

DIPLOMATIC MEMORANDA OF KAHARAGIA

**Diplomatic Memorandum on the Full Sovereignty
and Recognition of the State of Palestine**

DM-2026-010



Diplomatic Memorandum on the Full Sovereignty and Recognition of the State of Palestine

*Sovereignty under occupation, territorial unity and the rights of Palestinians and
Israeli residents*

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Issued by the Secretariat of State, Section II — Foreign Affairs. A Diplomatic Memorandum states the position of the State of Kaharagia on a question of recognition or contested sovereignty, the grounds on which that position rests, and the reservations to which it is subject. Recognition, accreditation, immunity and privilege are conferred by the appropriate Sovereign instrument; this publication records the position those instruments give effect to.

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The Determination

POSITION OF THE STATE

Kaharagia recognises the sovereign State of Palestine de jure, determines that Gaza is the site of an ongoing genocide, establishes practical relations, and opposes occupation, annexation and forced displacement

STATE RECOGNITION	Recognised in full and without condition. Sovereignty is not suspended by occupation.
DISPOSITION	Recognition, the first of the five dispositions under DM-2026-001.
GOVERNMENT AND REPRESENTATION	The constitutional Government of the State of Palestine is recognised as executive authority, and the PLO as international representative of the Palestinian people.
DIPLOMATIC RELATIONS	Reserved to a separate sovereign instrument. The absence of a resident mission does not diminish recognition.
TERRITORY	The West Bank, including East Jerusalem, and the Gaza Strip on the 4 June 1967 lines, subject only to changes freely agreed by Palestine.
ISRAELI RESIDENTS	Protected as individuals and as potentially lawful residents under Palestinian law. No Israeli sovereignty, armed enclaves, separate law or unlawfully acquired title.
ATROCITY CONTEXT	Kaharagia determines that Israel is committing genocide in Gaza, and that occupation, settlement, persecution and forcible transfer continue in the West Bank.

COMMON DOCTRINAL BASIS

A people's right to self-determination is not extinguished by an inherited border. Nor is it fulfilled by foreign occupation, coerced integration, ethnic cleansing, demographic engineering, or a nominal independence maintained under another state's effective control. Recognition of a state is separate from endorsement of its government and from the establishment of diplomatic relations.

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1. Executive Position

The State of Kaharagia recognises the State of Palestine as a sovereign state in the West Bank, including East Jerusalem, and the Gaza Strip. Palestinian sovereignty exists now. Occupation, blockade, settlement, annexation and the destruction of governmental capacity restrict its exercise. None of them transfers title to Israel or places statehood in abeyance.

Kaharagia determines that Israel is committing genocide against the Palestinian people in Gaza.

On what Palestine recognises as Israel, and on what boundary changes it accepts, Kaharagia follows the State of Palestine and the Palestine Liberation Organization. Kaharagia retains its own commitments to human rights, democratic government, accountability, and the protection of all civilians, including Israeli Jews who may lawfully remain in Palestine under Palestinian law and negotiated arrangements.

DM-2026-001 requires every case memorandum to name its disposition among five. This one is **Recognition**, the first and least qualified. The territorial formula is not a reservation. It withholds nothing from Palestine, and withholds from everyone else the power to alter the recognised unit without Palestinian consent. Where this publication does reserve, it reserves against claims made by Israel.

1.1 What Is Recognised, and Who Speaks for Palestine

Palestine is decided on four questions, and Kaharagia answers each without letting any answer carry the rest.

- **The right of self-determination.** Recognised. The International Court of Justice held at paragraph 243 of its advisory opinion of 19 July 2024 that Israel's policies and practices breach its obligation to respect the right of the Palestinian people to self-determination, and that their prolonged character aggravates the violation.
- **Statehood.** Recognised in full and without condition. This publication records a state that already exists; it does not create one.
- **Government.** The constitutional Government of the State of Palestine is the executive authority. The Palestine Liberation Organization is the international representative of the Palestinian people. Recognition attaches to the state and the people, not permanently to any office-holder or faction.
- **Diplomatic relations.** Reserved to a separate sovereign instrument. The absence of a resident mission does not diminish recognition, and nothing here accredits anyone.

DM-2026-001 expressly permits the third decision to take that split form, recognising a body as the international representative of a people separately from the executive authority of its state. General Assembly resolution 67/19 of 29 November 2012 accorded Palestine non-member observer State status while preserving, in terms, the acquired rights and role of the Palestine Liberation Organization as the representative of the Palestinian people. Palestinian practice already works that way, and Kaharagia adopts it.

2. Palestinian Sovereignty Under the Doctrine

DM-2026-001 sorts every case into one of three families before applying any further test, and Kaharagia places this one in the first. That family is fixed by a right of self-determination never freely exercised, and Palestine holds a state while the right remains unexercised. The United Nations has treated Palestine as a non-member observer State since resolution 67/19, and on 10 May 2024 the General Assembly determined by resolution ES-10/23 that the State of Palestine is qualified for membership in the United Nations under Article 4 of the Charter and recommended that the Security Council reconsider the matter favourably. The case sits furthest from the third.

Only the third family requires a claimant to show that internal self-determination was denied and no constitutional remedy remains, and DM-2026-005 puts Kosovo to that proof at length. Palestine is not put to that proof, because Palestine is not asking to leave Israel. The International Court of Justice held on 19 July 2024, by eleven votes to four, that Israel's continued presence in the occupied Palestinian territory is unlawful. Classification is a question of history and neither party may choose it. An occupying power cannot convert an unfinished self-determination into a domestic question by administering the territory for long enough.

