

Jurists for Palestine Forum – Season 3 – Panel Discussion (5)

Breaking Impunity: Global Strategic Litigation and Accountability for Palestine

This document presents a summary of an online panel discussion and 7 articles that address various manifestations and forms of legal accountability measures pursued by Palestinian and international civil society. Several legal coalitions and partnerships have formed between organizations and across civil society in various jurisdictions with the aim of breaking the cycle of impunity and instigating judicial measures to confront the unlawful Israeli occupation and violations of international law including war crimes and crimes against humanity. The document provides a description of the obligations of states and private entities under international law in the context of ongoing violence in the occupied Palestinian territory (oPt) along with an overview of three ongoing legal complaints in different jurisdictions addressing violations by the Israeli regime against Palestinians in the occupied territory.

This summary was prepared by the Jurist Forum Team

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Summary:

- ❖ The first summary provides an overview of a panel discussion that relies on the UN Special Rapporteur Francesca Albanese's report "*From the Economy of Occupation to the Economy of Genocide*," to examine the legal and ethical implications of corporate involvement in Israel's prolonged occupation and alleged genocidal practices. Panelists analyzed the evolving legal landscape through recent International Court of Justice opinions, the UN Guiding Principles on Business and Human Rights, and international treaties protecting vulnerable populations, especially children. They emphasized that corporations operating in or connected to the occupied Palestinian territories face increasing legal liability and reputational risk.
- ❖ The second summary provides an overview of a groundbreaking complaint under Germany's 2023 Supply Chain Due Diligence Act against media giant Axel Springer for facilitating illegal settlement activity through its Israeli subsidiary Yad2. The case alleges that Yad2 profits from real estate listings in occupied territories, contributing to land grabs and apartheid. Despite strong legal backing and international support, Germany's enforcement agency BAFA rejected the complaint on procedural grounds, prompting widespread criticism. The case highlights the clash between progressive legal standards and political reluctance to enforce them, raising urgent questions about corporate complicity and Germany's commitment to international law.
- ❖ The third summary provides an overview of the international legal initiative "*Global 195*", which aims to hold Israeli and dual-national individuals accountable for alleged war crimes in Gaza. The coalition seeks to pursue legal action across multiple countries in response to ongoing impunity in international courts based on universal jurisdiction.
- ❖ The fourth summary provides an overview of a criminal complaint filed by the ICJP with Scotland Yard accusing five senior UK ministers of complicity in war crimes in Gaza, including the use of starvation as a weapon. The submission highlights severe humanitarian suffering and alleges UK political and material support for these crimes. The case seeks to hold officials accountable not only for direct involvement but also for enabling violations through policy and arms support.
- ❖ The fifth summary provides an overview of a legal challenge launched by GLAN and Al-Haq against the UK government for continuing arms exports to Israel despite evidence of serious international law violations in Gaza. Despite internal concerns and mounting civil society pressure, the High Court ruled the exports lawful, citing executive discretion.

I. Summary of Panel Discussion titled «Illegal Occupation, Genocide, and Business Reflections on the Case of Palestine (Part I)» addressing corporate duty and accountability in the context of Israeli practices linked to the occupied Palestinian territory.

You can view the panel discussion in full [here](#).

The original language of the panel discussion is English.

The panel opened with reference to UN Special Rapporteur Francesca Albanese's recent report, "From the Economy of Occupation to the Economy of Genocide," which provided the foundational framing for the discussion. The moderator emphasized the need to articulate the legal principles governing corporate responsibility in the context of Israel's protracted occupation and escalating violence against Palestinians. The discussion aimed to explore how corporations contribute, directly or indirectly, to what is increasingly described in legal and academic discourse as an "economy of genocide," and to examine the legal and ethical implications of such complicity.

