economically non-viable; the precise effect will depend on the final text, which remains under revision in committee (see Section I.A). And the January 2026 license revocations of 37 organizations were made without any individualized findings of misconduct or non-compliance, a blanket institutional exclusion that both Israeli administrative law and international law prohibit.[18]

C. Occupier's Humanitarian Obligations Under International Humanitarian Law

[18]Relevant Israeli Laws and Court Decisions: Israel's Basic Laws (1958–2018), Amutot Law (Non-Profit Organizations Law) (1980, August 1), Law for Disclosure Requirements for Recipients of Support from a Foreign State Entity (2016, July 11), Law on Prohibition of UNRWA Activities within Israel's Sovereign Territory, Law for the Cessation of UNRWA Activities, Law on International Non-Governmental Organizations Focusing Their Activities on the Palestinian Population for the Purpose of Improving Their Welfare (Procedures for NGO registration and recommendations regarding foreign workers therein), Draft Law on the International Criminal Court (ICC Law - Bill P/5223/25), Draft Law on Taxation of NGOs (NGO Taxation Law - Bill P/5222/25), Palestinian Studies Centre – Madar (2025), preliminary reading: bill imposing an 80% tax on associations fully funded from external sources targeting rights organizations, The Israeli Supreme Court, *AIDA v. The Inter-Ministerial Team and others*, HCJ 69668-02-26 (the petition against the measures taken against 37 international organizations in the Occupied Palestinian Territories), The Israeli Supreme Court, *Adalah and others (on behalf of Palestinian refugees, including Saher Alqam) v. The Knesset*, HCJ 41922/25 (the petition against the law prohibiting UNRWA activities), and The Israeli Supreme Court, *Gisha, HaMoked, Physicians for Human Rights, Association for Civil Rights in Israel (ACRI), and Adalah v. The Government of Israel and Others*, HCJ 2280/24 (the petition, filed on 18 March 2024, concerning Israel's obligations to permit and facilitate the entry of humanitarian aid into the Gaza Strip).

As the occupying power, Israel has obligations toward the civilian population. The Fourth Geneva Convention (GCIV) (1949) applies "to all cases of partial or total occupation"[19] explicitly confirmed by UNSC 478 for Jerusalem. Key GCIV provisions include:

Relief and Welfare (Art. 59–60, 61): If any part of the occupied population is inadequately supplied, the Occupying Power must "agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal."[20] Article 59 further requires all States to permit the free passage of consignments of foodstuffs, medical supplies and clothing and to guarantee their protection.

The occupying power's powers of control are expressly defined. A State permitting free passage may search consignments, regulate their passage according to prescribed times and routes, and require reasonable assurance, through the Protecting Power, that consignments are used for the relief of the needy population and not for the benefit of the occupying power. Article 60 adds that relief consignments do not relieve the occupying power of its own responsibilities under Articles 55, 56 and 59, and that it may not divert consignments from their intended purpose except in cases of urgent necessity, in the interests of the population of the occupied territory and with the consent of the Protecting Power. Article 61 provides that distribution is to be carried out with the cooperation and under the supervision of the Protecting Power, or of a neutral Power, the ICRC or another impartial humanitarian body; that relief consignments are exempt from all charges, taxes and customs duties unless these are necessary in the interests of the economy of the territory; and that the occupying power shall facilitate their rapid distribution.[21] These provisions set out a defined set of permitted controls, directed at verifying the content, routing and destination of relief. The report argues that the measures documented in this study fall outside that set. Searching consignments and regulating their routes are permitted. Conditioning the continued operation of relief organizations on the transfer of comprehensive personal data concerning their staff, on the content of their public statements, or on the absence of support for international legal proceedings is not a control over consignments at all, and is better characterized as an obstruction of relief schemes that the occupying power is bound to agree to and facilitate. The same is true of measures that remove relief organizations from the territory without any finding that consignments have been misused.

[19] Fourth Geneva Convention (1949), Art. 2.

[20] Fourth Geneva Convention (1949), Arts. 59–60, 61.

[21] Fourth Geneva Convention (1949), Arts. 59 (third and fourth paragraphs), 60 and 61, https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949 (accessed October 2026); J. S. Pictet (ed.), Commentary on the Geneva Conventions of 12 August 1949, Vol. IV (Geneva: ICRC, 1958), commentary on Arts. 59-61.

Humanitarian Organizations (Art. 63): The Convention guarantees that "recognized National Societies… and other relief societies" may carry out their activities unhindered, and that the occupier cannot demand changes to their structure or personnel.[22] Prohibition of Collective Punishment (Art. 33): An occupier may not punish protected persons for offenses they did not commit, or impose measures "calculated to spread terror" or cause collective suffering.[23]

In short, international humanitarian law (IHL) transforms occupation into a regimen of protection, not subjugation. Israeli measures that impede the distribution of aid, deny registration to NGOs, or threaten organizations with taxes or closure directly conflict with Articles 59–63.

D. Freedom of Association and Civic Space Under International Human Rights Law

International human rights law supplements IHL by protecting civil society space. Article 22 of the ICCPR (ratified by Israel) guarantees that "Everyone shall have the right to freedom of association with others."[24] Limitations on this right are allowed only if they are (a) prescribed by law; (b) serve a legitimate aim (e.g., national security); and (c) are strictly necessary and proportionate in a democratic society.[25]

Likewise, proposals to tax or freeze NGOs based on "foreign ideology" would violate ICCPR Art. 22 unless they met strict necessity tests. The UN Special Rapporteur on the rights to freedom of peaceful assembly and of association has warned that such requirements can obstruct legitimate association and risk turning into a pretext to silence critics.[26] In occupied East Jerusalem, such restrictions intersect with occupation law: Occupation itself does not suspend core rights like free association, but continues them under international oversight (ICJ, Wall Opinion).[27]

Reporting by Human Rights Watch on the position of aid organizations indicates that compliance with the new registration rules proved to be, in practice, extremely difficult: as at mid-February 2026, a minority of the international non-governmental organizations surveyed had approved for registration, a reluctance attributed in that reporting to concern regarding state

[22]Fourth Geneva Convention (1949), Art. 63.

[23]Fourth Geneva Convention (1949), Art. 33.

[24]ICCPR, Art. 22.

[25]ICCPR, Art. 22(2).

[26]Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai, UN Doc. A/HRC/23/39, 24 April 2013 (on the ability of associations to access funding and resources, including from foreign sources).

[27]ICJ, Wall Advisory Opinion (2004), para. 111–113.

surveillance of national staff. The figures reported should be read as a snapshot of a process that remained ongoing at the date of reporting, rather than as a final tally of applications.[28]

E. The Privileges and Immunities of International Organizations

The UN and its agencies enjoy a special legal status that further limits state control over their activity. Article 105 of the UN 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."[29] Pursuant to this, the UN Convention on Privileges and Immunities (1946) confirms that the UN "shall enjoy immunity from every form of legal process" and that its premises and assets are inviolable.[30]

These provisions mean that domestic law does not override the independent functions of the United Nations or of its agencies operating in East Jerusalem. The UN Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, occupy a more limited place in this framework, and their relevance should be stated precisely rather than assumed. The Guiding Principles are addressed to business enterprises and to States in their regulation of business conduct; they do not themselves govern the treatment of humanitarian organizations by an occupying power. Their relevance here is indirect but real: where private actors, including banks, service providers and contractors, give effect to measures that curtail the operations of humanitarian organizations, for example by closing accounts or withdrawing services in response to designation or deregistration, the Guiding Principles establish that those enterprises bear an independent responsibility to respect human rights and to conduct due diligence in relation to the consequences of their conduct. That responsibility is engaged by the banking exclusion of Palestinian partner organizations documented in Section V.[31]

In practice, this framework establishes that Israeli domestic law cannot lawfully be applied so as to suspend or curtail the functions of United Nations entities, including UNRWA, UNICEF and UNDP, in East Jerusalem. A distinction must be drawn at this point, because it bears upon the strength of the argument advanced throughout this report. The privileges and immunities described above attach to the United Nations, its officials, and experts on mission; international non-governmental organizations do not enjoy equivalent immunity, and their protection derives from a different source. The constraints upon measures directed at international non-

[28] HRW survey, February 2026.

[29] UN Charter, Art. 105.

[30] Convention on Privileges and Immunities of the United Nations (1946).

[31] UN Guiding Principles on Business and Human Rights (2011).

governmental organizations arise instead from the obligations of the occupying power under Articles 55, 59 and 63 of the Fourth Geneva Convention and the corresponding rules of customary international humanitarian law, and from Article 22 of the International Covenant on Civil and Political Rights. Drawing this distinction strengthens rather than weakens the analysis, since each category of actor is protected by the body of law that in fact applies to it. The UN experts' press statement underscores the position in respect of humanitarian operations generally: "Israeli occupying forces have no legal right to block aid or impose coercive requirements on humanitarian organisations… The occupation is and remains unlawful."[32]

F. The Humanitarian Principles of Humanity, Neutrality, Impartiality and Independence in International Humanitarian Action

Four principles govern humanitarian action, and they are distinct. Humanity requires that human suffering be addressed wherever it is found, with particular attention to the most vulnerable. Neutrality requires that humanitarian actors not take sides in hostilities or engage in controversies of a political, racial, religious or ideological nature. Impartiality requires that assistance be provided on the basis of need alone, without adverse distinction, giving priority to the most urgent cases. Independence requires that humanitarian action remain autonomous from the political, economic, military or other objectives that any actor may hold in relation to areas where it is being implemented. The first three were affirmed by the UN General Assembly in Resolution 46/182 (1991) as the principles on which humanitarian assistance must be provided; the General Assembly recognized independence as a further guiding principle in Resolution 58/114 (2003)[33]. All four derive from the Fundamental Principles of the International Red Cross and Red Crescent Movement, proclaimed in Vienna in 1965, and the International Court of Justice has held that assistance which is to escape condemnation as intervention must be limited to the purposes hallowed in the practice of the Red Cross and given without discrimination[34]. The International Red Cross and Red Crescent Movement treats these principles as essential to enabling aid groups to reach those in need.[35] In practice,

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[32]OHCHR, January 2026.

[33] UN General Assembly Resolution 46/182, 19 December 1991, Annex, para. 2; UN General Assembly Resolution 58/114, 17 December 2003, preamble (recognizing independence, 'meaning the autonomy of humanitarian objectives from the political, economic, military or other objectives that any actor may hold with regard to areas where humanitarian action is being implemented', as an important guiding principle); OCHA, 'OCHA on Message: Humanitarian Principles' (2022).

[34] Fundamental Principles of the Red Cross and Red Crescent Movement, proclaimed by the XXth International Conference of the Red Cross, Vienna, 1965; ICJ, Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America), Merits, Judgment, ICJ Reports 1986, p. 14, paras. 242-243.

[35]ICRC, The Fundamental Principles of the Red Cross: Commentary (Jean Pictet, Geneva: Henry Dunant Institute, 1979), *supra*.

this means the occupying power cannot force relief agencies to act against their principles or suspend their operations on political grounds.

The principles bind humanitarian actors as conditions of their own conduct. They do not authorize an occupying power to determine on its own account whether an organization is neutral, and they afford no ground for suspending relief operations on political grounds. Their relevance is also specific to the humanitarian mandate. Organizations whose mandate is the documentation of violations, legal assistance or advocacy are not humanitarian actors in this sense, and the principle of neutrality does not apply to them in the same way. Their protection derives instead from the freedoms of association and expression under Articles 22 and 19 of the ICCPR and from the UN Declaration on Human Rights Defenders. Many of the organizations examined in this report combine both functions, and the analysis in Section IV distinguishes between them where the distinction affects the conclusion.[36]

G. Documented International Precedents in Other Occupation Contexts

Comparative precedent shows that the suppression of international humanitarian actors is not unique to Jerusalem, but a recurrent tactic used in settings of prolonged control to isolate civilian populations and weaken external scrutiny. Darfur is a useful example: in March 2009, the UN Secretary-General warned that Sudan's expulsion of 13 NGOs operating in Darfur would cause "irrevocable damage" to humanitarian operations, affect some 4.7 million people, and interfere with neutral and impartial relief work.[37]

East Timor provides a closer occupation-related analogy. In its 1995 judgment, the ICJ treated East Timor as a non-self-governing territory whose people possessed a right to self-determination, and it noted that the UN General Assembly had rejected Indonesia's claim to have incorporated the territory.[38] The Court's analysis also recalls Security Council Resolution 384 (1975), which called for respect for East Timor's territorial integrity and for Indonesia to withdraw its forces.[39]

Western Sahara likewise confirms that the international response to disputed or occupied territory has consistently centered on self-determination and supervised international

[36] ICCPR, Arts. 19 and 22; Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, UN General Assembly Resolution 53/144, 9 December 1998, Arts. 5 and 13.

[37] UN Secretary-General, March 2009.

[38] ICJ, East Timor (1995).

[39] UN SC Res. 384 (1975); UN GA Res. 3485 (1975).

engagement, not on the exclusion of external actors. In its 1975 advisory opinion, the ICJ rejected the notion that Western Sahara was terra nullius and placed the issue squarely within the framework of decolonization and self-determination.[40] The Security Council then adopted resolution 690 (1991), establishing MINURSO and expressly supporting a UN-supervised referendum for the people of Western Sahara.[41]

This analysis demonstrates that East Jerusalem is governed by occupation law and international agreements, not Israeli domestic law. Israel's recent legal steps, far from neutral bureaucratic measures, are antithetical to those binding norms.

[40] ICJ, Western Sahara, Advisory Opinion of 16 October 1975, ICJ Reports 1975, p. 12, paras. 54–59 and 162.

[41] UN SC Res. 690 (1991).

SECTION IV: COMPARATIVE LEGAL ANALYSIS

Consistency of Israeli Policies with International Humanitarian Law and the Law of Occupation

The policies and measures documented in this report must be assessed against an international legal framework that is, at the time of writing, unusually authoritative and unusually precise. In its Advisory Opinion of 19 July 2024, the ICJ held, by eleven votes to four, that Israel's continued presence in the Occupied Palestinian Territory is unlawful (operative paragraph (3)), and, by eleven votes to four, that Israel is under an obligation to bring that unlawful presence to an end as rapidly as possible (operative paragraph (4)); the Court further held, by larger majorities, that Israel must cease all new settlement activity, evacuate settlers, and make reparation. The unlawfulness arises from Israel's policies and practices, including settlement activity, resource exploitation, and the imposition of a regime of systematic discrimination, alongside measures the Court found to constitute annexation and a breach of the prohibition on the acquisition of territory by force. [42] The Advisory Opinion of 22 October 2025 identified with specificity Israel's obligations both as an occupying power under IHL and as a UN member state in relation to the activities of the United Nations, UNRWA, other international organizations, and third states in the OPT. The Court found that Israel is under an obligation to: facilitate and not impede relief operations conducted by the UN, UNRWA, and other international organizations; ensure the civilian population has access to essential supplies; and cooperate in good faith with the United Nations.[43] Delivering the Opinion, President Iwasawa stated that Israel must, by ten votes to one, 'agree to and facilitate by all means at its disposal relief schemes on behalf of the population of the Occupied Palestinian Territory,' and unanimously must 'respect and protect all relief and medical personnel and facilities' and 'respect the prohibition on forcible transfer and deportation.' [44] These authoritative judicial

[42] International Court of Justice, *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, General List No. 186, operative para. (3) (by eleven votes to four: 'The State of Israel's continued presence in the Occupied Palestinian Territory is unlawful') and operative para. (4) (obligation to bring unlawful presence to an end 'as rapidly as possible'), https://www.icj-cij.org/case/186 (accessed June 2026).

[43] International Court of Justice, *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 (see, in particular, operative paras. (2)–(5))*, Advisory Opinion, 22 October 2025, General List No. 196, https://www.icj-cij.org/case/196 (accessed June 2026). The Court found that Israel is under an obligation to: facilitate and not impede relief operations conducted by the UN, UNRWA, other international organizations, and third states; ensure the civilian population has access to essential supplies; respect and protect all relief and medical personnel and facilities; and cooperate in good faith with the United Nations. The Court expressly confirmed Israel's status as occupying power in Gaza, the West Bank, and East Jerusalem and the consequent positive obligations flowing from GCIV. See also ASIL, 'ICJ Delivers Advisory Opinion on Israel's Obligations in OPT,' 24 October 2025, https://asil.org/ilib/icj-delivers-advisory-opinion-israels-obligations-opt/.