2.1 Statehood Survives an Occupation Designed to Defeat It

DM-2026-001 lists a permanent population, an identifiable territory, institutions capable of public government and the capacity to conduct external relations, then refuses to apply them mechanically. It provides in terms that a state may survive occupation or the temporary collapse of government, and that a people does not lose its statehood because an occupying power obstructs the ordinary exercise of authority.

The fourth indicium is met on the record of Palestine's own treaty practice. Palestine lodged a declaration under article 12(3) of the Rome Statute on 1 January 2015, acceded to the Statute on 2 January 2015, and the Statute entered into force for it on 1 April 2015. On 22 May 2018 it referred the situation on its territory to the Prosecutor of the International Criminal Court. Resolution ES-10/23 records that Palestine is party to many instruments concluded under United Nations auspices, has joined several specialised agencies as a full member, and is a full member of the League of Arab States, the Movement of Non-Aligned Countries, the Organization of Islamic Cooperation and the Group of 77 and China. A body that accedes to treaties, joins organisations and seises an international court is conducting external relations.

That leaves the strongest technical objection, which is that the Government of the State of Palestine does not exercise the authority a state is supposed to exercise. The premise is conceded, and the Secretary-General's report of 24 June 2026 measures it: Israel has withheld all clearance revenue collected on Palestine's behalf since May 2025, bringing cumulative withholding and deductions to roughly \$5.09 billion by March 2026, and the Palestinian Authority enacted an emergency budget on 31 March 2026 cutting expenditure by 5.8 per cent. The conclusion does not follow from the premise. Effectiveness is read together with legality, and conquest cannot manufacture title merely because it produces effective control. Were it otherwise, a sufficiently thorough occupation would supply its own justification, and the more complete the

destruction the better the title.

Kaharagia therefore rejects any formula in which Palestine is described only as an aspiration, an authority or a future possibility. Security Council resolution 2803 (2025), adopted on 17 November 2025 by thirteen votes to none with China and the Russian Federation abstaining, provides at operative paragraph 2 that after the Palestinian Authority's reform programme is faithfully carried out and Gaza redevelopment has advanced, the conditions may finally be in place for a credible pathway to Palestinian self-determination and statehood. The Board of Peace, reporting to the Council on 15 May 2026, puts it that decommissioning is critical for a credible pathway to Palestinian self-determination and statehood to be pursued. Kaharagia takes the Council's operative authorisations as what they are and declines the characterisation. A pathway to be pursued is the description of a claim. Palestine has a state. Occupation limits the exercise of sovereignty. It does not vest sovereignty in the occupying power, and the Court said so at paragraph 254: Israel is not entitled to sovereignty over, or to exercise sovereign powers in, any part of the occupied Palestinian territory on account of its occupation.

2.2 Absorption, and Why the Duty of Non-Recognition Runs Against Israel

DM-2026-001 requires each memorandum to state the degree of external control it found, on a scale of dependency, effective control and absorption. The scale was written for patrons and clients, and this case does not take that shape: an occupying power holds the territory of another state. The degree found is nevertheless the third. Absorption is the doctrine's name for a relationship being converted into incorporation, and it is the condition the core maxim forbids. The Court found at paragraph 261 that sustained abuse by Israel of its position as an occupying power, through annexation and an assertion of permanent control, renders its presence unlawful.

The record for the reporting period from 14 March to 12 June 2026 is one of incorporation proceeding on schedule. Israeli authorities advanced or approved 4,750 housing units in the West Bank, including East Jerusalem. On 25 March 2026 the Israeli Cabinet approved 34 settlements across Area C, the most extensive such approval to date in a single Cabinet decision. On 25 May 2026 the Civil Administration and the Land Registration Authority opened a platform requiring persons claiming ownership of land in Area C to substantiate their claims before Israeli authorities. On 3 June 2026 the Knesset voted extended tax benefits to dozens of West Bank settlements, which the Minister of Finance described as another step towards the goal of one million residents in the West Bank. Over the twelve months to 31 October 2025 the Office of the High Commissioner for Human Rights counted the advancement or approval of 36,973 housing units in settlements in occupied East Jerusalem and around 27,200 in the rest of the West Bank, together with 84 new outposts, a number it called unprecedented.

The consequence is not discretionary. On 19 July 2024 the Court held, by twelve votes to three, that all States are under an obligation not to recognise as legal the situation arising from Israel's unlawful presence and not to render aid or assistance in maintaining it. That is an advisory opinion and binds no state as a judgment would, but the obligation it identifies is one Kaharagia independently accepts under DM-2026-001. The duty reaches beyond the formal act, governing the acceptance of documents, the

treatment of territory as part of the acquiring state for purposes of trade, procurement, address or origin, and any agreement whose performance would consolidate the unlawful position. Other governments have begun to give it effect in trade: the Dutch Cabinet approved a decree banning settlement goods on 22 May 2026, and the Government of Ireland approved the text of a settlement goods prohibition bill on 26 May 2026. The duty runs against the acquisition and not against the people living on the land. The doctrine adds a rule for any future status process: settlement organised or encouraged by a controlling power shall not decide the question it was designed to foreclose.