Dr. Tara Van Ho, Associate Professor at the University of St. Mary's Law School, examined the legal developments emanating from the International Court of Justice's advisory opinions and contentious cases involving Palestine. She explained how the ICJ's 2004 opinion on the Wall, and its 2024 advisory opinion on Israeli policies and practices in the occupied territories, collectively establish a robust legal framework declaring the occupation illegal and the settlements in violation of international humanitarian law, including Article 49 of the Fourth Geneva Convention. Tara linked these findings to the South Africa v. Israel genocide case, where the ICJ ordered provisional measures, and to the Nicaragua v. Germany case, where the Court reminded all states of their duty to prevent genocide and ensure respect for humanitarian law. She emphasized that third states must not engage economically with illegal activities, a prohibition that extends to corporations operating within their jurisdictions. She also stressed the relevance of the UN Guiding Principles on Business and Human Rights in clarifying corporate duties under the current legal framework.

Dr. Gamze Erdem Türkeli, Associate Research Professor at the University of Antwerp, shifted the discussion toward the rights of children under international law, highlighting how businesses bear heightened responsibilities in conflict settings where children are

disproportionately affected. She noted that, apart from the United States, every state has ratified the Convention on the Rights of the Child, making its provisions nearly universally binding. In Gaza, where Israel's genocidal war has resulted in unprecedented numbers of child amputees and civilian casualties, corporations involved in any form of business engagement face elevated risks. In the West Bank as well, decades of systemic violations against children necessitate enhanced corporate due diligence. Gamze underscored that these obligations are not aspirational but firmly grounded in both international law and the UNGPs, and that public knowledge of Israel's conduct further amplifies corporate exposure to liability.

Dr. Shahd Hammouri, Lecturer at Kent Law School, brought the focus to corporate exposure and risk. She argued that Israel's domestic economy is deeply intertwined with its occupation infrastructure, making it impossible for businesses to claim a neutral engagement with the Israeli state. She warned that continued corporate complicity in the occupation risks severe reputational harm and potential legal consequences, especially in light of mounting activism and global boycott campaigns. Shahd referenced efforts within companies such as Microsoft and Google, where employee activism is calling attention to unethical business ties with the Israeli military apparatus. She further noted that Israel's breaches extend beyond the oPt, including aggression in Syria, Lebanon, and Iran. Shahd emphasized the growing trend of litigation targeting corporations engaged with Israel's war economy and outlined the importance of mobilizing advocacy and legal strategies, both in domestic courts and through ad-hoc international mechanisms, to hold these actors accountable.

Wesam Al Ahmad, Head of the Center for Applied International Law Al Haq, addressed the structural and political barriers to achieving corporate accountability under international law. Drawing from his experience at Al-Haq, he described how initial optimism about the power of international law often gives way to disillusionment once one tries to enforce it. Legal frameworks often appear robust in theory, but they begin to dissipate when tested in real-world contexts, where enforcement mechanisms are weak and discretion is politically influenced. One key obstacle he highlighted is prosecutorial discretion, where political and economic considerations often override even the most serious legal violations. Wesam stressed that international law cannot lead on its own; real accountability must begin domestically, where legal frameworks are more accessible and potentially enforceable. He called for a binding international treaty on corporate accountability and urged practitioners to view the settlement enterprise through the lens of joint criminal enterprise, thereby connecting individual and

corporate actors to collective violations. His remarks served as both a caution and a call to rethink our strategies for holding companies accountable under international legal frameworks.

Corporate Complicity and the German Supply Chain Case

Robert Grabosch, a practicing lawyer in Germany, provided a detailed and deeply troubling case study involving the German media conglomerate Axel Springer and its subsidiary operations in the West Bank. At the center of the case is the digital real estate platform Yad2, operated by an Israeli company that is 100% owned and controlled by Axel Springer. The platform facilitates property listings, including those in illegal settlements across the occupied West Bank, East Jerusalem, Gaza, and the Golan Heights. Robert described a Yad2 advertisement published in Israeli media, which showcased a map of Israel that incorporated these occupied territories and was accompanied by nationalist slogans such as “From the river to the sea” and “Build a future in your next home in Israel,” clearly marketing property that was unlawfully seized from Palestinians. According to Robert, this platform not only fails to implement any safeguards to prevent illegal land transfers, but actively promotes and privileges settlers in its services, reinforcing the structural expansion of the settlement enterprise.