[44] ICJ Advisory Opinion of 22 October 2025 (*Ibid.*), as delivered by President Iwasawa Yuji; see UN Media, 'ICJ / Israel OPT Advisory Opinion,' 22 October 2025, https://media.un.org/unifeed/en/asset/d347/d3477340 (accessed June 2026). The Court

findings provide the legal backdrop against which each of the restrictions documented in this report must be assessed. Although an advisory opinion is not formally binding in the *res judicata* sense in which a contentious judgment binds the parties before the Court, the obligations identified in the 2024 and 2025 Opinions are binding on Israel not by virtue of the Opinions themselves but because they restate pre-existing obligations under the Fourth Geneva Convention, the UN Charter, and customary international law; the Court's role was to clarify, authoritatively, the content of obligations that already bind Israel as occupying power and UN member state.

The Legislative and Administrative Trajectory: 2016–2026

The restrictions documented in this report form a sequenced legislative and administrative trajectory, each stage of which built upon and amplified the preceding one. The analysis of this trajectory is essential to demonstrating that the measures examined and assessed in this report constitute a cumulative pattern of restrictions rather than isolated intervention,

The first legislative instrument is the Law for Disclosure Requirements for Recipients of Support from a Foreign State Entity, enacted by the Knesset on 11 July 2016. [45] The law requires NGOs registered in Israel receiving fifty percent or more of their funding from foreign government entities to declare that fact in all official publications. OHCHR expressed concern that the law would 'disproportionately affect NGOs working on human rights,' concerns confirmed by the Israeli Ministry of Justice's own analysis.[46] Adalah documented that the law specifically exempts the World Zionist Organization, the Jewish Agency for Israel, and their subsidiary corporations, a structurally discriminatory exclusion.[47]

The second stage is the UNRWA prohibition legislation enacted on 28 October 2024, when the Knesset approved two laws: the first banning UNRWA from operating in Israeli territory by a vote of 92-10; the second curtailing its activities in Gaza and the West Bank by prohibiting

held, among other things, unanimously that Israel must ensure the population of the OPT has the essential supplies of daily life; by ten votes to one, that Israel must agree to and facilitate relief schemes by all means at its disposal; unanimously, that it must respect and protect all relief and medical personnel and facilities; and unanimously, that it must respect the prohibition on forcible transfer and deportation.

[45] Israeli Knesset, Law for Disclosure Requirements for Recipients of Support from a Foreign State Entity (NGO Transparency Law), 11 July 2016. For analysis see Adalah, 'Foreign Government Funding Law,' https://www.adalah.org/en/law/view/497 (accessed June 2026); and Adalah, 'NGO Funding Transparency Law,' https://www.adalah.org/en/law/view/600 (accessed June 2026).

[46] OHCHR, 'UN Rights Office Raises Concern about Israel's NGO Transparency Law,' UN News, 19 July 2016, https://news.un.org/en/story/2016/07/534812 (accessed June 2026). The OHCHR spokesperson stated that the law 'will disproportionately affect NGOs working on human rights, as confirmed by recent research undertaken by the Israeli Ministry of Justice itself.'

[47] Adalah, 'Foreign Government Funding Law,' https://www.adalah.org/en/law/view/497"https://www.adalah.org/en/law/view/497 (accessed June 2026). The law specifically exempts the World Zionist Organization, the Jewish Agency for Israel, the United Israel Appeal, the Jewish National Fund and their subsidiary corporations.

Israeli state authorities from maintaining any contact with the agency, by a vote of 87-9.[48] A further amendment enacted on 29 December 2025 extended the prohibition to utilities, prohibiting providers of electricity, water, communications, and financial services from supplying UNRWA facilities. [49] These measures are difficult to reconcile with the ICJ's 2025 Advisory Opinion, which had found that Israel is under a binding obligation to facilitate UNRWA's operations[50], and of the UN Charter's framework of privileges and immunities under Articles 104 and 105 and Sections 3 and 4 of the 1946 Convention on the Privileges and Immunities of the United Nations.[51] The demolition of UNRWA's East Jerusalem headquarters beginning on 20 January 2026[52] and the subsequent arson of the compound on 25 January 2026, characterized by UNRWA Commissioner-General Philippe Lazzarini as 'unprecedented destruction' constituting 'the latest attack on the UN in the ongoing attempt to dismantle the status of Palestine Refugees'[53], represent the physical execution of these legislative measures.

The third and most broadly affecting measure is the inter-ministerial registration process introduced by the Israeli authorities in March 2025. OCHA characterized this process as 'fundamentally undermining the continuation of humanitarian operations throughout the OPT.[54]. This new registration process represents a structural regulatory barrier to the operation

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[48]Israeli Knesset, Law to Cease UNRWA Activities, 5785-2024, passed 28 October 2024 by a vote of 92-10. A second law, passed 28 October 2024 by 87-9, curtailed UNRWA's activities in Gaza and the West Bank by banning state authorities from contact with the agency. See UNRWA, 'The Lancet: UNRWA's work is at risk again' https://www.unrwa.org/newsroom/notes/lancet-unrwas-work-risk-again (accessed June 2026); see also United Nations – Palestine, 'Israel's new laws banning UNRWA already taking effect' https://palestine.un.org/en/288442-israel%E2%80%99s-new-laws-banning-unrwa-already-taking-effect (accessed June 2026).

[49]Library of Congress, 'Israel: Law to Cease UNRWA Activities Amended,' 29 January 2026, https://www.loc.gov/item/global-legal-monitor/2026-01-29/israel-law-to-cease-unrwa-activities-amended (accessed June 2026). A further amendment enacted on 29 December 2025 extended the prohibition to utilities, prohibiting providers of electricity, water, communications, and financial services from supplying UNRWA facilities.

[50]UNRWA, 'The ICJ Advisory Opinion on Israel's Obligations: Key Conclusions Relating to UNRWA,' 26 October 2025, https://www.unrwa.org/icj-advisory-opinion-israel-obligations-key-conclusions-relating-unrwa (accessed June 2026). The Court dismissed Israel's security-based arguments for restricting UNRWA and affirmed that Israel is obliged to lift restrictions on UNRWA's operations and facilitate relief provided by the Agency.

[51]Charter of the United Nations, 26 June 1945, 1 UNTS XVI, Arts. 104 and 105. Art. 104 provides that the Organization shall enjoy in the territory of each Member such legal capacity as may be necessary for the exercise of its functions. Art. 105(2) extends functional immunity to representatives and officials of the Organization.

Convention on the Privileges and Immunities of the United Nations, 13 February 1946, 1 UNTS 15, Sects. 3–4 (inviolability of premises and assets; the property and assets of the UN are immune from search, requisition, confiscation, expropriation or any other form of interference, whether by executive, administrative, judicial or legislative action), available at https://www.un.org/en/ethics/assets/pdfs/Convention%20of%20Privileges-Immunities%20of%20the%20UN.pdf (accessed June 2026).

[52]OHCHR, 'Demolition of UNRWA premises is symbolic of Israel's attack on the United Nations system: UN expert,' 23 January 2026, available at https://www.ohchr.org/en/press-releases/2026/01/demolition-unrwa-premises-symbolic-israels-attack-united-nations-system-un (accessed June 2026).

[53]UNRWA Commissioner-General Philippe Lazzarini, Official Statement, 'The Burning of UNRWA's Headquarters is an Unprecedented Attack on the United Nations,' 25 January 2026, https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-burning-unrwa%E2%80%99s-headquarters-unprecedented-attack (accessed June 2026).

[54]OCHA, West Bank Humanitarian Access Snapshot: January–December 2025, February 2026, https://www.un.org/unispal/document/ocha-west-bank-humanitarian-access-snapshot-january-december-2025/ (accessed June 2026).

of international organizations, with direct implications for the protection of the civilian population and the maintenance of humanitarian access under international humanitarian law.

Under the new system, perpetual registration was replaced with a three-year renewable process administered by an inter-ministerial committee headed by the Director General of the Ministry for Diaspora Affairs and Combating Antisemitism, established under Government Resolution No. 2542 of 9 December 2024, a ministry whose portfolio bears no regulatory relationship to international humanitarian organizations.[55] On 30 December 2025, thirty-seven international NGOs received official notice that their registrations had expired and that they were required to cease operations by 1 March 2026. [56]

The thirty-seven include major humanitarian actors such as Médecins Sans Frontières, the International Rescue Committee, Mercy Corps, the Norwegian Refugee Council, and Oxfam; by contrast, twenty-four INGOs, described in one account as mostly faith-based organizations, were granted registration. [57] The Special Rapporteur on the situation of human rights in the OPT, Francesca Albanese, has analyzed the broader legislative trajectory, including the UNRWA prohibition laws and the NGO taxation bill, as part of a sustained effort to consolidate occupation control by dismantling civil society infrastructure. It's worth mentioning that the SR's report analysed the UNRWA prohibition laws and their incompatibility with Israel's

[55] Israel, Ministry for Diaspora Affairs and Combating Antisemitism, Guidelines for the Registration of Organizations and Issuance of Recommendations for Their Foreign Employees (implementing Government Resolution No. 2542 of 9 December 2024), https://www.gov.il/BlobFolder/legalinfo/interministerial_team_registration_humanitarian_organizations_foreign_employees/en/Legal_ingo_humanitarian_aid_palestinian_residents_registration_guidelines_foreign_employees_eng.pdf (accessed October 2026). Section 10.1 provides for registration for three years, and Section 3.8 established an interim period from 9 March to 9 September 2025. Section 3.1 provides that organizations whose activity is primarily directed toward Israeli citizens or residents, including residents of East Jerusalem, will not be registered under the Guidelines.

[56] Norwegian Refugee Council et al., '53 International NGOs Warn Israel's Recent Registration Measures Will Impede Critical Humanitarian Action,' 2 January 2026, https://www.nrc.no/news/2026/53-international-ngos-warn-israels-recent-registration-measures-will-impede-critical-humanitarian-action (accessed June 2026); also available as UN document at https://www.un.org/unispal/document/53-international-ngos-warn-israels-recent-registration-measures-will-impede-critical-humanitarian-action-non-un-document/.

[57] J Street, 'Explained: Israel's Deregistration of International NGOs and the Broader Humanitarian Situation in Gaza,' 27 January 2026, https://jstreet.org/explained-israels-deregistration-of-international-ngos-and-the-broader-humanitarian-situation-in-gaza/ (accessed June 2026). 'In late December 2025, the Israeli government began enforcing the new requirements, approving the registration of 24 INGOs, mostly faith-based organizations, while informing 37 non-compliant INGOs, including such major humanitarian actors as Doctors Without Borders, International Rescue Committee, and Mercy Corps, that their authorization to operate in Gaza, the West Bank, and East Jerusalem had expired.' The explainer notes that the 'delegitimizing' criterion refers to 'ideological criticisms of Israel, such as the accusation of genocide or deliberate use of siege tactics, or expressions of support for legal proceedings against Israelis in foreign or international courts.' The figure of twenty-four reflects the position announced in late December 2025. Human Rights Watch reported on 24 February 2026 that twenty-seven organizations held approved registration; the difference is consistent with further approvals granted after December 2025 and does not affect the figure of thirty-seven organizations refused. The description of the registered organizations as 'mostly faith-based' is that of the J Street explainer; Human Rights Watch does not characterize them, and the official list of approved organizations should be checked before that description is relied upon. See Human Rights Watch, 'Israel: Aid Groups Barred From Gaza, West Bank,' 24 February 2026, https://www.hrw.org/news/2026/02/24/israel-aid-groups-barred-from-gaza-west-bank (accessed October 2026).

obligations under international law, including GCIV and the ICJ's advisory opinion framework.[58]

Assessment Against the GCIV Framework and the ICJ Advisory Opinions

Article 59 GCIV requires the occupying power to agree to and facilitate relief schemes where the civilian population's needs cannot be adequately met.[59] Article 55 GCIV imposes a complementary positive duty on the occupying power to ensure the food and medical supplies of the population to the fullest extent of the means available to it,[60] and Article 70 of Additional Protocol I require that impartial humanitarian relief actions be allowed and facilitated through rapid and unimpeded passage,[61] the very 'essential supplies' obligation the ICJ emphasised in its 2025 Advisory Opinion. Article 63 GCIV requires it to permit recognized relief organizations to continue their activities. [62] Article 47 GCIV further guarantees that protected persons in occupied territory shall not be deprived of the benefits of the Convention by any change introduced into the institutions or government of the occupied territory as a result of the occupation. [63] Customary IHL Rule 55 confirms that consent to humanitarian access may not be withheld on arbitrary grounds; [64] Rule 56 requires parties to ensure the freedom of

[58]Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, Report to the UN General Assembly, UN Doc. A/79/384 (October 2024), available at https://www.ohchr.org/en/special-procedures/sr-palestine (accessed June 2026).

Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, Francesca Albanese, 'From Economy of Occupation to Economy of Genocide,' Report to the Human Rights Council, UN Doc. A/HRC/59/23 (June 2025), available at https://www.un.org/unispal/document/a-hrc-59-23-from-economy-of-occupation-to-economy-of-genocide-report-special-rapporteur-francesca-albanese-palestine-2025/ (accessed June 2026). The report documents corporate involvement in sustaining Israel's unlawful occupation, apartheid, and related violations, including measures targeting civil society organizations and international humanitarian actors.

[59]Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War (GCIV), 12 August 1949, 75 UNTS 287, Art. 59, first and second paragraphs (relief consignments), available at https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-59 (accessed June 2026).

[60]GCIV, *supra*, Art. 55 (duty of the occupying power to ensure the food and medical supplies of the population to the fullest extent of the means available to it), available at https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-55 (accessed June 2026).

[61]Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 8 June 1977, 1125 UNTS 3, Art. 70 (relief actions which are humanitarian and impartial shall be undertaken, subject to the agreement of the parties concerned, and parties shall allow and facilitate rapid and unimpeded passage of relief consignments), available at https://ihl-databases.icrc.org/en/ihl-treaties/api-1977/article-70 (accessed June 2026).

[62]GCIV, *supra*, Art. 63 (relief societies and religious organizations), available at https://ihl-databases.icrc.org/en/ihl-treaties/gciv-1949/article-63 (accessed June 2026).

[63]GCIV, *supra*, Art. 47 (inviolability of rights of protected persons). This provision guarantees that protected persons in occupied territory shall not be deprived of the benefits of GCIV by any change to institutions or government introduced as a result of the occupation, nor by any agreement between the occupying power and the authorities of the occupied territory.

[64]ICRC, Customary IHL Rule 55, 'Access for Humanitarian Relief to Civilians in Need,' https://ihl-databases.icrc.org/en/customary-ihl/v1/rule55 (accessed June 2026). Consent to humanitarian access may not be withheld on arbitrary grounds.

movement of authorized humanitarian relief personnel; [65] and Rule 31 requires that personnel participating in relief operations be respected and protected. [66]

The registration process raises questions of compatibility with each of these obligations. It conditions the continuation of relief operations on compliance with requirements, the submission of comprehensive national staff data and adherence to political speech criteria, that organizations cannot meet without violating data protection law, endangering staff in a context where hundreds of humanitarian workers have been killed, and compromising institutional independence. The joint statement of fifty-three international NGOs characterized the requirements as threatening to 'halt INGO operations at a time when civilians face acute and widespread humanitarian need.' [67] reflects a differential application that is difficult to explain by reference to a regulatory purpose alone.