2.3 Government, Political Unity and Armed Groups

Kaharagia recognises the constitutional Government of the State of Palestine as the executive authority of the state and the Palestine Liberation Organization as the international representative of the Palestinian people. Consistent with the position of the recognised Palestinian leadership, Kaharagia supports one Palestinian legal order, one legitimate public-security structure, democratic elections, political pluralism, judicial independence, protection of opposition, and the assumption of lawful Palestinian governmental responsibility in both the West Bank and Gaza. Palestinian local elections were held across the West Bank and in Dayr al-Balah on 25 April 2026, and on 4 June 2026 the President ratified the electoral system for the Palestinian National Council, whose elections are scheduled for 1 November.

Hamas and other armed groups do not possess a separate sovereign title, and do not acquire one by controlling territory. That is the same rule which denies title to an occupying power in possession. Kaharagia condemns murder, hostage-taking, sexual violence, indiscriminate attacks and other crimes against Israeli civilians and supports accountability for those responsible. Captives were taken from Israel on that day, and their release and the return of the remains of those who died in captivity have continued since. Those crimes do not diminish Palestinian statehood and cannot justify genocide or collective punishment. The legal personality of a state and the criminal responsibility of persons are separate questions, and the separation runs in every direction.

2.4 Deference to the People Concerned, and Its Limits

DM-2026-001 provides that on questions belonging to a people and not to Kaharagia, Kaharagia follows that people's recognised representative. Kaharagia accordingly follows the State of Palestine in determining what it recognises as Israel, what boundary changes it accepts and what settlement it authorises, and formal Palestinian consent carries decisive weight. Deference runs to the people and to the body recognised as representing them internationally, not to whichever administration holds office, and it is not withdrawn by criticism of that administration. Kaharagia supports the Palestinian state even when it criticises a Palestinian government.

Deference has a limit the representative cannot waive. No consent authorises what peremptory law forbids, and no agreement extinguishes the individual rights of residents, minorities, refugees or displaced people, who are not parties to it. A Palestinian signature could settle a boundary. It could not extinguish one refugee's claim to return,

restitution or compensation, and it could not authorise a reprisal against an Israeli resident. Deference is how Kaharagia avoids speaking over Palestinians, not a device for disposing of the rights of people who were never asked.

3. Inside a Sovereign Palestine: Residents, Land, Return and Territory

Israeli citizens, overwhelmingly Jewish, live in territory recognised as Palestine. Their individual humanity, family life and right to safety are not diminished by the illegality of the settlement policy under which many of their communities were established. They are not collectively liable for the acts of the Israeli state and must not be subjected to revenge, hostage-taking, indiscriminate attack or mass expulsion. Jewish identity is not a lawful ground for expulsion or for the denial of residence.

Their residence also does not transfer sovereignty to Israel. DM-2026-001 keeps the two apart: a person's residence in a territory and a state's sovereign title to it are different questions. A sovereign Palestine may decide, through non-discriminatory law and negotiated arrangements, whether particular Israeli residents remain as Palestinian citizens, permanent residents, foreign residents, dual-status residents, or residents of land exchanged to Israel. Others may relocate voluntarily or through agreed compensation and resettlement programmes.

What cannot remain is the settlement system. No resident has a right to preserve an armed settlement, Israeli sovereign jurisdiction, military protection for territorial expansion, separate law, armed civilian formations, separate roads, segregated infrastructure, unequal access to land or water, the exclusion of neighbouring Palestinians, or title obtained through confiscation. The Court held on 19 July 2024, by fourteen votes to one, that Israel is under an obligation to cease immediately all new settlement activities and to evacuate all settlers from the occupied Palestinian territory. People may remain where Palestinian law and a lawful settlement permit. The machinery of occupation may not. Religious identity shall neither disqualify a person from lawful Palestinian residence nor confer superior title.

3.1 Land, Property and the Asymmetry That Must Not Be Inherited

Property must be addressed case by case. Good-faith private purchase, inheritance, tenancy, state allocation, military seizure, absentee-property rules and confiscation are not equivalent, and a process treating them as one will produce injustice whichever way it errs. Palestine should establish independent land and claims commissions able to order restitution, compensation, lease conversion, land exchange, relocation or other remedies, with judicial review.

The existing machinery shows what such commissions must not copy. Between 20 and 25 March 2026 Israeli forces evicted fifteen Palestinian households, sixty-nine people including twenty-seven children, from Batn al-Hawa in Silwan, following cases brought by a settler organisation under Israeli legislation that enables restitution of certain properties owned by Jews before 1948 in East Jerusalem. The Secretary-General records that no comparable restitution mechanism exists for Palestinians who lost property in 1948 in what is now Israel. A restitution right available to one

group and withheld from the other is not a property regime. It is a transfer mechanism with a courthouse attached, and a Palestinian commission that mirrored it in reverse would be no better.

Long occupation cannot cleanse title obtained through unlawful expropriation. Time is the occupying power's own instrument, and a rule rewarding its passage would pay for delay. The Court held, by fourteen votes to one, that Israel is under an obligation to make reparation for the damage caused to all natural or legal persons concerned in the occupied territory. Remedy should be directed toward property and state responsibility, and not toward collective punishment based on Jewish or Israeli identity. International financing may be needed to compensate owners, relocate residents where necessary, and prevent a new cycle of dispossession.

