# International Court of Justice to hear challenge against Israel’s ban on UNRWA cooperation



The International Court of Justice (ICJ) in The Hague is set to commence a pivotal five-day hearing challenging Israel's ban on all cooperation with the United Nations relief agency for Palestinian refugees, UNRWA. This legal move, gaining momentum after Israel’s blockade of aid into Gaza on 2 March, questions whether Israel's actions breach the UN Charter, to which it is a signatory, by overriding the immunities that protect UN bodies.

The hearings, involving legal representatives from over 40 countries, will scrutinise Israel's complete severance of contact and cooperation with UNRWA in Gaza, the West Bank, and East Jerusalem. Israel halted engagement with the agency in November, accusing it of being infiltrated by Hamas—a claim contested by UNRWA and others.

UNRWA provides essential services including food, education, and medical care to approximately two million people in Gaza. However, the blockade has led to humanitarian concerns, with the UN World Food Programme recently announcing it had depleted hot meal supplies in Gaza. UNRWA Commissioner General Philippe Lazzarini accused Israel of orchestrating a man-made famine. Notably, former US President Donald Trump has reportedly urged Israel to permit food deliveries into Gaza.

In total, 45 nations and organisations, including the UN itself, have requested an advisory opinion from the ICJ’s 15-judge panel regarding Israel’s conduct. In contrast, only the United States and Hungary are expected to provide support to Israel during the proceedings. While Israel has submitted a written defence, it is not scheduled to make an oral presentation during the hearings.

This case represents a significant challenge to Israel’s stance on international law, following the ICJ’s landmark rulings in 2023 which declared Israel’s occupation of Palestinian territories unlawful and required the immediate facilitation of aid into Gaza. Israel has largely disregarded these judgments, prompting calls from Palestinian rights organisations, such as Al-Haq, for potential suspension of Israel’s UN General Assembly participation should further rulings be ignored. Al-Haq stated that "the public’s faith in international law hangs in the balance."

The legal challenge is rooted in a December UN General Assembly vote of 137 to 12, which sought the ICJ’s advisory opinion on whether Israel violated the immunities and privileges that member states must afford to UN bodies like UNRWA. The agency operates medical and educational facilities in Gaza, the West Bank, and surrounding countries; in East Jerusalem, six UNRWA schools have been closed following a separate legal challenge by the Palestinian legal rights group Adalah.

Supporting its case, the UN has submitted an extensive dossier comprising over 1,500 documents including UN Security Council proceedings, General Assembly resolutions, and UN agreements with Israel concerning UNRWA’s status and operation since 1967. Representing the UN in court will be Elinor Hammarskjöld, a Swedish lawyer and diplomat who recently assumed the role of the UN’s legal counsel.

Central to the dispute are two Israeli Knesset bills passed on 28 October that declared UNRWA to be harbouring terrorists. These laws mandate the government to end all cooperation with the organisation, including stopping the issuance of visas to UNRWA international staff, and form part of a broader Israeli policy to restrict visas for NGO workers critical of Israel.

Separately, on 2 March, Israel independently halted all aid shipments into Gaza aimed at dismantling Hamas, a move condemned by France, Germany, and the UK. These countries criticised Israeli Defence Minister Israel Katz’s remarks linking humanitarian aid to political leverage over Hamas as unacceptable.

Responding on Israel’s behalf, the group UK Lawyers for Israel published a paper last week arguing that Israel has the sovereign right to terminate agreements with UNRWA and prohibit UN agencies’ operations on its territory, particularly during wartime. They also contend that Israel is free to decide how to meet its obligations in providing humanitarian aid and is not obliged to conduct this through UNRWA. Furthermore, the group questioned the ICJ’s jurisdiction and impartiality to adjudicate on contested facts such as alleged Hamas infiltration of UNRWA and the effectiveness of alternative aid providers like the World Food Programme.

In a related development signalling challenges for UNRWA, the United States Department of Justice informed a New York district court on Thursday that UNRWA and its staff do not possess immunity in US courts, reversing the Biden administration’s previous stance. This shift potentially allows victims of Hamas terrorism to pursue compensation claims against UNRWA officials.

Against this backdrop of uncertainty, the UN has appointed former British diplomat Ian Martin to conduct a comprehensive review of UNRWA’s future role and financial viability, reflecting the agency’s critical juncture amid ongoing political and legal pressures.

Source: [Noah Wire Services](https://www.noahwire.com)

## References

* <https://www.jpost.com/breaking-news/article-851716> - Confirms Israel's decision not to participate in ICJ hearings regarding UNRWA and the legal scrutiny over Israel's cooperation ban.
* <https://www.icj-cij.org/case/196> - Corroborates the ICJ hearing dates (28 April - 2 May 2025) and case details on Israel's obligations toward UNRWA and other UN entities.
* <https://www.adalah.org/en/content/view/11239> - Details Israel's Supreme Court rejection of petitions against anti-UNRWA laws and mentions the closure of six UNRWA schools in East Jerusalem.
* <https://www.timesofisrael.com/liveblog_entry/world-court-to-hear-un-general-assembly-request-for-advisory-opinion-on-israels-unrwa-ban/> - Supports claims about UNRWA's operational ban under Israeli law and the involvement of 38 countries and organizations in ICJ hearings.
* <https://www.jns.org/israeli-fm-we-wont-appear-before-icj-in-unrwa-hearings/> - Validates Israel's written submission to the ICJ and its refusal to participate in oral hearings, citing concerns over UNRWA's alleged Hamas ties.
* <https://www.adalah.org/en/content/view/11239> - Reiterates the December 2024 UN General Assembly request for an ICJ advisory opinion and Israel's legislative measures against UNRWA.
* <https://www.theguardian.com/world/2025/apr/27/israel-faces-legal-pressure-at-un-top-court-over-unrwa-blockade> - Please view link - unable to able to access data