Properly framed, any restrictive measure must satisfy a cumulative three-part test, that it be prescribed by law, directed at a legitimate aim, and necessary and proportionate to that aim; the registration regime fails at least the third limb, because the security objective invoked was already met by the less intrusive vetting mechanisms in operation, rendering the measure neither necessary nor the least restrictive means available.[68] The Israeli authorities have nonetheless defended the data-submission requirement as a measure to prevent the infiltration of humanitarian organizations by proscribed groups; that justification does not satisfy the necessity and proportionality conditions, because the less intrusive mechanisms were already in operation, the intended use of the demanded data was never disclosed despite repeated requests, and the criteria extend well beyond any security purpose.[69]

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[65]ICRC, Customary IHL Rule 56, 'Freedom of Movement of Humanitarian Relief Personnel,' https://ihl-databases.icrc.org/en/customary-ihl/v1/rule56 (accessed June 2026). The parties to the conflict must ensure the freedom of movement of authorized humanitarian relief personnel essential to the exercise of their functions.

[66]ICRC, Customary IHL Rule 31, 'Humanitarian Relief Personnel,' https://ihl-databases.icrc.org/en/customary-ihl/v1/rule31 (accessed June 2026). Personnel participating in humanitarian relief operations shall be respected and protected.

[67]Fourth Geneva Convention (1949), *supra* note 15.

[68]ICCPR, *supra*, Art. 22(2). Under both ICCPR Article 22(2) and the law of occupation, a restriction on freedom of association is permissible only where it is (a) prescribed by law, (b) in pursuit of a legitimate aim, and (c) necessary in a democratic society, that is, proportionate and the least restrictive means available. See Human Rights Committee, General Comment No. 34, UN Doc. CCPR/C/GC/34 (12 September 2011), paras. 22–25 and 34, para. 34 (a restrictive measure must be the least intrusive instrument among those which might achieve the relevant protective function).

[69]The Israeli authorities have justified the staff-data requirement as necessary to prevent the infiltration of humanitarian organizations by Hamas or other proscribed groups. See J Street, 'Explained,' *supra*. That rationale does not satisfy the necessity and proportionality requirements applicable under either ICCPR Article 22(2) or the law of occupation: the authorities did not articulate the specific use to which the data would be put despite repeated requests; less intrusive vetting mechanisms (donor-mandated counter-terror financing controls and audits) were already in place and were acknowledged to meet international standards; and the registration criteria extend well beyond any security purpose to encompass protected political expression. A measure cannot be 'necessary in a democratic society' where its stated aim is achievable by less restrictive means already in operation and where its actual criteria target lawful advocacy rather than the security risk invoked.

Key findings from the interviews conducted for this report are consistent with this record from the perspective of affected organizations themselves. Representatives of several organizations reported (from their own organizations' direct experience) that, despite repeated requests, they were never given an explanation of how the demanded staff data would be used. One interviewee further reported, as an account of the experience of other organizations rather than of the interviewee's own, that organizations which did comply with the data-submission requirement in full were in some cases refused registration in any event; that account rests on a single source, has not been confirmed by documentary evidence, and is treated in this report as uncorroborated.[70] One organization reported, from its direct experience, that the demand for personnel data extended to a staff member based outside Israel and the OPT entirely. That account also rests on a single source; if accurate, it is, in the assessment of this report, difficult to reconcile with any security rationale for the requirement.[71] The 2025 ICJ Advisory Opinion confirmed that Israel's obligations to facilitate international organizational activities are positive and binding. [72]

A further key finding identifies an additional and independent legal obstacle to compliance, arising not from international humanitarian law but from the data-protection regime to which many European-headquartered organizations are subject. The interviewee stated that the data-submission requirement conflicts directly with the organization's obligations under the General Data Protection Regulation, and that the organization cannot lawfully process or transfer its employees' personal information without being informed of the purpose for which the receiving authority intends to use it.[73][74] That objection is well founded as a matter of European law: the Regulation requires that personal data be processed for specified, explicit and legitimate purposes, and imposes distinct conditions upon transfers of personal data to third countries. The significance of this finding for the present analysis is twofold. First, it establishes that the registration regime places a category of affected organizations in a position of direct legal

[70] Key finding recorded in the confidential interview with the relevant case participant, 7 August 2026. Interview minutes at Annex B, Interview 6; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee.

[71] Key finding recorded in the confidential interview with the relevant case participant, 6 August 2026. Interview minutes at Annex B, Interview 5; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee.

[72] Law for Disclosure Requirements for Recipients of Support from a Foreign State E…, *supra* note 2.

[73] Key finding recorded in the confidential interview with the relevant case participant, 19 August 2026. Interview minutes at Annex B, Interview 8; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee.

[74] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (General Data Protection Regulation), OJ L 119/1. Arts. 5 and 6 require that personal data be processed lawfully, fairly and transparently, and for specified, explicit and legitimate purposes; Arts. 44–50 restrict transfers of personal data to third countries absent an adequacy decision or appropriate safeguards.

conflict, in which compliance with the Israeli requirement would expose them to liability under the law of their own jurisdiction; a regulatory measure that cannot be complied with without breaching another applicable legal regime cannot be characterized as a proportionate condition upon the exercise of a protected right. Second, the interviewee's account confirms, from an independent source and on an independent legal basis, the central evidentiary point recorded above, namely that the authorities have declined to specify the purpose for which the demanded data would be used. The absence of a stated purpose is not merely an administrative omission; it is the precise feature that renders compliance unlawful under the data-protection framework, and it further undermines any contention that the requirement is necessary and proportionate to a legitimate security objective.[75]

Consistency with International Principles Governing Humanitarian Action

The principles of humanity, neutrality, impartiality, and independence are not merely ethical commitments. As set out in Section III.F, humanity, neutrality and impartiality were affirmed by the General Assembly in Resolution 46/182, and independence in Resolution 58/114, and they are incorporated into the international legal framework governing humanitarian operations. The restrictions documented in this report affect each of these principles in so far as they concern organizations with a humanitarian operational mandate. Where an organization's function is human rights documentation, legal assistance or advocacy, the relevant standard is not neutrality but the freedoms of association and expression under Articles 22 and 19 of the ICCPR. Restrictions on that function are therefore treated as interferences with those freedoms, and the analysis of the chilling effect in Subsection C below should be read accordingly.

The Principle of Humanity

The principle of humanity requires that human suffering be addressed wherever it is found. As of January 2026, MSF alone, among the thirty-seven deregistered organizations, had carried out 800,000 consultations in 2025, supported one in five hospital beds, and assisted in the delivery of one in three babies. [76] International NGOs collectively deliver approximately one billion United States dollars in aid across the OPT each year, delivered more than half of all

[75]Key finding, Annex B, Interview 8, *supra* note 69.

[76]Médecins Sans Frontières (MSF), 'MSF Statement on Staff Registration and the Continuation of Medical Care in the Occupied Palestinian Territory,' 24 January 2026, https://www.msf.org/msf-statement-staff-registration-and-continuation-medical-care-occupied-palestinian-territory (accessed June 2026). 'Since 1 January 2026, all arrivals of our international staff into Gaza have been denied and all our supplies have been blocked. At the beginning of the year, our teams were supporting one in five hospital beds and the delivery of one in three babies in Gaza. In 2025, MSF alone carried out almost 800,000 outpatient consultations.'

food assistance in 2024, and implemented nearly three-quarters of shelter assistance. [77] Since 1 January 2026, MSF has been prevented from bringing international staff and additional supplies into the OPT. [78]

The Principles of Neutrality, Impartiality, and Independence

The principle of neutrality requires that humanitarian actors not take sides in hostilities. The registration criteria condition organizational survival on refraining from publicly framing Israeli conduct in international law terms. As recorded in the confidential interviews conducted for this report, organizations that conduct no public advocacy received registration; those that engage publicly in international law advocacy did not. [79] MSF characterized the requirements as 'broader efforts to undermine, discredit, and defame humanitarian action.' [80] Oxfam refused to submit staff data explicitly on grounds of 'humanitarian principles, duty of care and data protection obligations.' [81] This instrumentalization of the neutrality principle fundamentally misreads its purpose: as the ICRC's own articulation of the Fundamental Principles makes clear, neutrality concerns the non-taking of sides in hostilities and does not require silence regarding violations of international humanitarian law, the ICRC's doctrine, revised in 1992, expressly recognizes that the public denunciation of IHL violations does not breach neutrality.[82] Documentation of IHL violations and reporting to international accountability mechanisms are expressions of the humanitarian mandate, not deviations from neutrality. The

[77] NRC et al., '53 International NGOs Warn Israel's Recent Registration Measures Will Impede Critical Humanitarian Action,' 2 January 2026 (*supra*). INGOs, working with the UN and Palestinian organizations, 'collectively deliver approximately $1 billion in aid across Palestine each year,' delivered more than half of all food assistance in 2024, and implemented nearly three-quarters of shelter assistance. See also Israel, Guidelines for the Registration of Organizations (Government Resolution, 1 March 2025), available at https://www.gov.il/en/pages/interministerial_team_registration_humanitarian_organizations_foreign_employees (accessed June 2026).

[78] Rome Statute (1998), *supra* note 29.

[79] Key finding recorded in the confidential interview with the relevant case participant, 4 June 2026. Interview minutes at Annex B, Interview ; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee. The interviewee stated that organizations that refrain from public advocacy and receive foreign government funding received registration renewals, while those that publicly frame violations in international law terms were denied registration, reporting that of the several agencies in a protection consortium led by the interviewee's organization, only one was granted registration, and that this was the one that conducts no advocacy.

[80] Rome Statute (1998), *supra* note 29.

[81] Al Jazeera, reporting Oxfam statement, 'Oxfam Refuses to Provide Israel with Details of Palestinian Staff in Gaza,' 28 January 2026, https://www.aljazeera.com/news/2026/1/28/oxfam-refuses-to-provide-israel-with-details-of-staff-in-gaza (accessed June 2026). Oxfam spokesperson: 'We will not transfer sensitive personal data to a party to the conflict since this would breach humanitarian principles, duty of care and data protection obligations.'

[82] ICRC, The Fundamental Principles of the Red Cross: Commentary (Jean Pictet, Geneva: Henry Dunant Institute, 1979), https://www.icrc.org/en/article/fundamental-principles-red-cross-commentary (accessed June 2026). Neutrality concerns the non-taking of sides in hostilities; it does not require silence regarding violations of international humanitarian law. The ICRC's doctrine, revised in 1992, recognizes that the public denunciation of IHL violations by parties to a conflict does not breach the principle of neutrality. See also ICRC, 'Principles under Pressure,' Humanitarian Law & Policy Blog, 11 July 2024, https://blogs.icrc.org/law-and-policy/2024/07/11/principles-under-pressure-have-humanitarian-principles-really-stood-the-test-of-time/ (accessed June 2026)

principle of impartiality, which requires that assistance be delivered solely on the basis of need, without adverse distinction, is independently engaged: by conditioning access on political compliance rather than on the capacity to meet humanitarian need, the registration system substitutes a political criterion for the needs-based criterion that impartiality demands, with the result that the population's access to assistance is determined by the political posture of the serving organization rather than by the severity of its need. The principle of independence requires that humanitarian action be autonomous from political, military, or other objectives. The registration criteria, conditioning organizational survival on Israeli political requirements and imposing permanent surveillance through the three-year renewal cycle, sit uneasily with this principle. The HCJ ruling of 19 May 2026, which upheld the registration requirements while declining to address Israel's obligations under the law of occupation, [83] indicates that the principal domestic judicial avenue has, on the present record, been substantially exhausted, subject to confirmation that no further domestic remedy (such as a petition for a further hearing before an expanded panel) remains available. It reinforces the importance of international accountability mechanisms.

Key findings from interviews with representatives of several affected organizations independently corroborate this pattern of political conditionality and describe the practical strategies it has produced. One interviewee characterized the underlying purpose of the data-submission requirement as one of 'screening and profiling' the organization's Palestinian and international personnel.[84] A second interviewee reported that a small number of organizations, in particular Christian religious institutions and organizations affiliated with certain donor states, appear to have received more favourable treatment under the registration regime, corroborating from a further, independent source the differential outcome documented elsewhere in this report between advocacy-engaged and advocacy-silent organizations.[85] A third interviewee described the organization's resulting operating strategy in explicit terms: the organization does not publish material criticizing Israeli conduct, relies instead on private, non-public advocacy, and does so specifically in order to be 'seen as neutral and impartial and not a target.' This is a direct, first-person account of the self-censorship dynamic that the registration regime is designed to produce, and illustrates that the erosion of the neutrality and

[83] Adalah, 'Israeli High Court Upholds INGO Registration Requirements,' 19 May 2026, "https://www.adalah.org/en/content/view/11624"https://www.adalah.org/en/content/view/11624 (accessed June 2026). Palestinian human rights organizations stated the decision 'serves to destroy humanitarian access and directly contributes to the ongoing genocide in Gaza.'

[84] Key finding, Annex B, Interview 5, *supra* note 67.

[85] Key finding recorded in the confidential interview with the relevant case participant, 30 July 2026. Interview minutes at Annex B, Interview 3; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee.

independence principles documented in this section is not merely a legal characterization but a lived operational reality for the organizations concerned.[86]

The Chilling Effect on Public Advocacy

The registration process produces a chilling effect on public advocacy. As recorded in the confidential interviews conducted for this report, organizations have self-censored, avoiding the framing of field observations in international law terms, for fear of triggering the 'delegitimization' criteria. [8788] This chilling effect degrades the quality and completeness of humanitarian reporting with direct downstream consequences for the accuracy of information available to international accountability mechanisms.

Key findings from the interviews conducted for this report supply direct, first-person confirmation of this dynamic from within affected organizations. Asked explicitly whether the organization's monitoring, documentation, and advocacy functions had been affected by the restrictions, one interviewee confirmed that they had, stating that the organization is now 'more cautious' in this respect; the same interviewee characterized the underlying objective of the authorities as being to prevent these organizations from raising their voice or conveying the truth, and to confine them to the delivery of assistance alone.[89] A second interviewee, representing an organization that has continued to engage in advocacy, described the change less as an abandonment of that function than as a change in approach , stating that the organization conveys its message 'by different means' than before.[90] Read together, these accounts indicate that the chilling effect documented in this report operates along a spectrum, ranging from explicit self-restraint to the adaptation of advocacy into less visible channels, rather than uniformly silencing the organizations concerned; in either case, the accountability and monitoring function that these organizations perform on behalf of the protected population is diminished.

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[86]Key finding recorded in the confidential interview with the relevant case participant, 22 July 2026. Interview minutes at Annex B, Interview 2; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee.

[87]Key finding recorded in the confidential interview with the relevant case participant, 4 June 2026. Interview minutes at Annex B, Interview 1; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee.

[88]Human Rights Watch, 'Stopping Israel's Attack on Civil Society, Justice and Human Rights: A Call to Action,' 15 May 2025, https://www.hrw.org/news/2025/05/15/stopping-israels-attack-civil-society-justice-and-human-rights-call-action (accessed June 2026). HRW described the NGO taxation bill, the ICC cooperation bill, and the INGO registration measure as 'a coordinated set of measures affecting human rights work.'

[89]Key finding, Annex B, Interview 5, *supra* note 67.

[90]Key finding recorded in the confidential interview with the relevant case participant, 10 August 2026. Interview minutes at Annex B, Interview 7; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee.

A further key finding permits that spectrum to be stated with greater precision, and supplies an important qualification to it. The interviewee described three discernible categories of response across the sector: organizations that maintained public advocacy notwithstanding the regulatory risk; organizations that reduced their advocacy engagement and concentrated instead upon operational continuity; and organizations that entered a phase of temporary withdrawal or strategic silence during the period of peak regulatory pressure, re-engaging only partially thereafter. The interviewee characterized the sector as operating under fragmented risk thresholds, producing inconsistent collective advocacy responses.[91] The qualification is significant. The same interviewee reported that the organization represented had maintained a consistent public advocacy stance, declining to modify its messaging or tone in response to the pressure and continuing rights-based advocacy without strategic dilution.[92] This account is of evidentiary value precisely because it diverges from the pattern otherwise recorded. It establishes that the chilling effect documented in this report, while widespread, has not been universal, and that the choice to maintain public advocacy remained available to organizations prepared to accept the risk attaching to it. The analytical consequence is that the suppression of the advocacy function should be understood as the predominant but not the invariable effect of the registration regime, and that its incidence has varied with the risk threshold of the individual organization rather than following automatically from the measures themselves.