3.2 Palestinian Refugees and Displaced Persons

Kaharagia supports the Palestinian position that refugees retain a right to a just solution in accordance with United Nations General Assembly resolution 194, including meaningful options of return, restitution, compensation, resettlement, or combinations agreed by the parties. That position was restated on 19 July 2026 by the head of the Department of Refugee Affairs of the Palestine Liberation Organization, who coupled it with a call for financial support to the United Nations Relief and Works Agency for Palestine Refugees in the Near East. The right must not be reduced to humanitarian charity or erased by the passage of generations. DM-2026-001 adds two rules that run together: displaced persons and their descendants shall not be excluded from a status process because return has not been achieved, and present residents shall not be disqualified from civil and political life on grounds of origin, ethnicity, religion or date of arrival.

The institutions that hold the refugee record are themselves under attack. On 17 May 2026 the Government of Israel approved plans to place an Israel Defense Forces museum and recruitment centre and an office for the Israeli Minister of Defence on the site of the UNRWA compound in Shaykh Jarrah in East Jerusalem, which Israeli authorities had already seized and partly demolished. Implementation of any settlement must protect both peoples and avoid creating a new mass displacement. Recognition of Israel cannot cancel Palestinian refugee claims, and recognition of Palestine does not authorise attacks upon Israeli civilians. A comprehensive settlement should include records, family reunification, property valuation, compensation funds, residency and citizenship choices, and international guarantees.

3.3 Immigration, Nationality and Competing Laws of Return

Israel may establish nationality and immigration rules, including preferential Jewish immigration, within territory lawfully recognised as Israel and subject to equality and human-rights obligations. It cannot project those rules into Palestine to create settlements, displace Palestinians or acquire sovereignty. A right offered by Israeli domestic law does not bind the State of Palestine.

Palestine possesses the corresponding sovereign authority to determine its citizenship, diaspora return, residency and naturalisation policies. Palestinian refugees and

their descendants retain claims to return, restitution and compensation. Implementation must be negotiated with attention to individual choice, safety and the rights of present residents. It cannot be erased because Israel has admitted other populations under its own nationality policy.

3.4 Jerusalem and the Indivisibility of the Recognised Unit

Kaharagia recognises East Jerusalem as the capital of Palestine. It supports guaranteed access to and protection of Muslim, Christian, Jewish, Armenian and other holy places and communities, and notes that access has lately been denied in both directions: from 28 February to 9 April 2026 Israeli authorities imposed restrictions on Jerusalem's Old City that barred worshippers during Ramadan, Passover and Easter, and on 29 March 2026 Israeli police prevented the senior Catholic authorities in Jerusalem from entering the Church of the Holy Sepulchre for Palm Sunday Mass. Municipal and security arrangements may be shared or specialised, but they must not deny Palestinian sovereignty or the rights of residents.

Gaza is an integral part of Palestine, and the Court has said why in terms Kaharagia adopts. At paragraph 262 of the advisory opinion the illegality is stated to relate to the entirety of the Palestinian territory occupied in 1967, which is described as the territorial unit across which Israel has acted to fragment Palestinian self-determination and as the territory in relation to which that right is to be exercised, the integrity of which must be respected. Territorial integrity in this case is therefore not a Kaharagian preference laid over the facts. It is the unit in which the right itself subsists. In January 2026 Israeli authorities issued tenders for thousands of settlement units in the E1 area, which the Office of the High Commissioner for Human Rights assesses would sever East Jerusalem from the rest of the West Bank. Severing the unit is the object, and Kaharagia will not treat the result as lawful.

DM-2026-001 refuses ethnic partition as a default remedy, because dividing territory to match populations rewards the coercive movement of people. That refusal governs both directions here. The recognised unit is not adjusted to follow the settlement map, and no Palestinian settlement may be built on clearing Israeli residents out of land that stays Palestinian.

PALESTINIAN SOVEREIGNTY

Palestine is not a future reward to be granted after occupation ends. It is a sovereign state whose territory and people are presently subjected to unlawful occupation, annexation, displacement and genocide.

4. The Atrocity Determinations: Gaza, the West Bank and Those Responsible

Kaharagia determines that Israel is committing genocide against the Palestinian people in Gaza. Recognition of Palestine therefore carries a duty to oppose the destruction of a people and the dismantling of the material, cultural and political foundations through which that people can continue to live in its homeland.

The determination rests on the report of the United Nations Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel of 16 September 2025, which concluded that Israeli authorities and security forces committed four of the five genocidal acts defined by the 1948 Convention, namely killing, causing serious bodily or mental harm, deliberately inflicting conditions of life calculated to bring about destruction in whole or in part, and imposing measures intended to prevent births. The Commission applied the only-reasonable-inference standard set by the International Court of Justice in *Bosnia and Herzegovina v. Serbia and Montenegro*, treated statements by Israeli authorities as direct evidence of intent, and attributed the conduct to the State of Israel. Its chair at that time, Navi Pillay, stated that responsibility lies with Israeli authorities at the highest echelons.

The Commission returned to the question in the paper published on 18 June 2026 and announced on 23 June 2026, which found that Israel continues to commit genocide and other atrocity crimes by deliberately targeting Palestinian children, including after the October 2025 ceasefire, and recorded at least 20,179 Palestinian children killed and 44,143 injured since 7 October 2023. A commission of inquiry finds; it does not adjudicate. The proceedings brought by South Africa before the International Court of Justice, instituted on 29 December 2023, remain pending; the Court has made provisional measures orders on 26 January, 28 March and 24 May 2024 and fixed time-limits for the Reply and Rejoinder on 21 May 2026, and it has entered no judgment on the merits. DM-2026-001 provides for that position. Proceedings pending elsewhere do not suspend Kaharagian judgment, because a duty to prevent attaches to a risk, not to a verdict.