Under Germany's 2023 Supply Chain Due Diligence Act, companies are legally obligated to identify and mitigate human rights and environmental risks within both their supply chains and their core business activities. The law explicitly includes risks related to unlawful eviction and dispossession, especially when it affects the livelihoods of individuals. However, the complaint was formally rejected by the the German supervisory authority BAFA.

The formal rejection of the complaint, in Robert's view, reveals a politically motivated reluctance by the German government to hold Israel or its corporate allies accountable. It demonstrates a broader retreat from international legal standards, despite Germany's long-standing official opposition to settlements and rhetorical support for a two-state solution. Although the legal team has submitted a formal objection to the rejection, Robert warned that this episode illustrates the growing gap between progressive legal frameworks and their selective enforcement, particularly when geopolitical alliances are at stake. The German government, he argued, is actively undermining the very international legal obligations it claims

to uphold—failing not only the Palestinian complainants but also the integrity of its own legal system.

Robert’s intervention presented a powerful example of how even in jurisdictions with progressive laws, state interests may obstruct justice, and how persistent legal advocacy is essential to challenge complicity in systemic violations.

Conclusion

The panel underscored the growing legal, political, and reputational risks corporations face when engaging with or profiting from Israel’s illegal occupation and possible acts of genocide. While international law provides a framework for accountability, the panelists highlighted the necessity of pushing for domestic enforcement, strategic litigation, and stronger international mechanisms to hold corporations accountable.

II. An Overview of the Legal Complaint Filed in Germany Against Axel Springer

This summary was based on three articles you can read [here](#), [here](#) & [here](#).

The original language of the articles is English.

Background: In late 2024 five Palestinian individuals and the villages of Iskaka, Marda, and Taybeh (in the occupied West Bank) filed a complaint under Germany's new Supply Chain Due Diligence Act (Lieferkettensorgfaltspflichtengesetz, LkSG). The LkSG (effective 2023) obliges large German companies to identify and prevent human-rights abuses in their supply chains and subsidiaries. Here, the complaint argues that Axel Springer SE (a major German media group) has "actively manage[d]" its Israeli subsidiary Yad2 in a way that facilitates illegal land grabs. The case also invokes international obligations: the 2024 ICJ Advisory Opinion reaffirmed that states must prohibit business activities sustaining an unlawful occupation, and the ICJ (July 2024) reaffirmed that the Israeli settlement enterprise constitutes racial discrimination and apartheid. In this context, the plaintiffs assert Germany has a duty to enforce the LkSG and international law by holding companies like Axel Springer accountable.

Allegations: The complaint (filed November 2024) accuses Axel Springer of "contributing to land grabbing and human rights abuses" in the occupied Palestinian territories. It rests on The Intercept's February 2024 investigation, which documented Yad2's listings in settlements.

Key allegations include:

- **Illegal Real-Estate Listings:** Yad2's platform lists thousands of properties for sale or rent in West Bank settlements, including East Jerusalem. According to the complaint, Yad2 "provides more than 5,000 offers of properties and plots of land" in the occupied territories. This allegedly "exacerbates and solidifies" Palestinian displacement and "reinforces the unlawful annexation" of their land.
- **Corporate Profit from Occupation:** Many listings are paid ads (from brokers), meaning Axel Springer profits. The Intercept found 1,300+ sale listings and ~1000 rentals in West Bank settlements (mid-January 2024). Over 800 of those sale listings and 100 of rentals were paid ads.
- **Outposts and Confiscated Land:** Yad2 also promoted properties in outposts illegal under Israeli law, like Bat Ayn B and Nachal David, as well as plots on privately owned Palestinian land seized by the military. In each case, the listings—sometimes free "private" ads, sometimes paid broker ads—directly facilitate settler expansion.