A further key finding places the most explicit account of this dynamic on the record, and does so from an organization that identifies human rights work, rather than service delivery, as its defining institutional mandate. Asked whether its capacity to carry out monitoring, documentation, and public advocacy had been affected, the interviewee answered that it had been affected severely, stating that the organization can no longer speak out freely, that its staff are not able to speak to the media, and that the organization cannot be as vocal as it once was; the interviewee summarized the resulting institutional posture in the plain observation that the organization has 'become more silent.'[93] This account is of particular evidentiary significance for two reasons. First, where the measure fall upon an organization whose principal function is advocacy and human rights documentation, the chilling effect does not operate at the margins of that organization's work but upon its core mandate, and the resulting loss to the accountability record is correspondingly greater. Second, the interviewee's identification of a specific prohibition upon staff engagement with the media documents the mechanism by which

[91]Key finding recorded in the confidential interview with the relevant case participant, 8 June 2026. Interview minutes at Annex B, Interview 9; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee.

[92]Key finding, Annex B, Interview 9, *supra* note 89.

[93]Key finding, Annex B, Interview 8, *supra* note 69.

the effect is transmitted from the institution to the individual: the constraint is not merely a matter of institutional caution in framing public positions, but extends to the willingness of individual staff to speak at all. Taken with the accounts recorded above, the evidence gathered for this report indicates that the suppression of the monitoring and advocacy function is not an incidental consequence of the registration regime but among its most consistently reported effects.

Comparative Examples of Restrictions on Humanitarian Operations and International Engagement

Section III.G of this report established a comparative legal framework drawing on three precedents, Darfur, East Timor, and Western Sahara, in which the restriction of international organizations' operations was employed as an instrument of occupation consolidation. These precedents are not identical to the present context: Darfur primarily arose in a non-international armed conflict, whereas East Timor and Western Sahara arose in contexts of self-determination and occupation. Those distinctions in conflict classification do not, however, defeat the analogy, because the comparison is drawn not at the level of conflict typology but at the level of the shared legal obligation, the duty, common to all these contexts, to permit and facilitate the operations of impartial international organizations, and at the level of the shared technique by which that duty is evaded through the administrative exclusion of those organizations. Cross-referencing that framework with the specific evidence documented in this report yields three additional comparative observations.

First, the Israeli approach is distinguished by its legislative formalization. In Darfur, restrictions were exercised primarily through direct expulsion orders; in East Timor, through administrative obstruction. [94] The Israeli framework deploys formal legislative instruments, the 2016 Disclosure Law, the 2024 UNRWA prohibition laws, the 2025 registration process, and the pending NGO taxation and ICC cooperation bills, which provide a veneer of regulatory legality while achieving the same functional outcome of organizational exclusion. [95] [96] The Special Rapporteur has characterized this legislative trajectory as forming part of a systematic

[94] See Section II of this report, which develops the comparative occupation framework drawing on the documented experiences of international organizations in Darfur (including the 2009 expulsion of thirteen international NGOs following the issuance of an ICC arrest warrant), East Timor under Indonesian administration, and Western Sahara. The factual characterizations in this paragraph cross-reference that analysis rather than restating its sources.

[95] OHCHR, *supra* note 39.

[96] Front Line Defenders, 'Israel: Two Dangerous Bills Risk Criminalising and Preventing Israeli Human Rights Defenders from Operating,' 28 February 2025, https://www.frontlinedefenders.org/en/statement-report/israel-two-dangerous-bills-risk-criminalising-and-preventing-israeli-human-rights (accessed June 2026). Bill P/5222/25 'introduces an 80% tax on donations from foreign states to NGOs and a prohibition on courts to consider petitions submitted by these organizations.'

effort to consolidate occupation control by dismantling civil society and humanitarian infrastructure. [97]

Second, the selectivity effect of the registration process, the documented differential treatment of advocacy-engaged versus advocacy-silent organizations, has no precise parallel in the precedents reviewed in Section III.G. The pattern by which organizations that refrain from public advocacy receive registration while those engaged in accountability-oriented work are excluded is consistent with potentially discriminatory intent relevant to the analysis of individual criminal responsibility conducted in Part IV.D of this Section below. [98]

Third, the simultaneous targeting of both international organizations and Palestinian civil society through parallel instruments places the restrictions within an integrated strategy of civic space elimination. The UN Human Rights Office in the Occupied Palestinian Territory documented this convergence in its press release of 16 December 2025, 'The unprecedented assault on civic space in the Occupied Palestinian Territory', which placed the March 2025 interministerial decision on the registration of international NGOs alongside measures directed at Palestinian civil society, journalists and the media.[99]

Administrative and Security Mechanisms: Patterns and Systematic Deployment

The Legislative Trajectory

The timeline of legislative measures from 2016 to 2026 is not coincidental. The 2016 Disclosure Law established the principle of state surveillance of civil society organizations receiving foreign government funding. The 2024 UNRWA prohibition laws extended that principle to the direct prohibition of a UN agency's operations. The 2025 registration process operationalized perpetual surveillance as a condition of organizational existence. The pending NGO taxation bill (P/5222/25) would impose an eighty percent tax on foreign government donations, [100] effectively constituting financial exclusion for organizations dependent on international funding.

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[97] ICCPR, *supra* note 18.

[98] ActionAid International, 'Humanitarian Organizations Reaffirm Decision to Pursue Petition before Israel's High Court of Justice Following Recent Hearing,' 2 April 2026, https://actionaid.org/news/2026/humanitarian-organizations-reaffirm-decision-pursue-petition-israels-high-court-justice (accessed June 2026). AIDA noted that 'the Court restricted arguments to the narrow issue of data privacy, preventing petitioning organizations from presenting the broader legal and security issues involved, including Israel's obligations as an occupying power.'

[99] UN Human Rights Office in the Occupied Palestinian Territory (OHCHR), 'The unprecedented assault on civic space in the Occupied Palestinian Territory,' press release, 16 December 2025, https://palestine.un.org/en/node/307178 (accessed October 2026).

[100] Adalah, 'The Proposed NGO Taxation Law,' https://www.adalah.org/en/content/view/11486 (accessed June 2026). Bill P/5222/25 passed a preliminary Knesset reading on 19 February 2025.

A key finding from the interviews indicates that this legislative trajectory may extend further still: the interviewee reported that proposals have been raised to designate organizations that have not obtained registration under the 2025 regime as terrorist organizations. The interviewee characterized this as remaining, at present, at the stage of a proposal rather than enacted policy, but assessed that its consequences would be very significant were it to be adopted. If realized, such a measure would represent a further and qualitatively distinct escalation beyond the administrative exclusion documented elsewhere in this report, and is accordingly relevant to the forward-looking scenarios examined in Section V.IV below.[101]

The Reputational Enforcement Mechanism

Throughout the period under review, Israeli governmental bodies have repeatedly amplified characterizations of international organizations produced by NGO Monitor. As recorded in the confidential interviews conducted for this report, this produces an 'echo chamber' effect whereby NGO Monitor's characterizations are reproduced through official government channels as if authoritative.[102][103] The mechanism provides a pretext for formal measures, deters donor government funding, and diverts institutional capacity from programming to reputational defense.

The Administrative Access Control Mechanism

The denial and restriction of work permits, entry visas, and movement access, recorded in the confidential interviews conducted for this report and corroborated by MSF's report that all international staff arrivals and supplies have been blocked since 1 January 2026, constitutes a mechanism distinct from the legislative instruments. OCHA's April 2026 Movement and Access update documented 925 movement obstacles restricting the movement of 3.4 million Palestinians across the West Bank and East Jerusalem, forty-three percent more than the twenty-year annual average.[104] This mechanism may achieve organizational dissolution without formal deregistration: even where organizations retain a legal basis for operation, the denial of staff entry renders meaningful operations impossible.

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[101] Key finding, Annex B, Interview 6, *supra* note 66.

[102] Israeli Knesset, *supra* note 38.

[103] OHCHR, *supra* note 39.

[104] OCHA, 'Movement and Access in the West Bank, April 2026,' https://www.ochaopt.org/content/movement-and-access-west-bank-april-2026 (accessed June 2026); corroborated in OCHA, oPt Humanitarian Situation Report, 23 April 2026, https://www.unocha.org/publications/report/occupied-palestinian-territory/opt-humanitarian-situation-report-23-april-2026 (accessed June 2026): 'an updated mapping by OCHA shows 925 movement obstacles across the West Bank, including East Jerusalem, the highest number recorded in the past 20 years and 43 per cent above the two-decade average.'

Key findings from the interviews add two further dimensions to this mechanism. First, one interviewee described a procedural block operating in two successive stages rather than one: the Israeli authorities decline not only to grant entry visas to international staff but also to issue the letters of recommendation that organizations require in order to apply for such visas in the first place, so that the denial of entry cannot be circumvented by reapplication through the ordinary channel.[105] Second, one interviewee traced the origin of the 2025 registration regime itself to earlier litigation over precisely this mechanism: the organization had brought proceedings before the Israeli courts to compel the responsible ministry to issue outstanding recommendation letters, and it was in response to that litigation that the authorities represented to the court that a new process was under development, a process that was subsequently introduced as the 2025 registration regime. On this account, the registration system did not emerge as a freestanding regulatory reform but as a response, formulated in the course of litigation, to organizations' attempts to compel compliance with the pre-existing recommendation-letter mechanism.[106] A further interviewee reported that, as of the date of interview, the organization's renewal application, submitted in 2025 in accordance with the sectoral guidance issued by the umbrella body coordinating international organizations' engagement with the new regime, remained pending with no final determination communicated by the authorities. This unresolved, indefinite status constitutes a documented variant of administrative measures distinct from both outright refusal and successful renewal: an organization that has completed the application process may nonetheless be left without a final answer for a prolonged period, a form of institutional limbo that itself constrains long-term planning and operational commitments.[107] A further key finding documents a distinct and analytically important variant of the same phenomenon, in which the loss of premises in East Jerusalem occurred without any order requiring it. The interviewee described the closure of the organization's office in East Jerusalem, and stated that the relevant court order was legally ambiguous in its scope and effect, no explicit judicial instruction mandating physical closure having been identified; the closure was instead a practical consequence of the compliance risk generated by the registration requirements. The interviewee further observed that the judicial reasoning appeared to avoid explicit engagement with questions of territorial status, and suggested that the vagueness may have been deliberate so as to avoid a precedent-setting determination. This account is significant for two reasons. First, it documents a further concrete loss of institutional presence in occupied East Jerusalem, of the kind examined in Section V.

[105]Key finding, Annex B, Interview 5, *supra* note 67.

[106]Key finding, Annex B, Interview 2, *supra* note 84.

[107]Key finding, Annex B, Interview 9, *supra* note 89.

Second, and more importantly for the present analysis, it identifies a mechanism by which the registration regime produces institutional withdrawal without any formal decision of closure: where the legal position is left sufficiently uncertain, the organization withdraws in order to manage its own compliance risk, and no order susceptible to legal challenge is ever issued.

D. **Potential Responsibility Under International Law**

Article 17 of the Rome Statute of the International Criminal Court governs the admissibility of any case before the Court and comprises two distinct requirements, either of which, if unmet, is independently sufficient to render a case inadmissible.[108] The first is complementarity, set out in Article 17(1)(a)–(c), which asks whether a State with jurisdiction is itself genuinely investigating or prosecuting the same conduct.[109] The second is gravity, set out in Article 17(1)(d), which asks whether the case, independently of any domestic proceedings, is serious enough to justify the Court's attention.[110] Because these requirements operate cumulatively rather than as alternatives, doubt under either heading presents a material obstacle to admissibility, and doubt under both presents two independent and reinforcing obstacles. This section examines each requirement as it applies to the conduct documented in this report, identifies the specific crimes under the Rome Statute that conduct may engage, and concludes with a recommendation as to the appropriate forum for the present stage.

Admissibility: Complementarity and Gravity

Complementarity reflects the foundational premise of the Rome Statute, stated in its Preamble and in Article 1, that the Court "shall be complementary to national criminal jurisdictions."[111] Under Article 17(1)(a)–(c), a case is inadmissible where it is being investigated or prosecuted, or has already been investigated with a decision not to prosecute, by a State with jurisdiction, unless that State is unwilling or unable genuinely to carry out the proceedings.[112] Article 17(2) defines unwillingness by reference to indicia such as proceedings undertaken for the purpose of shielding the person from responsibility, unjustified delay inconsistent with an intent to bring the person to justice, or a lack of independence or impartiality inconsistent with such an intent; Article 17(3) defines inability by reference to a total or substantial collapse or unavailability of the national judicial system.[113] The Appeals Chamber, most authoritatively in Al-Senussi, has confirmed that this analysis turns on whether domestic proceedings concern substantially the same person and substantially the same conduct as would be at issue before the Court, and that a functioning domestic judiciary genuinely engaged with the relevant facts weighs against a finding of unwillingness or inability.[114] Applying that standard, the Israeli Supreme Court,

[108] Rome Statute of the International Criminal Court, 17 July 1998, 2187 UNTS 90, Art. 17(1).

[109] Rome Statute, Art. 17(1)(a)–(c).

[110] Rome Statute, Art. 17(1)(d).

[111] Rome Statute, Preamble, para. 10, and Art. 1.

[112] Rome Statute, Art. 17(1)(a)–(c).

[113] Rome Statute, Art. 17(2) (unwillingness) and Art. 17(3) (inability).

[114] Prosecutor v. Saif Al-Islam Gaddafi and Abdullah Al-Senussi, ICC-01/11-01/11 OA6, Appeals Chamber Judgment, 24 July 2014, confirming that the case against Abdullah Al-Senussi was inadmissible because Libya was investigating substantially the same conduct against the same person and was not unwilling or unable genuinely to do so; see also

sitting as the High Court of Justice, is currently seized of live proceedings arising from the same factual matrix examined in this report, such proceedings are civil and administrative rather than criminal, and do not themselves satisfy Article 17(1)(a)–(c) in the strict sense of a State investigation or prosecution of the individuals responsible for the underlying policy; this note does not suggest otherwise. Their existence is nonetheless probative of the threshold question that Article 17(2)–(3) requires the Court to answer, namely whether the domestic legal system remains functioning, accessible, and capable of adjudicating the relevant facts.[115] A finding of unwillingness or inability is, on the Court's own jurisprudence, not lightly made, and the presence of ongoing, domestic litigation over closely related facts makes such a finding correspondingly more difficult to sustain at the present stage.[116]

Gravity, by contrast, is unaffected by the existence or absence of domestic proceedings and asks only whether the conduct at issue is sufficiently serious to justify the Court's finite institutional resources.[117] The content of this requirement has evolved through the Court's own jurisprudence.[118][119][120] Measured against that standard, the Court's own practice within the Situation in the State of Palestine, which has to date produced arrest warrants against a former Prime Minister and a former Minister of Defence for conduct including starvation as a method of warfare and persecution arising from the war in Gaza , illustrates the order of scale and seniority the Office of the Prosecutor has, as a matter of stated policy, prioritized in its allocation of resources.[121] The administrative registration measures examined in this report are narrower in scale, more diffuse in their direct impact, and not, on the present record, clearly attributable to the most senior of Israeli decision-making. The qualitative-factors test does not require senior leadership as a precondition, but the disparity in scale and visibility between the conduct already before the Court and the conduct examined here remains material to any gravity assessment conducted in isolation.[122]

Prosecutor v. Ruto, Kosgey and Sang, ICC-01/09-01/11 OA, Appeals Chamber Judgment, 30 August 2011, applying the same 'same person/same conduct' test.

[115] Rome Statute, Art. 17(2)–(3); see also Statement of ICC Prosecutor, Fatou Bensouda, Respecting an Investigation of the Situation in Palestine, 3 March 2021, https://www.icc-cpi.int/news/statement-icc-prosecutor-fatou-bensouda-respecting-investigation-situation-palestine (accessed September 2026), noting that the Office's assessment would remain ongoing 'in accordance with the principle of complementarity.'

[116] See authorities cited at note 7 above; the Al-Senussi Appeals Chamber emphasized the deference owed to a functioning domestic system genuinely engaged with the relevant facts.

