

Statement on the question of Palestine

On the occasion of the meeting of the “Nordic Initiative for a Diplomatic Accord in Israel and Palestine”

Edinburgh, 1 September 2025

by Hans Köchler*



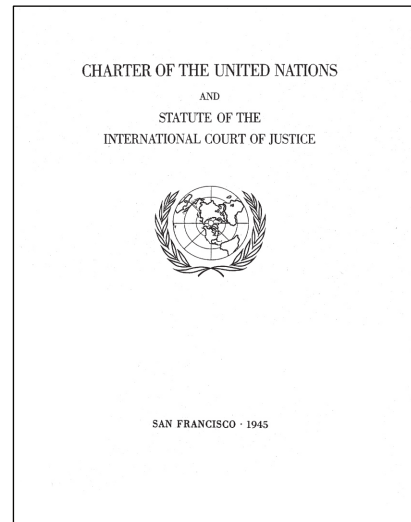
Prof. Dr. Hans Köchler
(Picture www.hanskoechler.com)

“The time for debate and hesitation has passed ...” These were the introductory words chosen by the IPC¹ formally declaring famine in Gaza.² This entirely avoidable, man-made disaster should give us pause. How could the international community – that has been propagating the universal values of humanity in virtually thousands of solemn proclamations and declarations – let this happen, after the unspeakable horrors of the Second World War?

Now is also not the time to mince words ... The many decades of what was called the “peace process” in the Middle East have proven to be lost time. Unfortunately, diplomacy did only nurture an *elusive hope* for peace. Further, the separate peace agreements since Camp David, including the latest so-called *Abraham Accords*, created an *illusion of peace*, a misperception that by now has become obvious to all who know that there can be no peace without justice for *all* peoples in the region.

Frankly, one cannot put the cart before the horse. This has been the problem of virtually all initiatives and agreements that ignored the inalienable right of the Palestinian people to self-determination or chose to “put it aside” for some kind of “final status” negotiations in an ever more distant future.

The unavoidable consequence of procrastination and repression of the main issue – self-determination – is that the occupation of Palestinian territories has become ever more en-



trenched, and more and more land is being seized. Thus, if the international community does not act swiftly and decisively, the mantra of the “two-state solution” will become nothing more than an empty phrase. There will be no contiguous territory left for the establishment of a viable state that could be recognized by those who have been hesitating for so many years to take this step, and who now promise to do so later this month in New York.

Leading members of the ruling coalition in Israel are already publicly – and proudly – threatening the annexation of Gaza and stating that the building of new settlements in the West Bank will make a two-state solution obsolete. In the words of Bezalel Smotrich, quoted by the BBC: “The Palestinian state is being erased from the table, not with slogans but with actions.”³ An Israeli TV station reports that the Prime Minister is now holding discussions “on detaching the city of Hebron from the Palestinian Authority.”⁴ So far, all of this has happened without any counter-action on the basis of the states’ obligations *erga omnes* under the Fourth Geneva Convention, with the exception of a myriad of empty demands and threats from members of the international community, whether individually or collectively.

Nothing will change in terms of the paralysis of the United Nations in this matter as long as there

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is no change in the politics of the most powerful member of the Security Council.

1956, under the responsible statesmanship of President Eisenhower, was the last time that the United States *enabled* the UN to defuse an armed conflict in the Middle East. The United Nations “international emergency force,” created that year via a resolution of the General Assembly, acting under the “Uniting for Peace” formula because of the blockage of the Security Council by the vetoes of France and the United Kingdom, could serve as a model for a substantial and constructive role of the UN in today’s Gaza stalemate – if only the United States would allow.

However: after all that has happened, one cannot simply carry on with business as usual. The rules-based order, supposedly so highly cherished by the leaders of the Western world, *is at stake*. Legal norms without mechanisms of enforcement are mere wishes that will not be taken seriously by any state. In view of the forced inaction of the Security Council, there must be no illusion about one basic fact: international law will not be enforced on the basis of noble appeals alone. Governments acting like NGOs – issuing one declaration after the other, but timidly avoiding implementation of what they are aiming for – have only perpetuated the tragedy of the Palestinian people. In all honesty, this may also be true for the lengthy “New York Declaration on the Peaceful Settlement of the Question of Palestine and the Implementation of the Two-State solution”, adopted on 29 July 2025 at a “United Nations High-Level International Conference” that was convened at the initiative of France and Saudi Arabia.⁵ It lacks any specific commitment to implement what the signatories are calling for.