- **Code of Conduct vs. Reality:** Axel Springer's own policies prohibit discrimination, yet Yad2 effectively enforces an apartheid reality: Jewish-only settlements exclude Palestinians (who "cannot in practice buy or rent" there). Human Rights Watch notes that advertising in settlements violates the UN Guiding Principles on business and human rights.

Demand: The complaint demanded immediate action: removal of all illegal listings and interim measures by Germany's BAFA (fine up to 2% of revenue, suspension of Yad2's settlement listings).

Legal representation: The lawsuit is spearheaded by the Jerusalem Legal Aid and Human Rights Center (**JLAC**), which represents the Palestinian plaintiffs and villages. It is supported by Law for Palestine (L4P), the European Legal Support Center (ELSC), the Palestine Institute for Public Diplomacy (PIPD) and others under the *Justice and Accountability for Palestine Initiative*. JLAC specializes in cases of house demolitions, land confiscation, and settler violence. Together, these groups have framed the complaint as "a significant step toward holding international corporations accountable for their involvement in Israeli crimes against Palestinians".

Legal framework (International Law and ICJ Advisory Opinion): Israeli settlements in the occupied territories are deemed illegal under international law (Fourth Geneva Convention, UN Security Council and General Assembly resolutions). The 2024 ICJ advisory opinion reinforced that states must prevent businesses from sustaining the occupation. It also explicitly labeled the occupation's system as apartheid. The Axel Springer case is framed as a test of these norms: Germany, as a UN member state, is being called on to enforce the prohibition on profiting from land confiscation. German law now imposes duties consistent with these obligations. The complaint notes that failure to act would undermine commitments repeatedly expressed by the German government, including respecting Palestinians' sovereignty.

BAFA's Response (May 2025): In May 2025 Germany's Federal Office for Economic Affairs and Export Control (BAFA), which oversees LkSG enforcement, rejected the complaint. BAFA's cited reason was procedural: it demanded the complainants reveal their full identities, despite earlier assurances of confidentiality. BAFA had assured counsel on January 15 that at-

risk applicants need not publicly identify themselves, but then reversed course without warning. Critics call this “legally flawed and morally indefensible”. The decision forces threatened Palestinian villagers to “expos[e] their names to Axel Springer” – an entity aligned with Israeli state policy – or drop the case. Alternative identity-verification methods were offered by the legal team (used in other LkSG cases) but summarily dismissed by BAFA. The order also asserted (contrary to legal precedent) that communal plaintiffs like Iskaka cannot sue because they are not “individualisable”, ignoring German law’s recognition of communities as rights-holders. An objection has been filed, and supporters urge BAFA to reconsider, warning that the ruling sets a “chilling precedent” that undermines Germany’s obligations under the LkSG and international law.

Political Implications and Broader Patterns: The case sits at the nexus of German politics, media, and human rights. Axel Springer SE (owner of *Bild*, *Die Welt*, etc.) has taken strongly pro-Israel public positions (e.g. condemning “from the river to the sea” rhetoric). That the company profits from settlements while publicly opposing Palestinian slogans highlights corporate contradiction. The situation reflects wider patterns of impunity and settler colonialism: as HRW notes, businesses like Yad2 make the Israeli occupation economically sustainable, embedding discrimination into market mechanisms. The complaint asserts that unchecked corporate facilitation of settlements “perpetuat[es] human rights violations” and must end to avoid “escalating into even more severe violations”. Germany’s handling of this case will signal whether international norms against profiting from occupation are upheld or undermined by realpolitik.

Conclusion:

This legal challenge against Axel Springer’s Yad2 platform is unprecedented. It invokes Germany’s new due diligence law and global human rights law to confront corporate complicity in the Israeli occupation. Whether or not the BAFA decision is reversed, the case underscores a growing effort by Palestinian communities and civil society to break the impunity surrounding settlement expansion. It spotlights how alleged violations of domestic and international law intersect with broader critiques of settler colonialism and the responsibilities of global businesses.