[117] Rome Statute, Art. 17(1)(d).

[118] Prosecutor v. Thomas Lubanga Dyilo, ICC-01/04-01/06, Pre-Trial Chamber I, Decision on the Prosecutor's Application for a Warrant of Arrest, Article 58, 10 February 2006, paras. 46–53.

[119] Situation in the Democratic Republic of the Congo, ICC-01/04-169, Judgment on the Prosecutor's Appeal against the Decision of Pre-Trial Chamber I, Appeals Chamber, 13 July 2006, rejecting the restrictive senior-leadership and social-alarm criteria and holding that gravity requires a holistic assessment of quantitative and qualitative factors.

[120] Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud, ICC-01/12-01/18 OA4, Appeals Chamber Judgment, 19 February 2020, confirming that quantitative criteria alone, including the number of victims, are not determinative of gravity under Art. 17(1)(d) and must be assessed case-by-case alongside qualitative factors.

[121] Situation in the State of Palestine, ICC Pre-Trial Chamber I, decisions of 21 November 2024 rejecting Israel's challenges under Arts. 18 and 19 of the Statute and issuing warrants of arrest for Benjamin Netanyahu and Yoav Gallant; Office of the Prosecutor, International Criminal Court, Policy Paper on Case Selection and Prioritisation, 15 September 2016.

[122] This assessment is offered as a considered legal judgment for present purposes and is necessarily provisional; it may be revisited should the factual or procedural position change.

Two crimes against humanity are conceptually engaged by the pattern of conduct documented in this report. Both are properly described as potential rather than presently applicable characterizations: each identifies a legal category into which parts of the documented conduct may, in principle, fall, but neither is, on the registration measures considered alone, established to the standard a court would require. The distinction matters, and is maintained deliberately throughout this section.[123]

The first is forcible transfer, defined as a crime against humanity under Article 7(1)(d) of the Rome Statute, and, in certain circumstances, also relevant to the grave breach provision at Article 147 of the Fourth Geneva Convention and the war crime at Article 8(2)(b)(viii) of the Statute.[124] Article 49 of the Fourth Geneva Convention prohibits such transfers regardless of motive, and the ICTY Appeals Chamber, in Prosecutor v. Stakić, confirmed that the term 'forcible' extends beyond physical force to include coercion arising from fear of violence, duress, or the exploitation of a coercive environment.[125] UN reporting bodies have documented such a coercive environment in East Jerusalem, and the International Court of Justice reached a materially similar conclusion in its Advisory Opinion of 19 July 2024.[126] The registration measures examined in this report may be connected, as a matter of downstream effect, to that coercive environment, insofar as they remove organizations that provide legal assistance against eviction. That connection, however, remains an inference about effect rather than a demonstration that the registration measures themselves satisfy the elements of Article 7(1)(d): no showing has been made, on the present record, that the exclusion of a given organization caused or substantially contributed to a specific act of displacement, and the crime, as defined, is accordingly not established as applicable to the registration regime standing on its own.[127]

The second is persecution, the crime against humanity defined at Article 7(1)(h) of the Rome Statute, the elements of which the ICC's Elements of Crimes specify as: a severe deprivation of fundamental rights; targeting by reason of the identity of a group; on political, racial, national, ethnic, cultural, religious, gender, or other impermissible grounds; a connection to another act under Article 7(1) or a crime within the Court's jurisdiction; commission as part of a widespread or systematic attack against a civilian population; and knowledge of that attack.[128] Interview accounts gathered for this report indicate that the affected organizations were targeted specifically because of their documentation, advocacy, which would tend to support the political-grounds element of Article 7(1)(h) rather than a neutral regulatory rationale. That single element, however, does not itself complete the offence. The remaining elements, in

[123]The distinction between a crime that is conceptually engaged by documented conduct and a crime whose elements are affirmatively established on a given set of facts is fundamental to the standard of proof any tribunal, domestic or international, would apply before proceeding to judgment; that distinction is applied throughout this section.

[124]Rome Statute, Art. 7(1)(d); Fourth Geneva Convention, Art. 147; Rome Statute, Art. 8(2)(b)(viii).

[125]Fourth Geneva Convention, Art. 49; Prosecutor v. Stakic, ICTY Appeals Chamber, IT-97-24-A, Judgment, 22 March 2006, paras. 300–303, 317.

[126]OCHA, 'High Numbers of Demolitions: The Ongoing Threats of Demolition for Palestinian Residents of East Jerusalem'; OHCHR, 'UN Experts Warn against the Irreversible "De-Palestinisation" of Jerusalem,' press release, 6 March 2026; International Court of Justice, Advisory Opinion of 19 July 2024 (General List No. 186).

[127]See the report's discussion connecting the removal of legal-assistance capacity to the coercive environment described above; that connection is presented there, as here, as a reasoned inference about downstream effect rather than a proven causal fact.

[128]Rome Statute, Art. 7(1)(h); ICC, Elements of Crimes (The Hague: ICC, 2013), Art. 7(1)(h).

particular the contextual requirement of a widespread or systematic attack directed against a civilian population, the required nexus to another Article 7(1) act, and the knowledge requirement. depend on a broader evidentiary showing that lies outside the scope of the registration measures alone and is not undertaken in this note. Persecution, accordingly, remains a potential rather than a presently applicable characterization of the registration regime considered in isolation.[129]

Both crimes remain conceptually relevant to the wider course of conduct addressed elsewhere in the underlying report, and neither characterization is withdrawn as a matter of legal principle. But neither is, at the present stage and on the registration measures alone, established as applicable in the sense a tribunal would require before proceeding to judgment. This qualification is consistent with, rather than in tension with, the admissibility analysis set out above: a case that does not yet clearly satisfy the elements of an enumerated crime on its own facts is, a fortiori, unlikely to meet the complementarity and gravity thresholds required for the Court to accept it as a freestanding matter.[130]

On the analysis above, a freestanding application to the International Criminal Court addressing the registration measures in isolation would, at the present stage, face a materially weak position on two independent grounds. First, under Article 17 of the Rome Statute, admissibility is doubtful on both complementarity and gravity grounds. Second, and independently, the elements of the crimes potentially engaged, forcible transfer under Article 7(1)(d) and persecution under Article 7(1)(h), are not, on the registration measures alone, presently established. This conclusion is procedural and evidentiary rather than a final substantive judgment: it does not deny that the conduct documented in this report may, in due course and on a fuller record encompassing the broader course of conduct against the protected Palestinian population, be capable of engaging those provisions. It records only that this has not yet been shown with respect to the registration measures considered on their own. Accordingly, this report recommends that affected organizations continue, in the first instance, to pursue the domestic remedies they have already engaged before the Israeli courts, while preserving the separate and lower-threshold option of preserving relevant evidence and submitting appropriate information to the Office of the Prosecutor..[131]

[129] See the report's summary of interviews with representatives of affected organizations; the contextual and knowledge elements of Art. 7(1)(h) are not addressed by that material alone and their determination is reserved to a competent tribunal with a full evidentiary record.

[130] See notes 1–17 above, on the cumulative and independent character of the complementarity and gravity requirements under Art. 17 of the Rome Statute.

[131] Rome Statute, Art. 15(1)–(2), permitting the Prosecutor to receive information from States, UN organs, intergovernmental or non-governmental organizations, or other reliable sources, independent of any formal case or referral. This recommendation is procedural and provisional; it may be revisited if the factual or procedural position changes, including if domestic proceedings prove unavailing.

SECTION V: INSTITUTIONAL ANALYSIS

The preceding sections have analyzed the legal character of the restrictions imposed on international organizations in occupied Jerusalem. This section examines their institutional consequences: the impact on the partnership architecture between international and local Palestinian organizations; the broader implications for civic space in the OPT; the adaptation strategies adopted by affected institutions; and the forward-looking scenarios for the trajectory of restrictions on international presence and functions.

Impact of Restrictions on the Partnership Ecosystem Between International and Local Palestinian Organizations

The Architecture of Interdependence

The relationship between international humanitarian organizations and local Palestinian civil society constitutes the essential operational architecture through which humanitarian services reach Palestinian civilians in occupied Jerusalem and the wider OPT. International organizations typically function as strategic and financial leads, providing funding, technical capacity, institutional credibility, and access to international advocacy channels, while local organizations provide community presence and implementation capacity. OCHA data for December 2025 confirms the scale of this interdependence: 48 of the 67 projects implemented by INGOs or the UN were being implemented in collaboration with national NGOs.. [132] The fifty-three international NGOs' joint statement noted explicitly that the restrictions 'directly affect Palestinian and Israeli partner organizations, undermining local response capacity, disrupting funding flows, and weakening community-based service delivery across sectors.' [133]

As recorded in the confidential interviews conducted for this report, the use of locally-registered Palestinian partner organizations for program implementation has enabled the continuation of core program delivery even as the international organization's own capacity has been eroded. [134] However, this apparent resilience conceals a structural vulnerability: local

[132] OCHA, Humanitarian Situation Update No. 352, West Bank, 7 January 2026 (*supra*). Of 111 ongoing oPt Humanitarian Fund projects in December 2025, 54 were implemented by international NGOs, 44 by national NGOs, and 13 by UN agencies; '48 out of the 67 projects implemented by international NGOs or the UN are being implemented in collaboration with national NGOs.'

[133] NRC et al., '53 International NGOs Warn Israel's Recent Registration Measures Will Impede Critical Humanitarian Action,' 2 January 2026 (*supra*). 'Restrictions on INGOs also directly affect Palestinian and Israeli partner organizations, undermining local response capacity, disrupting funding flows, and weakening community-based service delivery across sectors.'

[134] Key finding recorded in the confidential interview with the relevant case participant, 4 June 2026. Interview minutes at Annex B, Interview 1; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee. 'The way that we operate our legal aid program through local partners has been a way that's protected our work in a lot of ways, because even the obstacles that we face, the local organizations are still able to operate.'

organizations depend on international partners for the international legitimacy, financial resources, and political protection that partnership status confers. Should the pending eighty percent NGO taxation bill come into force, local Palestinian organizations depending on international government funding would face financial catastrophe, eliminating this residual resilience. [135]

Documented Impact Pathways on Local Partners

The restrictions on international organizations do not act on local partners in isolation. Palestinian organizations in Jerusalem were already subject to measures that pre-date those examined in this report, including the closure of Palestinian institutions in the city, of which the closure of Orient House in August 2001 is the best-known example, and the designation of six Palestinian organizations as 'terrorist organizations' in October 2021. The pathways set out below are therefore best understood as interacting and, where the evidence supports it, mutually reinforcing restrictions: the later measures directed at international organizations remove protections that had previously mitigated the effect of the earlier measures directed at local organizations. Where an effect can be attributed to the later international restrictions rather than to pre-existing local measures, this is stated. The restrictions on international organizations affect local partner organizations through several specific pathways. First, the loss of international organizational presence eliminates the institutional support, funding and advocacy protection under which local organizations conduct or engaged in sensitive work, documentation, legal advocacy, and residency protection in Jerusalem, which is considerably more exposed to Israeli administrative reprisal without international cover.

Second, the financial disruption of international organizations reduces the flow of programmatic funds to local partners. Third, the closure of UNRWA's Jerusalem schools and the demolition of its headquarters eliminate the social service infrastructure that no local organization has the institutional capacity to substitute on short notice. Fourth, the progressive exclusion of international organizations removes the monitoring and documentation presence that creates accountability for Israeli administrative actions against Palestinian civil society.

A key finding from the interviews provides a documented illustration of the first of these pathways. The interviewee reported that Palestinian partner organizations with which the interviewee's organization works, including Al-Haq and the Al Mezan Centre for Human Rights, have been designated and have had their bank accounts closed as a consequence, with

[135] UNRWA Commissioner-General Philippe Lazzarini, *supra* note 47.

the result that continued cooperation with them has become extremely difficult. This account documents, from the perspective of an affected international organization, the practical mechanism by which the loss of international cover translates into concrete operational and financial harm for the local partners identified in the pathway analysis above. A further key finding records the reciprocal effect upon the international partner: the interviewee stated simply that the organization has become fearful of dealing with its Palestinian partner organizations. This is a significant finding for the partnership analysis, because it indicates that the designation and financial exclusion of Palestinian organizations operate not only directly, by curtailing the designated organization's own capacity, but also indirectly, by deterring the international organizations upon whose funding and institutional cover those partners depend. The effect of the designation regime is therefore self-reinforcing: it isolates Palestinian organizations from the international partnerships that would otherwise mitigate its consequences.[136] [137]

The interviewee's account is recorded as reported, and the documentary record supports a more differentiated description. Al-Haq was among six Palestinian organizations declared 'terrorist organizations' by the Israeli Minister of Defence in October 2021 under the Counter-Terrorism Law, 5776-2016, and declared 'unlawful associations' in the West Bank by military order in November 2021; Al Mezan was not among those organizations. On 4 September 2025 the United States Department of State designated Al-Haq, Al Mezan and the Palestinian Centre for Human Rights under Executive Order 14203, the United States sanctions regime directed at the International Criminal Court, on the ground of their engagement with the Court.[138] This report has not identified a public record of the closure of Al-Haq's or Al Mezan's bank accounts, including the bank concerned, the date, any reason stated or any formal correspondence. A comparable measure has been publicly reported by the Palestinian Centre for Human Rights, which stated that a bank contacted it to close its accounts two days after the United States designation.[139] The distinction between the two regimes bears on how such closures are characterized. United States sanctions prohibit United States persons from dealing

[136] Key finding, Annex B, Interview 8, *supra* note 69.

[137] Key finding recorded in the confidential interview with the relevant case participant, 30 July 2026. Interview minutes at Annex B, Interview 4; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee.

[138] United States Department of State, 'Sanctioning Foreign NGOs Directly Engaged in ICC's Illegitimate Targeting of Israel,' press statement, 4 September 2025, designating Al-Haq, the Al Mezan Center for Human Rights and the Palestinian Centre for Human Rights pursuant to Section 1(a)(ii)(A) of Executive Order 14203 of 6 February 2025, 'Imposing Sanctions on the International Criminal Court'; OHCHR, 'UN experts dismayed by US sanctions against Palestinian human rights organisations,' 22 September 2025, https://www.ohchr.org/en/press-releases/2025/09/un-experts-dismayed-us-sanctions-against-palestinian-human-rights (accessed October 2026). On the 2021 Israeli designations, see Annex D.

[139] M. Capacci, 'Palestinian NGOs: "We are like outcasts",' JusticeInfo.net, 20 March 2026, https://www.justiceinfo.net/en/156738-we-are-like-outcasts.html (accessed October 2026).

with designated entities and expose others to the risk of designation for providing them material support; a closure by a bank outside United States jurisdiction is therefore ordinarily a risk-management decision rather than a step the sanctions legally require of it. Unless shown otherwise, this report accordingly treats such closures as discretionary withdrawals of service prompted by the designations, not as legally required restrictions.

A key finding from the interviews provides the most detailed account in this evidence base of the scale of that dependence. The interviewee described an operational model in which approximately eighty to ninety per cent of the organization's programming is delivered through local partner organizations, the organization itself retaining the functions of funding allocation, technical support, advocacy coordination, and capacity strengthening rather than direct implementation.[140] The same interviewee reported that donor funding available for East Jerusalem-specific programming is extremely limited and is concentrated in legal aid and displacement prevention, and characterized the civic space in the city as severely shrinking and approaching near non-functionality for many organizations, with the consequence that responsibility is increasingly concentrated in a small number of specialised actors.[141] These figures bear directly upon the analysis in this section. Where the great majority of programming is delivered through local partners, a measure directed at the international organization operates principally upon the funding, technical support, and institutional cover available to Palestinian civil society; and where the residual funding for East Jerusalem is concentrated in legal aid and displacement prevention, those are precisely the functions most exposed to its withdrawal.

OHCHR noted that the INGO restrictions 'pose a new impediment to the operation of the UN-led humanitarian response in Gaza, and the work of many Palestinian civil society organisations across the Occupied Palestinian Territory, which rely on cooperation with international NGOs.' [142]

Implications of the Restrictions on Civic Space in the Occupied Palestinian Territory

The restrictions on international organizations cannot be analyzed in isolation from the parallel restrictions on Palestinian civil society. The press release of the UN Human Rights Office of 16 December 2025, ‘The unprecedented assault on civic space in the Occupied Palestinian

[140]Key finding, Annex B, Interview 9, *supra* note 89.