Kaharagia calls for an immediate and durable end to genocidal conduct, unrestricted humanitarian relief, release of unlawfully detained persons, preservation of evidence, medical evacuation based on need, return of displaced Gazans to their communities, and reconstruction under Palestinian sovereignty.

4.1 Gaza: A Transitional Administration Is Not a Transfer of Title

No state may acquire a right to govern Gaza by destroying it. The scale of the destruction is now measured: the final Gaza Rapid Damage and Needs Assessment published by the United Nations, the World Bank and the European Union on 20 April 2026 identifies approximately \$71.4 billion in recovery and reconstruction needs over the next decade, of which \$26.3 billion falls in the first eighteen months, records approximately 371,888 housing units destroyed or damaged, finds nearly all schools destroyed or damaged, and puts the contraction of the Gaza economy at 84 per cent.

Security Council resolution 2803 (2025) endorsed the Comprehensive Plan to End the Gaza Conflict of 29 September 2025, welcomed the establishment of the Board of Peace as a transitional administration with international legal personality, and authorised Member States working with the Board, and the Board itself, to establish a temporary International Stabilization Force in Gaza and operational entities to implement a transitional governance administration. That administration supervises and supports a Palestinian technocratic and apolitical committee of competent Palestinians from Gaza, which is responsible for the day-to-day operations of Gaza's civil service

and administration. The authorisation is not open-ended. The Board of Peace and the civil and security presences authorised by the resolution remain authorised until 31 December 2027, subject to further action by the Council, and the Board sets the framework for redevelopment until the Palestinian Authority has satisfactorily completed its reform programme and can securely and effectively take back control of Gaza.

Kaharagia takes the position that an arrangement of this kind is capable of being lawful and is not lawful by virtue of its authorisation alone. It is tolerable while it is narrowly defined, temporary, and directed to relief, security transition, reconstruction or elections; while it contains a real transfer of authority to Palestinian institutions; and while it carries no power to surrender Palestinian territory. Kaharagia measures the Board of Peace against those conditions and not against its own account of itself. A transitional administration is an exercise of custody. It confers no title, and it cannot be converted into a standing government of Palestinian territory by the expiry of time or by the failure of any party to perform.

Kaharagia rejects voluntary-sounding schemes that make departure the only way to survive. Relocation produced by starvation, bombardment, destroyed housing, closed borders or the denial of return is not free migration. The plan the Council endorsed states that no one will be forced to leave Gaza, that those who wish to leave are free to leave and free to return, and that Israel will not occupy or annex Gaza. The Secretary-General reports that on 21 and 28 May 2026 Israel's Prime Minister said Israel controlled 60 per cent of the Gaza Strip, up from 53 per cent when the ceasefire was declared, and that he had instructed the Israel Defense Forces to take over at least 70 per cent. The Palestine Liberation Organization warned on 19 July 2026 against the consolidation and expansion of that line as a *fait accompli*. A ceasefire line that grows is not a ceasefire line. No agreement with a third state, including Somaliland or any other state seeking diplomatic benefit, may legitimise the coerced removal of Palestinians from Gaza. DM-2026-007 states the same prohibition from the other end of the series. It does not depend on which state is offered the role, or on what that state is offered in return.

4.2 The West Bank: Annexation, Persecution and a Question Kept Under Review

In the West Bank, including East Jerusalem, settlement expansion, land seizure, military violence, settler attacks, discriminatory planning, road and movement systems, detention, demolition and the displacement of communities constitute a sustained assault on Palestinian sovereignty and presence. The reported figures are specific. Over the twelve months to 31 October 2025 the Office of the High Commissioner for Human Rights documented 1,732 incidents of settler violence causing casualties or property damage, against 1,400 in the preceding period, and recorded more than 36,000 Palestinians forcibly displaced. In the three months to 12 June 2026 Israeli authorities demolished or seized 333 Palestinian structures, displacing 451 people including 187 children, and the monthly average of people displaced by permit-related demolitions in 2026 stands at 160, higher than any annual average since the United Nations began documenting displacement in 2009. Nine communities were fully depopulated between 14 March and 22 April 2026, bringing to 45 the number fully displaced by

settler violence since January 2023. The refugee camps of Jenin, Tulkarm and Nur Shams remain empty under a renewed military closure order, their residents, more than 33,000 people, displaced in what the Secretary-General describes as the longest and largest displacement crisis in the West Bank since 1967.

Kaharagia regards the system as involving war crimes and crimes against humanity, including persecution and forcible transfer. The characterisation is not Kaharagia's alone. The Office of the High Commissioner for Human Rights reported on 17 March 2026 that the displacement appears to indicate a concerted Israeli policy of mass forcible transfer aimed at permanent displacement, raising concerns of ethnic cleansing, and concluded that the transfer of power from the Israeli military to civilian authorities, land confiscation and related practices amounted to an institutionalised regime of systematic discrimination, oppression and violence violating the prohibition of racial segregation and apartheid. United Nations special procedures mandate holders reported on 19 March 2026 that armed settler groups operate as an instrument of that policy and that arms and vehicles have been supplied to them.