In the absence of enforcement by the United Nations it is up to individual states – or groups of states – to enforce the rules, and in particular those of international humanitarian law. It is in fact the duty, not just the right, of every State Party under the *Geneva Conventions* of 1949, “to respect and ensure respect” for the conventions “in all circumstances,” and – under the *Genocide Convention* – “to employ all means reasonably available to them to prevent genocide as far as possible”, as has been restated by the *International Court of Justice* (ICJ) in its Order of 30 April 2024 in the case *Nicaragua vs. Germany*, concerning “international legal obliga-

tions in respect of the Occupied Palestinian Territory.”⁶

In view of the demographic realities, decisive measures will also be in the well-understood self-interest of European states since if the situation in Palestine further descends into chaos and the Palestinian people are left to their fate in what effectively has become a war of ethnic cleansing, the conflict may spill over to Europe.

So far, countries of the Global South, together with Türkiye, have been the only ones to take their binding obligations under the earlier-mentioned conventions seriously. In their joint statement issued in Bogotá on 16 July 2025, at a meeting convened by *The Hague Group*, 13 countries including Colombia, South Africa, Indonesia, Malaysia, Oman, and Türkiye committed themselves to what are urgent measures of enforcement of international law in the *legal vacuum left by the Security Council*. The measures include, *inter alia*: preventing the transfer of arms, munitions and dual use items to the occupying power in Palestine, and preventing the transit, docking, and servicing of vessels at any port within their territorial jurisdiction when there is “a clear risk of the vessel being used to carry arms, munitions, military fuel.”⁷

At the moment, apparently these are the only countries that had the courage to move from words to deeds *in a sizable manner*. Thus, it is all the more important and welcome that now, amid the dramatic escalation of the humanitarian tragedy in Gaza, and the lawlessness, violent attacks, seizure of land in the entire territory of occupied Palestine, the *Nordic Initiative* whose representatives are assembled here today reminds Europe – all its governments and the European Union as collective body – of their responsibility to protect the people of Palestine, and demands *concrete steps* similar to those initiated by The Hague Group. Together with these states, Europe can indeed make a difference, and it can give hope to all those in Palestine and Israel who are committed to a peace that is *just*, and not a *peace of the grave*.

Allow me to conclude with the words of *Tal Mittenick*, an 18-year-old Israeli conscientious objector, who after the war in Gaza had erupted in the wake of October 7, 2023, refused to serve in the army. He wisely and succinctly summed up the predicament of the people in Palestine, an ancient land where in spite of all the solemn promises upon the termination of the First World War and the end

of the Ottoman Empire the right of self-determination has only been implemented on a selective basis. May Tal Mitnick's sober grasp of the dilemma, his *realistic idealism or idealistic realism*, be a reminder to all of us, but first and foremost to the decision-makers on both sides:

*"This land has a problem – there are two nations with an undeniable connection to the place. But even with all the violence in the world, we could not erase the Palestinian people or their connection to this land, just as the Jewish people or our connection to that same land cannot be erased. The problem here is supremacy, the belief that this land belongs to only one people. Violence cannot solve the situation, neither by Hamas, nor by Israel. There is no military solution to a political problem. [...]"*⁸

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¹ IPC: Integrated Food Security Phase Classification, *Famine Review Committee: Gaza Strip, August 2025*,

Conclusions and Recommendations, 1. Executive Summary / Key highlights, p. 2.

² The assessment of the IPC is also endorsed by the *Famine Early Warning Systems Network* (FEWS NET), established by USAID and now operating under the US Department of State: *Gaza Food Security Alert*, 22 August 2025: "Famine is now occurring in northern Gaza and expected to expand to Southern Gaza."

³ "Israel approves controversial West Bank settlement project." David Gritten, *BBC NEWS*, 20 August 2025.

⁴ i24NEWS Exclusive: *Netanyahu moves toward replacing the PA*, 29 July 2025, <https://www.i24news.tv>.

⁵ United Nations / General Assembly, Doc. A/CONF.243/2025/CRP.1.

⁶ ICJ, 2024, Order of 30 April 2024, ALLEGED BREACHES OF CERTAIN INTERNATIONAL OBLIGATIONS IN RESPECT OF THE OCCUPIED PALESTINIAN TERRITORY (NICARAGUA v. GERMANY), Par. 23.

⁷ The Hague Group, Joint Statement on the Conclusion of the Emergency Conference on Palestine, Bogotá, Colombia, 16 July 2025.

⁸ Tal Mitnick, "There is no military solution – a statement of refusal," posted on X.com, 26 December 2023.