[141]Key finding, Annex B, Interview 9, *supra* note 89.

[142]OHCHR, 'The Unprecedented Assault on Civic Space,' *supra*. 'This poses a new impediment to the operation of the UN-led humanitarian response in Gaza, and the work of many Palestinian civil society organisations across the Occupied Palestinian Territory, which rely on cooperation with international NGOs.'

Territory', situated the international NGO restrictions within a pattern encompassing: ongoing terrorist organization designations of Palestinian NGOs; office raids; the advancing NGO taxation bill; and restrictions on freedom of expression and association. [143] The December 2025 raid on the Union of Agricultural Work Committees, in which Israeli security forces blindfolded, handcuffed, and detained eight staff members, was documented by OHCHR as part of a pattern in which eighty-one violations against human rights defenders had been recorded in the preceding two months alone. [144]

Two further key findings from the interviews indicate that this pattern is understood by international organizations to have altered their own position, and not only that of their Palestinian counterparts. One interviewee, an advocacy representative with nearly two decades of professional engagement with the territory, reported that the organization had found it necessary to adopt a standing operating procedure governing the conduct of staff in the event that its Jerusalem office was raided, and observed that no such contingency would have been contemplated in earlier years.[145] The same interviewee characterized the change in a single formulation: that international organizations are now receiving what was described as the treatment previously reserved for Palestinian institutions.[146] In support of that assessment the interviewee cited the raiding and sealing of the offices of a Palestinian child-rights organization, an organization which subsequently ceased operations altogether in April 2026, citing the criminalization of Palestinian human rights work as the reason for its closure.[147] The analytical significance of these accounts lies in the convergence they describe. The measures documented in this report are not experienced by their subjects as a discrete regulatory dispute concerning international organizations, but as the extension to those organizations of an existing repertoire of measures previously directed at Palestinian civil society. That convergence is material to the assessment in Section IV of whether the restrictions form part of a single course of conduct directed against the protected population, rather than a separate and self-contained regulatory exercise.[148]

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[143] Convention on the Privileges and Immunities of the United Nations, *supra* note 45.

[144] NRC et al., 'Humanitarian Organisations Petition Israeli High Court as Closure Deadline Approaches,' 24 February 2026, https://www.nrc.no/news/2026/humanitarian-organisations-petition-israeli-high-court-as-closure-deadline-approaches (accessed June 2026). AIDA and eighteen other organizations, including MSF, NRC, and Oxfam Novib, challenged the Israeli government's December 2025 decision ordering organizations to terminate their activities.

[145] Key finding, Annex B, Interview 1, *supra* note 77.

[146] Key finding, Annex B, Interview 1, *supra* note 77.

[147] Key finding, Annex B, Interview 1, *supra* note 77.

[148] OHCHR, *supra* note 46.

In Jerusalem specifically, the removal of international organizational presence accompanies a documented pattern of Palestinian institutional closure. The closure on 28 April 2025 of the Alquds Fund and Endowment, ordered by National Security Minister Itamar Ben-Gvir on the basis that it operated on behalf of the Palestinian Authority without a permit, reflects the same institutional logic applied to international organizations: the elimination of bodies that maintain Palestinian presence, service, and institutional memory in the city. [149] One interviewee drew this connection explicitly, characterizing the restrictions as 'a continuation of the efforts to remove East Jerusalem as the capital of Palestine, the same way that we saw Orient House get shut down 25 years ago.' [150] The Special Rapporteur, Francesca Albanese.has similarly characterized the broader pattern as part of the consolidation of Israeli control over occupied territory through the dismantling of civil society infrastructure. [151]

OCHA's April 2026 Movement and Access update documented 925 movement obstacles restricting the movement of 3.4 million Palestinians across the West Bank and East Jerusalem, forty-three percent more than the twenty-year annual average. [152] The functional effect of this landscape, combined with the removal of international organizational presence, is the progressive elimination of credible external monitoring of Israeli administrative practices affecting Palestinians in occupied Jerusalem.

Analysis of Adaptation Strategies Adopted by Affected Institutions

Legal Strategies

The collective judicial response, led by AIDA and the seventeen international non-governmental organizations that joined it at the time of filing in February 2026, the coalition before the Court having grown to nineteen organizations by the date of judgment, in HCJ 69668-02-26, represents the most significant legal adaptation. The petition advanced arguments grounded in European data protection law, the law of occupation, and the inherently

[149] Médecins du Monde, World Vision International, and other affected organizations have publicly documented the closure of Palestinian civil society institutions in Jerusalem; see also OHCHR, 'The Unprecedented Assault on Civic Space in the Occupied Palestinian Territory,' *supra*. For the Alquds Fund and Endowment closure ordered by National Security Minister Itamar Ben-Gvir on 28 April 2025, see Jerusalem Story, 'Restrictions on Palestinian NGOs Threaten E. Jerusalem Society,' 30 May 2025, https://www.jerusalemstory.com/en/article/palestinian-civil-society-jerusalem-tightening-israeli-vise (accessed June 2026).

[150] Key finding recorded in the confidential interview with the relevant case participant, 4 June 2026. Interview minutes at Annex B, Interview 1; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee. The interviewee stated: 'It is a continuation of the efforts to remove East Jerusalem as the capital of Palestine, the same way that we saw Orient House get shut down 25 years ago.'

[151] ICCPR, *supra* note 18.

[152] GCIV, *supra* note 54.

arbitrary character of the evaluation criteria. The interim injunction obtained in February 2026 provided a temporary operational lifeline. [153] However, the High Court restricted argument to the narrow issue of data privacy [154] and the ruling of 19 May 2026 upheld the registration requirements. [155] The principal domestic judicial avenue has, on the present record, been substantially exhausted, subject to confirmation that no further domestic remedy remains available, reinforcing the importance of international mechanisms, including the ICJ advisory opinion framework, UN Special Procedures, and treaty body review, as the primary remaining venues for legal challenge. That assessment requires one qualification. Separate registration petitions brought by other organizations remained before the High Court after the judgment of 19 May 2026, and at a hearing in July 2026, reported on 22 July 2026, the Court urged those petitioners to withdraw and gave them a short period to respond, indicating that it saw no grounds to intervene. These developments are distinct from the judgment of 19 May 2026. They are recorded here on the basis of press reporting; the written record of that hearing, and any order issued after it, has not been reviewed for this report. The domestic avenue is therefore more accurately described as having been tested and found unavailing on the principal question, rather than as formally closed.[156]

Key findings from the interviews indicate that the collective petition did not encompass the full range of affected organizations, and identify a further cost associated with the non-participation strategy documented elsewhere in this report. Representatives of two organizations that declined to engage with the registration system at all reported that, precisely because they had not submitted an application, they were not parties to the HCJ petition; one interviewee linked this directly to the organization's decision not to pursue any judicial avenue in Israel.[157][158] Non-participation, evaluated in this report as an organizational response to the registration regime, accordingly carries a legal consequence in addition to its operational one: it forecloses access to the one domestic remedy that has, to date, been tested, and reinforces the relevance of the

[153] NRC et al., *supra* note 161.

[154] Charter of the United Nations, *supra* note 44.

[155] ICJ Advisory Opinion of 22 October 2025 (*Ibid.*), *supra* note 37.

[156] Further registration petitions, brought separately by Save the Children International together with AIDA, by Diakonia, and by CESVI Fondazione ETS, remained before the High Court of Justice after the judgment of 19 May 2026. At a hearing in July 2026 the Court urged the petitioners to withdraw, indicating that it saw no grounds to intervene in a policy permitting the State to take account of security, boycott and 'delegitimization' considerations. See Jerusalem Post, 'High Court urges international aid groups to withdraw registration petitions,' 22 July 2026, https://www.jpost.com/israel-news/article-903189 (accessed August 2026).

[157] Key finding, Annex B, Interview 5, *supra* note 67.

[158] Key finding, Annex B, Interview 4, *supra* note 156.

exhaustion analysis set out above and the corresponding importance of the international mechanisms identified in this report.

A key finding from the interviews offers a critical assessment of the collective litigation strategy itself, and is reproduced here because it is advanced by a participant in that strategy rather than by an external observer. The interviewee's contention was that the legal action concentrated heavily upon procedural compliance questions, in particular the staff-list requirement, and did not engage the broader regulatory architecture of which that requirement forms part.[159] The strategic consequence identified was a substantial diversion of advocacy capacity over a period that the interviewee estimated at between twelve and eighteen months (the range is the interviewee's own estimate rather than a measured figure), with a corresponding reduction in the attention available for the deterioration of the humanitarian situation in Gaza, the escalation of settler violence, follow-up to the advisory opinions of the International Court of Justice, and structural advocacy concerning the occupation itself.[160] Two observations follow. The first is that the opportunity cost of litigation is a proper element of the assessment of adaptation strategies conducted in this section: a judicial challenge is not a costless addition to an organization's response but a claim upon finite advocacy capacity. The second is that the framing of a challenge may determine what it is capable of achieving. A petition directed at the procedural incidents of the registration regime, even if successful, would leave the architecture examined in Section IV intact; and the ruling of 19 May 2026, which upheld the registration requirements while declining to address Israel's obligations under the law of occupation, is consistent with that assessment. This finding bears directly upon the recommendations addressed to the sector in Section VI.

By contrast, a further key finding describes a deliberately multi-level response strategy pursued simultaneously across three registers, and illustrates how the domestic legal avenue is situated within a wider architecture of response rather than relied upon in isolation. At the local level, the organization has continued to deliver protection programming and has sought to bring external observers into the territory. At the legal level, it joined the collective petition before the High Court of Justice. At the international level, it has pursued advocacy in its home and neighbouring jurisdictions, engaging directly with parliaments and governments.[161] This account is instructive for the analysis of adaptation strategies conducted in this section. It indicates that the organizations best placed to sustain a response are those able to operate across

[159]Key finding, Annex B, Interview 9, *supra* note 89.

[160]Key finding, Annex B, Interview 9, *supra* note 89.

[161]Key finding, Annex B, Interview 8, *supra* note 69.

all three registers at once, and, correspondingly, that the practical effect of the restrictions is to disable the registers sequentially: the domestic legal avenue has now been substantially exhausted, the local protective presence is contingent upon a registration status that is itself under challenge, and the international advocacy register, though it remains available, depends upon political will in donor states that has not so far been forthcoming. The interviewee's own assessment of the diplomatic register was correspondingly critical, identifying the absence of European sanctions as the central deficiency in the international response to date.[162]

Operational Strategies

Four principal operational adaptive strategies have been pursued. First, reliance on PA registration as an alternative legal basis for operations: the HCJ ruling affirmed that PA registration remains valid, though its implications for Jerusalem operations remain unresolved. MSF stated that it 'continues to work under our registration with the Palestinian Authority.' [163] Second, spatial adaptation: the establishment of alternative offices in Ramallah and Amman, the closure of Jerusalem premises, and the transition to remote working allow organizations to maintain programmatic continuity while accepting the loss of physical Jerusalem presence. Third, enhanced local partner relationships: outsourcing implementation to locally registered organizations has enabled continued program delivery, with the structural vulnerability noted in Section V.I above. Fourth, outright non-participation: key findings from the interviews conducted for this report indicate that at least two affected organizations elected not to engage with the 2025 registration system at all, declining to submit an application on the basis that the criteria were themselves objectionable, in one account because they were regarded as conflicting with both Israeli and international law, and in another because the organization considered its activities to fall outside the territorial scope of Israeli domestic regulation in the first instance.[164][165] This strategy avoids engagement with a process the organizations regard as illegitimate, but, as documented above, forecloses the domestic judicial avenue that participation would have preserved. A related but distinct experience, recorded as a further key finding, is that of prolonged administrative limbo: an organization that submitted a complete application in accordance with the sectoral guidance issued for the 2025 process reported that

[162]Key finding, Annex B, Interview 8, *supra* note 69.

[163]MSF, 'MSF Statement on Staff Registration and the Continuation of Medical Care in the Occupied Palestinian Territory,' *supra*. MSF stated that it 'continues to work under our registration with the Palestinian Authority.'

[164]Key finding, Annex B, Interview 7, *supra* note 88.

[165]Key finding, Annex B, Interview 4, *supra* note 156.

its renewal remained undetermined many months later, with no indication from the authorities of when, or whether, a final decision would be issued.[166]

Advocacy Strategies and Their Limits

Collective advocacy has been pursued through AIDA, through the fifty-three NGO joint statement, through diplomatic engagement, and through engagement with UN mechanisms including OHCHR, OCHA, and the Special Rapporteur. The IASC and the UN Secretary-General's spokesperson urged revocation of the restrictions. [167] One interviewee characterized the limits of diplomatic engagement: 'we've engaged with the diplomatic community for months, now years, on this issue, and yet have seen very little fruit.' [168]

The analysis of adaptation strategies reveals a structural insight: The adaptations documented here have preserved some operational continuity but have not reversed the restrictions identified in the report, which is a deliberate Israeli policy of excluding advocacy-engaged international organizations from the OPT. The adaptations documented in this section represent the institutional response to an impossible binary, and their limitations are the limitations of an institutional response to a problem that requires a political and legal solution at the international level.

Future Scenarios for the Trajectory of International Presence Restrictions

The legislative pipeline and documented policy trajectory support three analytically grounded scenarios for the near-term trajectory of restrictions. These scenarios are grounded in existing legislative proposals, documented policy patterns, and the current state of international engagement, and are presented as analytical possibilities, not predictions.

Scenario One: Continued Legislative Escalation

The first scenario is grounded in the existing legislative pipeline. Should Bill P/5222/25 pass into law, local Palestinian organizations depending on international government funding face financial collapse, eliminating the residual operational resilience currently maintained through

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[166] Key finding, Annex B, Interview 2, *supra* note 84.

[167] OCHA, Humanitarian Situation Update No. 352, West Bank, 7 January 2026, https://www.ochaopt.org/content/humanitarian-situation-update-352-west-bank (accessed June 2026). 'The Inter-Agency Standing Committee and the Spokesperson for the UN Secretary-General urged the Israeli authorities to revoke their plan to suspend the operations of many international non-governmental organizations working in the Occupied Palestinian Territory.'

[168] Key finding recorded in the confidential interview with the relevant case participant, 4 June 2026. Interview minutes at Annex B, Interview 1; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee. 'We've engaged with the diplomatic community for months, now years, on this issue, and yet have seen very little fruit. Maybe the most we saw was an extension, initially the deadline for re-registration was supposed to be in September [2025].'

local implementation partnerships. [169] This would constitute a direct contravention of Palestine obligations under Rome Statute Article 86 [170] and would effectively criminalize the accountability function of civil society. Under this scenario, the restriction trajectory continues toward the elimination of independent international humanitarian and human rights organizational presence in the OPT. A key finding from the interviews indicates that this scenario is not purely speculative: the interviewee reported that proposals have already been raised, though not as yet adopted, to designate organizations that have not obtained registration under the 2025 regime as terrorist organizations. Were such a proposal realized, it would place the pending bills discussed above operating measures directly upon organizations' legal status rather than merely upon their funding or their relationship with the Court.[171]

Scenario Two: International Legal and Diplomatic Reversal

The second scenario is grounded in the authoritative international legal framework now in place. The 2024 and 2025 ICJ Advisory Opinions [172] UNGA Resolution A/RES/ES-10/24 of 18 September 2024 demanded Israel's compliance within twelve months [173]; provide legal authorization for concerted international action, through the range of diplomatic and economic measures available to States, and through coordinated bilateral engagement, that has not yet been deployed with the political will required to alter the restriction trajectory. If the international community were to deploy these instruments, the policy trajectory documented in this report could be reversed. This scenario requires a commitment from key donor states.