Whether the West Bank campaign also constitutes genocide remains legally arguable and must be evaluated with care. The Commission of Inquiry, in the paper announced on 23 June 2026, characterised Israeli conduct against Palestinian children in the West Bank as war crimes while confining its genocide finding to Gaza, and Kaharagia does not go further than the evidence. Statements and policies seeking Palestinian removal, the systematic destruction of communities and the creation of conditions intended to end Palestinian life in strategic areas may establish genocidal intent in relation to part of the Palestinian people. Kaharagia keeps the question under formal review. What is open is the characterisation. What is determined already is that the conduct is unlawful, that it includes war crimes and crimes against humanity, and that Kaharagia will not treat its results as lawful. Uncertainty about the gravest available label is no reason to soften the response to conduct unlawful on other grounds.

4.3 Accountability, Named Individuals and Legal Character

Kaharagia supports the jurisdiction of the International Criminal Court over the situation in the State of Palestine and impartial investigation of crimes by Israeli and Palestinian actors. The Court's jurisdiction in that situation was held by Pre-Trial Chamber I on 5 February 2021 to extend to Gaza and the West Bank, including East Jerusalem, and the investigation was opened on 3 March 2021. Kaharagia determines, for its own foreign-policy purposes, that Benjamin Netanyahu and Yoav Gallant are war criminals and responsible for crimes against humanity, consistently with the reasonable-grounds findings underlying the warrants of arrest issued by that Chamber on 21 November 2024 for the war crimes of starvation as a method of warfare and of intentionally directing an attack against the civilian population, and the crimes against humanity of murder, persecution and other inhumane acts, committed from at least 8 October 2023 until at least 20 May 2024. Those warrants are warrants: they record that the threshold for arrest was found satisfied, not guilt. No Kaharagian publication may present them as convictions.

Kaharagia also determines that Itamar Ben-Gvir has participated in war crimes and crimes against humanity through incitement, encouragement of settler violence,

forced-transfer advocacy and the use of state power within a widespread or systematic attack on Palestinian civilians. This is an independent Kaharagian governmental finding. No warrant has been issued against him and no court has entered judgment. Its evidentiary base includes the report of United Nations special procedures mandate holders of 19 March 2026, which records that as Minister of National Security he stated that Jews are above the law in the West Bank while granting firearm licences to settlers in occupied East Jerusalem. On 10 June 2025 the foreign ministers of Australia, Canada, New Zealand, Norway and the United Kingdom jointly announced sanctions and other measures against him and against Bezalel Smotrich for inciting extremist violence and serious abuses of Palestinian human rights. That was an executive act of five governments and not a finding of criminal guilt. The finding and its procedural status shall appear together wherever either is reproduced.

These passages will be quoted selectively, so the distinctions carry more weight in this file than anywhere else in the series. A commission of inquiry finds; it does not adjudicate. An advisory opinion answers a question put to a court; it does not decide a case between parties. A pending case is not a judgment. A sanctions listing is an executive act. A Kaharagian determination may govern recognition, terminology, procurement, entry, sanctions and official contact, and it creates no criminal liability and establishes nothing before any court.

Palestinian victims are entitled to accountability regardless of the nationality, religion or office of the perpetrator. Israeli victims are entitled to the same. The forum in which that accountability is sought must itself be lawful. On 30 March 2026 the Knesset adopted legislation lowering the threshold for the death penalty in the military courts of the West Bank, which have exclusive jurisdiction over Palestinians, and on 11 May 2026 it created a special military court to prosecute Palestinians accused of links to the attacks of 7 October 2023, with no jurisdiction over any other person's responsibility for those events or over alleged crimes by Israeli forces. A court constituted to try one nationality is not an instrument of accountability. Equal application of criminal law refuses collective innocence and collective guilt alike, and it claims no equivalence between the scale or structure of different crimes.

4.4 Extremist Organisations and the Graduated Classification

DM-2026-001 requires a graduated classification. An **extremist organisation** advocates or facilitates systematic supremacy, political exclusion, forced population transfer, authoritarian violence or the denial of equal civic membership. A **violent extremist organisation** adds a demonstrated association with violence or its operational encouragement. A **terrorist organisation** is reserved for one constituted around, or committing, directing or knowingly supporting, politically motivated violence against civilians. Applying that scheme to organisations threatening Palestinians and a sovereign Palestine, Kaharagia classifies:

- Kach and Kahane Chai as terrorist organisations.
- Otzma Yehudit as an extremist political organisation. The Israel Democracy Institute records its descent from the Jewish National Front founded in 2004 by Baruch Marzel, and a programme including Israeli sovereignty in the West Bank and a national immigration authority that would work to expel enemies of the state.

- The Jewish Defense League as a violent extremist organisation, in the terms used by the United States Federal Bureau of Investigation in Terrorism 2000/2001, which describes it as a violent extremist Jewish organization in reporting the 2001 plot by two of its members to bomb a mosque in Culver City and the district office of a serving member of Congress.
- Lehava as a Jewish-supremacist extremist organisation. The Council of the European Union listed it on 19 April 2024 as a radical right-wing Jewish supremacist group which uses and incites violence against Palestinians, Christians and Messianic Jews, and held it responsible for systematic advocacy of hatred constituting incitement to discrimination, hostility or violence.
- The Jewish Task Force as a Kahanist extremist propaganda and support network. This classification alone rests on secondary material, no official or primary source having been located, and it is held under review on that account.