III. An Overview of “Global 195: International Legal Coalition Launched to Pursue Israeli War Crimes Suspects across the World”

You can read the article in full [here](#).

The original language of the article is English.

- Global 195, launched by the International Centre of Justice for Palestinians (ICJP) on March 18, 2025 is a strategic international legal coalition aiming to hold Israeli and dual-national individuals—ranging from IDF soldiers to senior military and political leaders—accountable for war crimes and crimes against humanity in Gaza.
- The coalition comprises legal practitioners from Malaysia, Turkey, Norway, Canada, Bosnia and Herzegovina, and the UK. Drawing on an eighteen-month "Justice for Gaza" investigation—including 135 eyewitness testimonies and open-source intelligence—the network will file criminal complaints, seek private arrest warrants, and initiate prosecutions wherever suspects are present or are nationals of participating countries.
- Global 195 targets those accused of orchestrating systematic violations, including indiscriminate civilian bombardment, infrastructure targeting, attacks on “safe zones” and refugee camps, starvation tactics, and forced displacement.
- ICJP Director Tayab Ali emphasized that this initiative addresses the failure of international and national judicial systems to act, providing a coordinated legal pathway across UN member states to close existing safe havens and enforce accountability under universal jurisdiction principles.

IV. An Overview of the Legal Complaint Filed in Scotland Addressing Starvation War Crimes

You can read the full article [here](#).

The original language of the article is English.

- On May 17, 2024, the International Centre of Justice for Palestine (ICJP) submitted an extensive criminal complaint to Scotland Yard's War Crimes Investigation Team against five senior British government ministers for complicity in war crimes committed against Palestinians in Gaza. The complaint specifically cites the crimes of "starvation as a weapon of war" and "wilfully causing great suffering to a civilian population," both of which constitute war crimes under UK domestic law, the Rome Statute of the International Criminal Court, and the Geneva Conventions. This complaint expands upon an earlier submission filed by the ICJP in January 2024, initially naming four British ministers; the latest submission adds a fifth minister to the list of suspects.
- The ICJP's complaint, which spans 60 pages and is supported by an annex of 800 pages of meticulously collected evidence, represents one of the most comprehensive and detailed submissions to date regarding war crimes in Gaza. The evidence includes extensive first-hand testimonies from eyewitnesses, as well as expert medical reports from nineteen medical professionals, including British doctors, who have provided critical humanitarian care in Gaza since October 2023.
- The submitted evidence vividly documents severe humanitarian suffering deliberately inflicted upon Gaza's civilian population through prolonged and systematic restrictions on food, medicine, medical supplies, fuel, clean water, and essential humanitarian aid. Doctors who provided evidence to ICJP described distressing scenes, including widespread malnutrition and dehydration among hospital patients, severe shortages of antibiotics and pain medication leading to preventable infections and deaths, and tragic examples of untreated injuries due to insufficient medical resources. The evidence also detailed shocking incidents, such as pregnant women undergoing caesarean sections without adequate anaesthesia or aftercare, young children suffering and dying without necessary pain relief, and patients forced to undergo medical procedures in darkness due to electricity shortages.
- ICJP Director Tayab Ali emphasized that that complicity in these crimes extends beyond direct participation to include political support, facilitation of crimes through supplying

arms or restricting humanitarian aid, and providing political cover. Ali stated the ICJP's commitment to holding accountable not only those directly responsible for war crimes but also those who have enabled these crimes through political actions or inactions. The complaint is now pending review by Scotland Yard, who will determine whether to formally investigate and potentially prosecute the named senior British government ministers.

V. An Overview of the Legal Complaint Filed in the UK Addressing Continued Weapons Exports To Israel

The summary is based on two articles which you can read in full [here](#) and [here](#). The original language of the articles is English.