Scenario Three: Selective Enforcement and Continued Attrition

A plausible near-term scenario, and the one that occupies the middle ground between full legislative escalation and international reversal, is one of selective enforcement and continued attrition. Under this scenario, neither pole materializes: the most aggressive pending bills are not fully enacted or enforced, and concerted international counter-pressure does not materialize either. Instead, the authorities apply the existing registration regime selectively, renewing or

[169] UNRWA Commissioner-General Philippe Lazzarini, *supra* note 47.

[170] Norwegian Refugee Council et al., *supra* note 49.

[171] Key finding, Annex B, Interview 6, *supra* note 66.

[172] Fourth Geneva Convention (1949), *supra* note 1.

[173] UN General Assembly, Resolution A/RES/ES-10/24, Advisory opinion of the International Court of Justice on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel's continued presence in the Occupied Palestinian Territory, 18 September 2024, https://undocs.org/A/RES/ES-10/24 (accessed June 2026). The resolution demanded that Israel bring its unlawful presence in the OPT to an end 'without delay' within twelve months and called upon all States to comply with their obligations as identified by the Court.

tolerating advocacy-silent organizations while denying, delaying, or declining to renew others, so that international organizations continue to adapt their operational presence by reducing Jerusalem headquarters, relying on PA registration, empowering local partners, and deploying remote working arrangements, while the legal battle continues through international mechanisms without producing rapid reversal. Under this scenario, international organizational presence in Jerusalem and the OPT does not disappear immediately but is progressively eroded, deformalized, and made less visible.

The accountability, monitoring, documentation, and advocacy functions, the most legally and politically significant aspects of international organizational presence, are suppressed even where immediate service delivery continues through local proxies.[174] Under this scenario, reduced organizational presence and visibility could further weaken civilian protection and independent monitoring in occupied Jerusalem.

[174]Key finding recorded in the confidential interview with the relevant case participant, 4 June 2026. Interview minutes at Annex B, Interview ; the identity of the organization and of its representative is withheld in accordance with the confidentiality terms agreed with the interviewee. 'I think we are going to see fewer and fewer organizations there. And what that means also is less support for the local organizations. That is going to further diminish the struggle to maintain a Palestinian presence in the city.'

SECTION VI: ADVOCACY ROADMAP AND RECOMMENDATIONS

The findings set out in the preceding sections establish that the measures documented in this report are not a series of discrete administrative decisions but a coherent regulatory architecture whose effect is to reduce independent international humanitarian and human rights presence in occupied East Jerusalem. The analysis further establishes that the domestic judicial avenue has, on the present record, been substantially exhausted, and that the organizations affected have exhausted the range of adaptive measures reasonably available to them. It follows that the remedies capable of altering the trajectory documented in this report lie outside the domestic legal order and outside the capacity of the affected organizations themselves. This section sets out the corresponding recommendations, addressed in turn to diplomatic missions and donor states, to the United Nations system and its special procedures, and to international organizations operating in the territory, followed by a proposed sequencing of advocacy pathways.

Two principles inform the recommendations that follow. The first is that the applicable legal obligations are already established, and states need not await further adjudication before implementing established international obligations. Specific registration measures must be assessed against those obligations: the International Court of Justice has determined that Israel's continued presence in the Occupied Palestinian Territory is unlawful, and has identified with specificity the obligations owed in respect of the United Nations, UNRWA, other international organizations, and third states. [175][176] What is absent is not legal clarity but implementation. The second is that measures directed at the symptoms of the registration regime, such as case-by-case advocacy for individual organizations, have been tested throughout the period under review and have produced, on the evidence gathered for this report, negligible results; the recommendations below are accordingly directed at the regime itself rather than at its individual applications.

Recommendations Addressed to Diplomatic Missions and Donor States

Third states bear obligations of their own in relation to the situation documented in this report. The International Court of Justice has affirmed that all states are under an obligation not to render aid or assistance in maintaining the unlawful situation created by Israel's continued

[175] Fourth Geneva Convention (1949), *supra* note 1.

[176] Law for Disclosure Requirements for Recipients of Support from a Foreign State, *supra* note 2.

presence in the Occupied Palestinian Territory, and to cooperate to bring that situation to an end. [177] The recommendations below proceed from that obligation.

- **Treat the registration regime as a matter of legal obligation rather than of humanitarian access.** Diplomatic engagement to date has, on the evidence gathered for this report, been framed predominantly as advocacy for continued humanitarian access. That framing is insufficient, because it invites negotiation over the scope of a restriction that this report assesses as incompatible with binding international obligations. Missions should instead frame the registration regime, in bilateral and multilateral engagement, as a measure incompatible with binding obligations under the Fourth Geneva Convention and the Charter of the United Nations as identified by the Court, and should state expressly that its withdrawal, rather than its mitigation, is the object of engagement. In doing so, missions should distinguish the two sets of obligations engaged. As regards United Nations entities, including UNRWA, the relevant obligations are those of Articles 2(5), 100, 104 and 105 of the Charter, Sections 2 and 3 of the 1946 Convention on the Privileges and Immunities of the United Nations, and the occupying power's obligations under Articles 55 and 59 of the Fourth Geneva Convention to ensure supplies and to agree to and facilitate relief schemes, as applied to the United Nations by the Court in its Advisory Opinion of 22 October 2025. As regards international non-governmental organizations, which do not enjoy privileges and immunities, the relevant obligations are those of Articles 59 to 61 and 63 of the Fourth Geneva Convention, the customary rules on humanitarian access and the protection of relief personnel (Rules 31, 55 and 56 of the ICRC Customary IHL Study), and Articles 19 and 22 of the ICCPR.
- **Make the data-submission requirement a distinct and non-negotiable point of objection.** The requirement that organizations transfer comprehensive personal data concerning national staff, without any statement of the purpose for which that data will be used, places organizations headquartered in the European Union in direct conflict with their obligations under the General Data Protection Regulation. [178] European states in particular are therefore not neutral observers of this requirement: their own legal order is engaged. Missions should state that the requirement cannot be complied with by organizations subject to European data-protection law, and should raise the demand for personal data concerning staff located outside Israeli-controlled territory as a matter warranting separate objection.

[177] Fourth Geneva Convention (1949), *supra* note 1.

[178] Regulation (EU) 2016/679 of the European Parliament and of the Council, *supra* note 70.

- **Attach consequences to non-compliance with the Advisory Opinions.** The evidence gathered for this report indicates that sustained diplomatic engagement unaccompanied by consequence has not altered the policy trajectory, and that this is understood as such by the organizations affected. States should accordingly give consideration to the measures available to them under general international law, including review of preferential trade arrangements, restrictions on trade with unlawful settlements, and targeted measures directed at individuals responsible for the design and administration of the registration regime. This report takes no position on the political desirability of any particular measure; it highlights the need for advocacy and accountability, and it records that the absence of any consequence is itself a documented factor in the persistence of the conduct.
- **Restore and protect independent observation.** Missions should seek arrangements permitting the presence of diplomatic observers, and press for the admission of international journalists to Gaza. The evidence gathered for this report identifies the exclusion of independent observers as the mechanism by which the conduct documented here is insulated from scrutiny; measures directed at restoring observation therefore address the mechanism rather than its consequences.

Recommendations Addressed to the United Nations System and Special Procedures

The United Nations is not solely an observer of the situation documented in this report; it is among its subjects, and the 2025 Advisory Opinion was rendered in relation to obligations owed to the Organization itself. [179] The following recommendations proceed accordingly.

- **Establish systematic monitoring of the registration regime.** The Office of the High Commissioner for Human Rights and the relevant Special Procedures should establish regular, public reporting on the administration of the registration regime, recording the number of applications refused, granted, and left undetermined, the criteria applied, and the profile of the organizations affected.
- **Address the individualized vetting of Palestinian personnel.** The evidence recorded in this report indicates that organizations which complied fully with the data-submission requirement were nonetheless refused registration on the stated ground that the authorities did not approve of their employees
- **Maintain a complete and well-ordered documentary record.** The systematic preservation of formal notices, correspondence and decisions, and of the accounts of organizations that

[179] Law for Disclosure Requirements for Recipients of Support from a Foreign State, *supra* note 2.

may in due course cease to operate, is a matter of some urgency. As international presence contracts, the practical capacity to compile such a record diminishes. A complete record supports accurate reporting and allows developments to be described precisely as the situation evolves.

Recommendations Addressed to International Organizations Operating in the Territory

The recommendations in this subsection are directed to the organizations themselves. They are offered with the recognition, established in Section V, that no organizational adaptation can address the root cause of the situation documented in this report, and that the burden of response should not rest upon the organizations subject to the restrictions.

- **Coordinate the response to the registration regime collectively.** The evidence gathered for this report indicates that organizations adopted divergent strategies in response to the 2025 regime, and that these strategies carried consequences that were not necessarily anticipated: organizations that declined to engage with the system did not participate in the collective petition to participate in the collective judicial challenge, while organizations that complied fully were in some cases refused registration in any event. A coordinated sectoral position, developed through the existing coordination structures, would allow these consequences to be weighed collectively rather than absorbed individually.
- **Document and preserve systematically.** Organizations should retain and preserve all formal notices, correspondence, and decisions relating to registration, permits, and access, in an orderly and retrievable form. The value of this material extends well beyond the individual organization's own position.

Proposed Advocacy Pathways and Sequencing

The recommendations set out above are not of equal urgency, and their effectiveness depends in part upon sequencing. The following pathway is proposed.

Immediate term. Priority attaches to the preservation of the evidentiary record, to preventive engagement in relation to the proposed designation of unregistered organizations, and to the establishment of systematic monitoring of registration outcomes. Each of these is achievable without a prior shift in political conditions, and each becomes more difficult to accomplish as international presence contracts further.

Near term. The documentary record set out here may be of assistance to those contributing to the periodic reporting cycles of the United Nations human rights treaty bodies, and the data-

protection question may be raised as a distinct matter in the European jurisdictions whose own legal order is engaged. The latter is the recommendation in this report most likely to produce a concrete result in the near term, because it does not depend upon the political will of third states in relation to Israel, but upon the enforcement by European states of their own data-protection law.

A final observation frames all of the above. The evidence gathered for this report indicates that the organizations affected understand the object of the measures directed at them to be the reduction of independent monitoring, documentation and advocacy from the territory. If that understanding is correct, and the convergence of independent accounts recorded in Section IV provides substantial support for it, then the measures documented in this report are not principally a humanitarian access problem to be managed. They are an accountability problem, and the advocacy response should be framed accordingly.

SECTION VII: EXECUTIVE SUMMARY

Principal Findings

This report documents the restrictions imposed by Israel upon international humanitarian and human rights organizations operating in occupied East Jerusalem and the wider Occupied Palestinian Territory, and assesses those restrictions against the applicable framework of international humanitarian law, international human rights law, and international criminal law. Its principal findings are as follows.

First, the restrictions form a coherent regulatory architecture rather than a series of discrete measures. The trajectory running from the 2016 disclosure legislation, through the 2024 legislation prohibiting UNRWA's activities, to the registration regime introduced in March 2025 and the deregistration of thirty-seven organizations in December 2025, exhibits a consistent structure: each stage extends the preceding one, and each converts an administrative requirement into a condition of continued existence. Pending legislative proposals, including the taxation of foreign-funded organizations and the criminalization of cooperation with the International Criminal Court, would extend this trajectory further.

Second, the registration criteria includes politically sensitive criteria extending beyond ordinary operational regulation. The published criteria condition registration upon organizations refraining from characterizing Israeli conduct in international law terms, from supporting proceedings before international courts, and from employing persons who have called for a boycott of Israel. Administration of the regime was assigned to a ministry whose portfolio bears no regulatory relationship to humanitarian activity. The outcomes are consistent with the criteria: organizations engaged in accountability-oriented work were excluded, while organizations that abstain from public advocacy were registered.

Third, compliance did not, on the evidence available, secure registration. One interviewee reported that organizations which submitted the personnel data demanded of them in full were in a number of cases refused registration nonetheless, on the stated ground that the authorities did not approve of a substantial proportion of their employees. This account rests on a single source and has not been independently corroborated; if corroborated, it would be central to the analysis, because it would indicate that the regime does not operate as a threshold that a compliant organization can satisfy, but as a mechanism for the individualized vetting and exclusion of Palestinian personnel. Corroboration of this point is identified in Section VI as a research priority.

Fourth, the data-submission requirement cannot be reconciled with a security rationale. The authorities have declined, despite repeated requests, to state the purpose for which the demanded data would be used. The demand extends to employees' family relationships and social media accounts, and, in at least one documented instance, to personnel based outside Israeli-controlled territory altogether. For organizations subject to European data-protection law, compliance would breach obligations under the General Data Protection Regulation. A requirement that cannot be complied with without breaching another applicable legal regime, and whose stated purpose is withheld, cannot be characterized as necessary or proportionate.

Fifth, the chilling effect is documented and acknowledged. Representatives of affected organizations stated variously that their organizations have become 'more cautious,' that they now convey their message 'by different means,' that staff are prohibited from speaking to the media, and that the organization has 'become more silent.' Several attributed the measures directed at them explicitly to their documentation and advocacy functions, and characterized the effect of those measures as the silencing of international organizations as witnesses present in the territory. The effect was predominant but not universal. At least one organization reported that it had maintained its public advocacy posture and declined to modify its messaging, and interviewees described a sector operating under divergent risk thresholds, producing responses ranging from continued public advocacy, through reduced engagement in favour of operational continuity, to temporary strategic silence. The chilling effect should accordingly be understood as the prevailing but not the invariable consequence of the registration regime, its incidence varying with the risk threshold of the individual organization.

Sixth, institutional withdrawal has occurred without any order requiring it. One interviewee described the closure of the organization's office in East Jerusalem in circumstances where the relevant court order was legally ambiguous in scope and effect and no explicit judicial instruction mandating closure was identified; the closure followed instead from the compliance risk generated by the registration requirements. This is analytically significant beyond the individual instance, because it identifies a mechanism by which the regime produces the loss of institutional presence without generating any decision capable of being challenged before a court.

Seventh, the sector's own legal response may have carried a substantial opportunity cost. One interviewee, a participant in the collective litigation, assessed that the petition concentrated upon procedural compliance questions rather than upon the regulatory architecture, and that this diverted advocacy capacity over a period that the interviewee estimated at between twelve and eighteen months (a range reflecting the interviewee’s own estimate rather than a measured

figure) from the deterioration in Gaza, settler violence, and follow-up to the advisory opinions of the International Court of Justice. This assessment is that of a single participant and is contested within the sector; it is recorded because it bears directly upon the recommendations in Section VI and because it is advanced by a party to the strategy it criticises.

Legal and Political Significance

Assessed against the applicable legal framework, the measures documented in this report raise questions of compatibility with Israel's obligations under Articles 55, 59, and 63 of the Fourth Geneva Convention and Article 70 of Additional Protocol I, and with the obligations identified by the International Court of Justice in its Advisory Opinions of 19 July 2024 and 22 October 2025. Those obligations bind Israel not because an advisory opinion is formally binding, but because the Court was restating obligations already binding under the Convention, the Charter, and customary international law. [180][181] The registration regime further constitutes a restriction upon freedom of association under Article 22 of the International Covenant on Civil and Political Rights that fails the cumulative three-part test governing such restrictions, in particular the requirement of necessity and proportionality.

Key Messages for International Audiences and community

- The legal position requires no further adjudication. The obligations engaged have been identified authoritatively by the International Court of Justice; what is absent is implementation of these obligations, not clarity.
- The registration regime should not be treated as a humanitarian access issue to be negotiated. It is a measure incompatible with binding legal obligations, and its withdrawal rather than its mitigation is the appropriate object of engagement.
- Compliance is not available as a route to continued operation. Organizations that complied fully were refused registration nonetheless, and organizations that abstained from public advocacy were not thereby protected.
- European states' own legal orders and obligations are engaged. The data-submission requirement places European-headquartered organizations in conflict with the General

[180] Fourth Geneva Convention (1949), *supra* note 1.

[181] Law for Disclosure Requirements for Recipients of Support from a Foreign State, *supra* note 2.

Data Protection Regulation, and this is a matter of European law enforcement rather than of foreign policy discretion alone.