Electoral participation cannot cleanse an ideology of ethnic supremacy or forced transfer, so a party holding office may still be classified as extremist. Another government's list is a fact about that government. On 11 May 2022 the United States Secretary of State determined that the circumstances forming the basis for the designation of Kahane Chai and its aliases as a Foreign Terrorist Organization had changed so as to warrant revocation, and the determination was published on 20 May 2022. That delisting is evidence about the decision, not about the organisation.

These classifications are directed at organisations, not at Jews or Judaism, and the doctrine forbids their conversion into collective blame against a religion, nationality or ethnic community. Palestine's security arrangements must equally prevent armed Palestinian groups from attacking Jewish residents or Israeli civilians. Supremacist violence is unlawful regardless of the identity of its claimed beneficiaries.

5. The Objections to Recognising Palestine Now

The strongest objection is not that Palestine fails a test of statehood. It is that recognition is the wrong instrument at the wrong moment. Borders, Jerusalem, refugees and security are the subject matter of a negotiation; recognition is the prize the negotiation exists to produce; awarding it in advance removes the claimant's reason to concede anything. Governments holding that view are not defending the occupation. They are defending the sequence.

The sequence hands one party a veto over the other's existence. DM-2026-001 rejects the proposition that territorial integrity confers an unlimited veto, and the reason is not confined to parent states. If recognition may be extended only when the occupying power agrees, the occupying power decides whether the other state exists. Statehood is not a prize bestowed by other governments. Nothing is taken off the negotiating table either. Borders may change by Palestinian agreement and by no other route, and this publication decides nothing about what Palestine recognises as Israel. The argument that the Oslo Accords reserve the question was answered at paragraph 263 of the advisory opinion, where the Court observed that those agreements neither permit Israel to annex parts of the occupied territory to meet its security needs nor authorise it to maintain a permanent presence for such needs.

A second objection is arithmetical: recognition is said to follow the weight of states, and Kaharagia is one of the lightest. The United Nations Regional Information Centre for Western Europe recorded 148 of the 193 Member States as recognising the State of Palestine as at 22 September 2025, before the recognitions announced that week by the United Kingdom, Canada, Australia, Portugal and France. DM-2026-001 answers that recognition is not a poll. The number of states recognising an entity is a fact about those states rather than an answer to the question the doctrine asks, and this file would read the same if the number were smaller.

The objection is right about one thing. Recognition by a small non-territorial state opens no crossing and stops no bombardment. What it settles is Kaharagian conduct: what Kaharagia calls things, what it declines to accept as Israeli, and what it will not sign.

A third objection is that a paper determining genocide against one state and naming three of its nationals cannot be impartial. Kaharagia condemns murder, hostage-taking, sexual violence and indiscriminate attacks against Israeli civilians, supports accountability for those responsible, denies armed Palestinian groups any sovereign title, and requires a sovereign Palestine to protect Jewish residents. The Secretary-General's record for the three months to 12 June 2026 includes one Israeli killed and 31 injured in the West Bank in shooting, ramming and stabbing attacks and related incidents, and Kaharagia records those crimes as crimes. Those commitments cost something on the Palestinian side of the line, and a principle that costs nothing on one side is not a principle.

5.1 What the Other Files Do Not Decide for Palestine

DM-2026-005 recognises Kosovo only after putting it to the exhausted-remedy test: dismantled autonomy, exclusion, repression, international administration and failed status negotiations, in that sequence. Palestine is not put to that test, because Palestine is not seeking to leave a state whose sovereignty over it is otherwise unquestioned. A reader treating Kosovo as the template will find the Kosovo reasoning missing here.

DM-2026-006 is the closest case in the series. Both refuse to let settlement by a controlling power manufacture title, both protect the settled population as individuals, and both hold that delay cannot mature into lawful annexation. They divide on the duty of non-recognition. Here the advisory opinion of 19 July 2024 identified an obligation of all States not to recognise the situation as legal, and DM-2026-006 records no instrument of that character in the Sahrawi file, in either direction. Palestine already holds an international status the Sahrawi case is still contesting, as a non-member observer State which the General Assembly has determined is qualified for membership. And DM-2026-006 contains no atrocity determination.

DM-2026-008 declines to recognise the Turkish Republic of Northern Cyprus, in part because the Security Council treated the 1983 declaration as legally invalid and called upon states not to recognise it. This publication applies the same provision in the opposite direction. There the duty of non-recognition operates against a claimant. Here it operates against the acquiring power, and the direction is set by which party is consolidating an unlawful acquisition.

DM-2026-002 recognises Abkhazia with reservations because a population produced by expulsion cannot be the electorate that settles a status question. The same rule bites here on an implanted settlement, and the reservations point elsewhere: in Abkhazia against the recognised state, here against Israel. DM-2026-007 recognises Somaliland and in the same paper refuses any arrangement making it a destination for coerced Palestinian displacement. One people's rights shall not be exchanged for another people's recognition.

6. Kaharagian Practice Toward Palestine, and the Limits of the Act

Kaharagia proceeds from recognition to practical relations with the State of Palestine, subject to a separate sovereign instrument. Even a modest non-territorial state can provide political recognition, publish Palestinian diplomatic statements, participate in humanitarian and educational cooperation, preserve evidence, support cultural institutions and refuse dealings that treat occupied territory as Israeli. Organs of State shall give effect to the following.