Background and Legal Challenge

In response to Israel's genocidal war on Gaza in October 2023, the Global Legal Action Network (GLAN) and Al-Haq initiated legal steps against the UK government, asserting that arms sales risk enabling serious violations of international law, including genocide. The process began with a pre-action letter on October 18, followed by a formal genocide risk notice on October 25. After the government failed to halt arms transfers, a judicial review request was submitted on 6 December 2023, asking the High Court to examine whether continued arms exports breach UK and international law.

UK's Licensing Policy and Internal Concerns

Despite these warnings, the UK continued to approve arms sales. On 12 January 2024, GLAN released internal government records obtained via a Freedom of Information request, revealing that UK officials had "serious concerns" about Israel's compliance with international law but nonetheless authorized additional licenses. In April and May 2024, more licenses were issued, including dozens with military applications, even after Israeli operations in Rafah escalated. As of May 31, the UK had granted or maintained over 100 licenses, including 42 military-only and 66 dual-use, alongside 182 under review. These included multiple open licenses, enabling long-term, unrestricted exports.

Judicial Review and Legal Interventions

On 20 February 2024, the High Court dismissed the request for a judicial review, claiming it lacked merit. GLAN and Al-Haq appealed this decision. By 5 June 2024, three major human rights NGOs—Amnesty International, Human Rights Watch, and Oxfam—were granted permission to intervene in the appeal, bringing additional weight to the argument that UK arms sales may contribute to violations of the Arms Trade Treaty, Geneva Conventions, and Rome

Statute. A full hearing was held in May 2025, and the UK government's refusal to suspend exports of F-35 fighter jet parts was a central issue, given the use of these jets in Gaza and the UK's role in their multinational production.

High Court Ruling and Ongoing Legal Gaps

On 30 June 2025, the High Court ruled that UK arms exports to Israel, including the supply of F-35 parts, were lawful. The Court dismissed all 13 legal arguments raised by GLAN and Al-Haq, emphasizing that such matters fall within the executive's discretion, not the judiciary's. Notably, the judgment revealed that from over 40,000 Palestinian deaths, the UK government had reviewed only 413 incidents and found just one possible violation of international humanitarian law—a fact seen as deeply troubling by campaigners.

The court also confirmed that the UK had intentionally exempted F-35 parts from its partial suspension of arms licenses in July 2025, despite internal deliberations about whether the exemption risked complicity in war crimes or genocide. Government officials reportedly feared that halting F-35 exports would jeopardize relations with the US and the broader NATO-linked F-35 program.

Corporate Accountability and Criminal Liability

In a parallel development, GLAN and partners including War on Want, CAAT, and the International Centre of Justice for Palestinians (ICJP) sent legal letters in June 2024 to directors of British arms firms involved in supplying components for Israeli F 35 jets. These letters warned of possible criminal liability for aiding and abetting war crimes or genocide under the International Criminal Court Act 2001. This step underscores the campaign's broader aim to hold not only governments but also private sector actors accountable.

Mounting Pressure and Policy Shift

Growing international and civil society pressure has compelled some changes. In July 2025, following further legal communication by GLAN and Al-Haq, the UK suspended 30 export licenses to Israel. While campaigners welcomed this as a partial victory, they emphasized that the measure is inadequate given the scope of ongoing violations and the breadth of licenses still in effect. Other European countries, including Italy, Spain, Belgium, and the Netherlands,

had already imposed restrictions or embargoes in response to the ICJ's January 2024 finding of a plausible risk of genocide.

Conclusion

GLAN and Al-Haq's campaign reflects an escalating legal, political, and ethical confrontation over UK arms sales to Israel amid the Gaza crisis. Despite credible evidence of international law breaches and internal doubts within the UK government, licensing persisted. The High Court's deference to executive authority, even amid genocide warnings and ICC arrest warrants against Israeli leaders, has deepened concerns about the adequacy of legal checks on arms exports. With legal avenues for appeal open, and broader accountability efforts—including corporate liability—still underway, scrutiny of the UK's role in arming Israel is likely to intensify.