- The documented effects, politically sensitive criteria and convergent interview accounts support the report's inference that the restrictions undermine independent monitoring, documentation and advocacy.
- The international community must protect the independence and operational presence of INGOs in the OPT, in particularly in East Jerusalem. INGOs and humanitarian organizations should not have to compromise their legal obligations and independence mandates to maintain access to affected populations.The international community and the states should address how restrictions on INGOs weaken local civil society and threaten essential services.
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SECTION VIII: ANNEXES

Annex A: Data Collection Instruments

The semi-structured interview guide reproduced below was used, in English and in Arabic versions, in the interviews conducted for this report.

1. Profile of the organization and nature of its work

- Could you tell us about your organization's mandate and the work it carries out in Jerusalem, the West Bank, and Gaza?
- How long has the organization had a presence in the territory, and has the nature of that work changed over the years?
- Which communities do you primarily serve, and who are the main beneficiaries of your programmes?

2. Narrative of events

- Has the organization faced restrictions or pressures, whether formal or informal, that have affected its work? Could you walk us through what happened and when?
- Were these measures communicated formally and in writing, or through informal channels?
- Do you hold documentation relating to any of them (letters, notices, decisions)?
- Was there a moment you would describe as a turning point?

3. Specific categories of restriction

- Regarding the registration regime introduced in 2025: what has your organization's experience been in terms of the renewal process, the criteria applied, and the outcome?
- Did the organization receive formal notice of the cancellation of a licence or the suspension of its activities? If so, when, and on what stated basis?
- Were there measures that directly affected the organization's financial operations, including funding, banking and transfers, or new tax or reporting obligations?
- Have staff, whether international or local Palestinian employees, faced difficulties with work permits, residency, or movement and access? Has the impact differed between international and local staff?

4. Impact

- How have these measures affected the organization's ability to deliver its programmes and reach the communities it works with?
- Were any specific programmes or projects disrupted, postponed, or cancelled as a result? Do you have a sense of how many people were affected?
- Has your work with local Palestinian partner organizations been affected, and in what ways?
- From your perspective, what has been the most visible impact of these restrictions on the Palestinian population?
- Has the organization's ability to carry out any part of its mandate, including monitoring, documentation, and public advocacy, been affected?

5. The broader picture

- How would you describe the pattern of restrictions affecting international organizations? Do you see a coherent pattern that has developed over time?
- Have you been in contact with other organizations facing similar restrictions? Have you observed that some organizations were treated differently from others?

6. The organization's response

- Has the organization taken any legal, administrative, or advocacy steps in response to these measures, and what has that experience been?
- Has the organization adapted its operations, staffing, or programmes in response to these pressures?
- How does the organization assess the compatibility of these measures with the international legal frameworks governing humanitarian work in occupied territory?
- Has your ability to uphold your core operational principles been affected? Which have been hardest to maintain?

7. Looking forward

- What effects do you expect these measures to have on the international presence in the territory more broadly?
- What steps or interventions do you consider most urgently needed? Are there mechanisms, legal, diplomatic, or operational, that you feel have not been used sufficiently?

Closing: Is there anything important about your organization's experience that we have not covered, or that you would want to ensure is reflected in the study?

Annex B: Record of Interviews Conducted

Nine interviews were conducted with representatives of international organizations operating in occupied East Jerusalem and the wider Occupied Palestinian Territory. The minutes of each interview are reproduced below in standardized form, as compiled at the time of the interview, save that the identity of the organization and of the individual representative interviewed has been withheld in each case in accordance with the confidentiality terms set out in Annex E. Meeting access details recorded in the original files have likewise been omitted. Where a field was not recorded at the time of the interview it is omitted from the record below rather than estimated. The minutes are reproduced here so that the evidentiary basis of the key findings cited throughout Sections IV and V may be assessed, each such citation identifying the interview from which the finding derives by its number in this Annex, notwithstanding the anonymization of the sources themselves. Complete records, including the identities withheld here, are retained on file with MIFTAH.

Two matters should be noted in relation to the records below. First, the confidentiality status is not uniform: two interviews were conducted on a recorded basis with the express consent of the participant, and seven were not recorded, with contemporaneous notes taken instead. Second, the organizations represented comprise humanitarian, medical, child protection, disability, water and sanitation, and legal aid actors, headquartered across several European jurisdictions and in the United Kingdom and the United States; their diversity of mandate and of national origin is material to the weight to be accorded to the convergence of their accounts, recorded in Section IV.

Interview 1

Interview Summary
Organization: *[Withheld — confidential]*
Interviewee: *[Withheld — confidential]*
Date: Thursday, 4 June 2026 Time: 3:00 PM – 4:45 PM (Jerusalem/Amman Time)
Format: [Online via Zoom]
Duration: 1 hour and 45 minutes
Confidentiality Status: Recorded and confidential. Information obtained during the interview will be used solely for the analytical report and in accordance with any confidentiality understandings reached with the interviewee.

Interview 2

Interview Summary
Organization: *[Withheld — confidential]*
Interviewee: *[Withheld — confidential]*
Date: Wednesday, 22 July 2026 Time: 11:00 – 11:59 AM (Jerusalem Time)
Format: [Online via Zoom]
Duration: 1 hour
Confidentiality Status: Recorded and confidential. Information obtained during the interview will be used solely for the analytical report and in accordance with any confidentiality understandings reached with the interviewee.

Interview 3

Interview Summary
Organization: *[Withheld — confidential]*
Interviewee: *[Withheld — confidential]*
Date: 30 July 2026 Time: 9:30 AM (Jerusalem Time)
Format: [Online via Microsoft Teams]
Duration: 50 minutes
Confidentiality Status: Not recorded and confidential. Information obtained during the interview will be used solely for the analytical report and in accordance with any confidentiality understandings reached with the interviewee. None of the information in this summary will be attributed to the named organization whatsoever.

Interview 4

Interview Summary
Organization: *[Withheld — confidential]*
Interviewee: *[Withheld — confidential]*
Date: 30 July 2026 Time: 12:30 PM (Jerusalem Time)
Format: [Online via voice call]
Duration: 25 minutes

Confidentiality Status: Not recorded and confidential. Information obtained during the interview will be used solely for the analytical report and in accordance with any confidentiality understandings reached with the interviewee. None of the information in this summary will be attributed to the named organization whatsoever.

Interview 5

Interview Summary
Organization: *[Withheld — confidential]*
Interviewee: *[Withheld — confidential]*
Date: 6 August 2026 Time: 1:00 PM (Jerusalem Time)
Format: [Online via Zoom]
Duration: 45 minutes
Confidentiality Status: Not recorded and confidential. Information obtained during the interview will be used solely for the analytical report and in accordance with any confidentiality understandings reached with the interviewee. None of the information in this summary will be attributed to the named organization whatsoever.

Interview 6

Interview Summary
Organization: *[Withheld — confidential]*
Interviewee: *[Withheld — confidential]*
Date: 7 August 2026 Time: 10:00 AM (Jerusalem Time)
Format: [Online via Zoom]
Duration: 1 hour
Confidentiality Status: Not recorded and confidential. Information obtained during the interview will be used solely for the analytical report and in accordance with any confidentiality understandings reached with the interviewee. None of the information in this summary will be attributed to the named organization whatsoever.

Interview 7

Interview Summary
Organization: *[Withheld — confidential]*
Interviewee: *[Withheld — confidential]*
Date: 10 August 2026 Time: 11:00 AM (Jerusalem Time)
Format: [Online via Zoom]
Duration: 55 minutes
Confidentiality Status: Not recorded and confidential. Information obtained during the interview will be used solely for the analytical report and in accordance with any confidentiality understandings reached with the interviewee. None of the information in this summary will be attributed to the named organization whatsoever.

Interview 8

Interview Summary
Organization: *[Withheld — confidential]*
Interviewee: *[Withheld — confidential]*
Date: 19 August 2026 Time: 10:00 AM (Jerusalem Time)
Format: [In person, Ramallah]
Confidentiality Status: Not recorded and confidential. Information obtained during the interview will be used solely for the analytical report and in accordance with any confidentiality understandings reached with the interviewee. None of the information in this summary will be attributed to the named organization whatsoever.

Interview 9

Interview Summary
Organization: *[Withheld — confidential]*
Interviewee: *[Withheld — confidential]*
Date: 8 June 2026
Format: [In person, Jerusalem / Ramallah]
Confidentiality Status: Not recorded and confidential. Information obtained during the interview will be used solely for the analytical report and in accordance with any confidentiality understandings reached with the interviewee. None of the information in this summary will be attributed to the named organization whatsoever.

Annex C: Institutions Documented Through Publicly Available Material

Institutions documented through publicly available material. The following institutions are documented in this report on the basis of published statements, judicial filings, and reporting by United Nations agencies and international organizations, in respect of which no confidentiality undertaking arises: the United Nations Relief and Works Agency for Palestine Refugees in the Near East; Médecins Sans Frontières; the International Rescue Committee; Mercy Corps; Oxfam Novib; and the fifty-three organizations party to the joint statement of 2 January 2026. The Association of International Development Agencies is documented in its capacity as coordinator of the collective petition before the High Court of Justice.

Institutions approached without response. A substantial number of additional institutions were approached and either did not respond or were unable to participate, in several cases citing the suspension of their operations or the sensitivity of their legal position. The outreach record is retained on file with MIFTAH. The resulting evidentiary limitation is recorded in Section II.C.

Annex D: Principal Legal Sources and References

The following list records the principal legal instruments, judicial decisions, and institutional sources relied upon in this report. Full citations, including uniform resource locators and dates of access, appear in the footnotes to the relevant sections.

International legal instruments. Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War, 1949, in particular Articles 47, 49, 55, 59, 63, 64, and 147; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977, in particular Article 70; International Covenant on Civil and Political Rights, 1966, in particular Article 22; International Convention on the Elimination of All Forms of Racial Discrimination, 1965, in particular Article 3; Charter of the United Nations, 1945, in particular Articles 104 and 105; Convention on the Privileges and Immunities of the United Nations, 1946; Rome Statute of the International Criminal Court, 1998, in particular Articles 7, 8, 70, and 86; International Convention on the Suppression and Punishment of the Crime of Apartheid, 1973; Regulation (EU) 2016/679 (General Data Protection Regulation).

Customary international humanitarian law. International Committee of the Red Cross, Customary International Humanitarian Law Study, Rules 31, 55, and 56; ICRC Commentary of 2025 on Article 49 of the Fourth Geneva Convention; ICRC, The Fundamental Principles of the Red Cross: Commentary.

Judicial and quasi-judicial decisions. International Court of Justice, Advisory Opinion of 19 July 2024 (General List No. 186); International Court of Justice, Advisory Opinion of 22 October 2025 (General List No. 196); International Court of Justice, Advisory Opinion of 9 July 2004 (General List No. 131); *Prosecutor v. Kupreškić* et al. (ICTY, IT-95-16-T); Prosecutor v. Stakić (ICTY, IT-97-24-A); Prosecutor v. Ntaganda (ICC-01/04-02/06); Committee on the Elimination of Racial Discrimination, Report of the Ad Hoc Conciliation Commission (CERD/C/113/3); High Court of Justice 1223/26 and associated proceedings.

United Nations sources. General Assembly resolutions A/RES/ES-10/24 and 79/232; Security Council resolutions 469 (1980) and 2334 (2016); reports and press releases of the Office of the United Nations High Commissioner for Human Rights, including A/HRC/61/70; reports of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967, including A/79/384 and A/HRC/59/23; situation reports and access snapshots of the United Nations Office for the Coordination of Humanitarian Affairs; statements of the Commissioner-General of UNRWA.

Israeli legislative and administrative measures. Law for Disclosure Requirements for Recipients of Support from a Foreign State Entity, 2016; laws relating to the prohibition of UNRWA activities, 2024, and the amendment of December 2025; Government Resolution of 1 March 2025 establishing the registration regime; Bills P/5222/25 and P/5223/25.

Non-governmental and institutional sources. Reports and statements of Human Rights Watch, Amnesty International, Front-Line Defenders, Médecins Sans Frontières, the Norwegian Refugee Council, Oxfam, and the Association of International Development Agencies; reports and legal analyses of Adalah, Al-Haq, the Al Mezan Centre for Human Rights, BADIL, B'Tselem, and the Jerusalem Legal Aid and Human Rights Center; briefing materials of the United Kingdom House of Commons Library.

Note on designations. Some organizations cited above as sources have been subject to designation measures that are distinct and should not be conflated. Al-Haq was among six Palestinian organizations, with Addameer, the Bisan Center for Research and Development, Defense for Children International - Palestine, the Union of Agricultural Work Committees and the Union of Palestinian Women's Committees, declared 'terrorist organizations' by the Israeli Minister of Defence in October 2021 under the Counter-Terrorism Law, 5776-2016. Under Israeli law, that declaration exposes the organizations, their staff and their funders to criminal liability for membership, support and funding, and permits the seizure of property; the military commander of the Central Command declared the same organizations 'unlawful associations' in the West Bank in November 2021 under the Defence (Emergency) Regulations, 1945. Separately, on 4 September 2025 the United States Secretary of State designated Al-Haq, the Al Mezan Center for Human Rights and the Palestinian Centre for Human Rights under Section 1(a)(ii)(A) of Executive Order 14203 (Imposing Sanctions on the International Criminal Court), on the ground of their engagement with the Court's investigation; that designation blocks their property and interests in property within United States jurisdiction and prohibits United States persons from providing funds, goods or services to them or for their benefit. The 2021 Israeli designations rest on alleged links to an armed group; the 2025 United States designations rest on cooperation with the International Criminal Court. To the authors' knowledge, Adalah, BADIL, B'Tselem and the Jerusalem Legal Aid and Human Rights Center are subject to neither measure. Reliance on any of these organizations as a source implies no view beyond the reliability of the material cited.

Annex E: Confidentiality Protocol

The following protocol governed the conduct of interviews for this report and the treatment of the material obtained. It is reproduced here in the interest of methodological transparency, and because the evidentiary weight to be accorded to anonymized testimony depends upon the rigour of the procedure under which it was obtained.

- **Informed consent.** Prior to each interview, participants were informed of the identity of the commissioning organization, the purpose and intended use of the report, the anticipated duration of the interview, and their entitlement to decline any question or to withdraw at any stage.
- **Anonymization.** Participants were informed that the identity of their organization would be withheld in the report, that no information would be attributed to any organization by name, and that testimony would be referred to only in general terms. Testimony is cited in this report as a confidential interview, identified by date alone.
- **Recording.** Interviews were not recorded save where the participant expressly consented. Contemporaneous notes were taken and written up as structured summaries retained on file.
- **Review of identifying detail.** In preparing this report, particular attention was given to the risk that operational detail may identify an organization notwithstanding the omission of its name. Where a fact was capable of identifying its source, it was either generalized or, where generalization would have deprived it of evidentiary value, omitted.
- **Retention.** Interview records are retained on file with MIFTAH, separately from this report and from any material prepared for publication.

Annex F: Note on Methodological Adjustment

The Inception Report governing this study envisaged ten documentary case studies presented in a standardized template, together with two focus group discussions. In the course of implementation it became apparent that a substantial number of the institutions concerned could not be reached, or were unable to participate, in several instances because their operations had been suspended or because their legal position was under active challenge. This difficulty is itself among the findings of the study: the same measures that this report documents also operated to impede its conduct.

The methodology was accordingly adjusted, with the agreement of the commissioning organization, in two respects. First, the discrete presentation of case studies in standardized

form was discontinued, and the material obtained through interview was instead integrated into the comparative legal and institutional analyses in Sections IV and V, where it functions as corroborating evidence alongside the documentary record. This adjustment was reinforced by the confidentiality undertakings given to participating organizations, which would in any event have precluded the presentation of individually identifiable institutional case studies. Second, the focus group discussions were discontinued, both because of the difficulty of convening participants and because the collective character of the experience they were designed to capture is documented in the joint statements and the collective judicial petition described in Sections IV and V.

The consequence of these adjustments for the evidentiary basis of this report is recorded transparently in Section II.C. The analysis rests principally upon the documentary record produced by United Nations bodies, judicial institutions, and the affected organizations themselves, corroborated at specified points by anonymized primary testimony. Where a finding rests upon interview evidence alone, that is stated.