- Use "State of Palestine" in official publications and treat the West Bank, including East Jerusalem, and Gaza as one sovereign territorial unit.
- Do not recognise settlement addresses, institutions or goods as located in Israel where they are situated in occupied Palestinian territory.
- Support humanitarian relief and reconstruction through accountable Palestinian and international channels without political conditions extinguishing sovereignty.
- Support refugee records, archives, cultural preservation, education, medical care and legal documentation as elements of national survival.

6.1 Palestine, East Jerusalem and Israeli Claims in Kaharagian Usage

Palestine is a state for Kaharagian purposes in the West Bank, including East Jerusalem, and the Gaza Strip, on the 4 June 1967 lines. Its constitutional Government is the authority entitled to act for it, and the Palestine Liberation Organization is the international representative of the Palestinian people. East Jerusalem is the capital of Palestine in Kaharagian usage. Israeli claims to sovereignty within that territory are not recognised for any Kaharagian purpose, including terminology, publication, procurement, address and origin.

No mission opens, and no accreditation, immunity or privilege is conferred. Neither the administration nor any office-holder is endorsed. Nothing is decided about the recognition of Israel, because that question belongs to Palestine and Palestine has not been asked in this publication. No Kaharagian determination becomes a conviction, and no proceeding anywhere is affected by it. Nothing here relieves Israel of the obligations it owes as an occupying power while its presence continues, which the Court preserved expressly at paragraph 264.

6.2 No Licence Against Israelis, Palestinians or Refugees

This recognition is addressed to a state. It grants no latitude against anyone living in Palestine, displaced from it, or living beyond it. Kaharagia records what the act does not authorise:

- The expulsion, denationalisation, dispossession or collective punishment of Israeli residents in Palestine, or the refusal of lawful residence to any person on the ground of Jewish identity.
- Violence, hostage-taking, indiscriminate attack or reprisal against Israeli civilians, or against Jewish communities anywhere.
- The treatment of Palestinian refugees, or of persons displaced from Gaza or the West Bank, as having forfeited return, property, compensation or participation through the passage of time.
- The treatment of any Palestinian as answerable for crimes committed by an armed group, or reprisals against Palestinian communities on account of this decision.
- The use of a Kaharagian classification of an organisation as a finding about Jews, Judaism or Israelis generally, or of a determination about a named individual as a criminal conviction.
- The use of force by any party to alter the recognised territorial unit, or any arrangement severing Gaza from Palestinian sovereignty.

6.3 Review and Reversibility

Review follows DM-2026-001. Recognition of Palestinian statehood is not conditional and does not lapse if a condition goes unmet. The conditions set out below are conditions the State of Kaharagia has set upon its own continued reasoning. What follows would reopen this publication, not the recognition.

Reopening is required by a formally expressed change in the position of the State of Palestine or of the Palestine Liberation Organization on territory, representation or a final settlement; a settlement freely agreed by Palestine, which would supersede the territorial formula below; a judgment or further finding by a competent international body concerning genocide, occupation or annexation, including any judgment on the merits in the proceedings brought by South Africa; a material change in the character or scale of the conduct determined here; any step consolidating the annexation of the West Bank or the severance of Gaza, including the conversion of the transitional arrangements under Security Council resolution 2803 (2025) into a standing administration, their reauthorisation beyond 31 December 2027 without transfer of authority to Palestinian institutions, or their expiry on that date without such transfer; and the closure of return, restitution or participation as practical possibilities for refugees and displaced persons. The West Bank characterisation remains under review in its own right, independently of any of these.

7. Operative Declaration

- The State of Kaharagia recognises the State of Palestine as a fully sovereign and independent state in the West Bank, including East Jerusalem, and the Gaza Strip, on the 4 June 1967 lines subject only to changes freely agreed by the State of Palestine.
- It recognises the unity of Palestinian territory.
- It recognises the Government of the State of Palestine as executive authority, and the Palestine Liberation Organization as the international representative of the Palestinian people.
- Kaharagia determines that Israel is committing genocide against Palestinians in Gaza and that occupation, settlement, persecution and forcible transfer remain unlawful in the West Bank.
- Israeli residents are entitled to safety, due process and any lawful residence authorised by Palestine, but not to Israeli sovereign jurisdiction, armed enclaves, separate law, discriminatory privilege or property obtained through unlawful dispossession.
- Kaharagia follows Palestine concerning what it recognises as Israel and what final-status concessions it freely accepts.
- Diplomatic relations with Palestine are reserved to a separate sovereign instrument, together with support for accountability, humanitarian relief, reconstruction, refugee rights and the permanent reunification of Gaza and the West Bank under Palestinian sovereignty.

8. Publication and Legal Effect

This is a published statement of the foreign policy of the State of Kaharagia. Under Kaharagian constitutional practice, the recognition or non-recognition of a state, the recognition of a government, the establishment of a diplomatic mission, the imposition of sanctions and the entry into formal diplomatic relations are decisions reserved to the Sovereign and implemented through the appropriate instrument. The recognition recorded here has been so decided. A Diplomatic Memorandum explains the grounds, scope, reservations and consequences of a policy; it does not by itself confer accreditation, immunity or privilege, and none is conferred here.

This publication is issued in the Diplomatic Memorandum Series by the Office of the Sovereign's Printer. Its serial reference shall be preserved in every separate or electronic edition, and the passages naming individuals shall not be reproduced apart from the statements of procedural status that accompany them. Organs of State shall conform their terminology, publications, procurement, entry decisions and official contact to the determinations recorded here. Material changes in facts, control, legal proceedings or the formally expressed position of the people concerned shall trigger review under the heading above.

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