

Israel/Palestine: Humanitarian catastrophe as policy [Overview of the situation]

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Roughly a month ago, on 7 November 2023, Israel's President Herzog denied a humanitarian crisis was unfolding in the Gaza Strip, [saying](#), "[P]eople in Gaza know there is war, but there is no humanitarian crisis that does not enable them to survive." These statements were groundless back then, and they are certainly groundless now.

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Life in the Gaza Strip right now is an unimaginable nightmare, and its residents' chances of survival are diminishing with each passing day. The Strip has been closed off almost entirely for two months, and the humanitarian crisis is breaking records daily. Aid organizations have lost the capacity to deal with the fallout and struggle to find words to describe the disaster and the dangers it presents. There is not enough fuel, food, water and medicine. There are no hospitals capable of providing medical care for the thousands injured in Israel's incessant [bombings](#) all over the Gaza Strip, which have already killed more than 15,000 people, including about 6,000 babies, children and teenagers and roughly 4,000 women.

This is what the crisis looks like:

The Gaza Strip was in deep humanitarian crisis even before the war broke out, ever since Israel put it under closure when Hamas took power. Gaza's economy soon collapsed. Before the war, about 80% of its residents relied on aid organizations for their subsistence. Unemployment rates skyrocketed, reaching about 45% in the general population, and soaring to 60% among people under the age of 29. Given that this was the starting point, it is no surprise that the situation has rapidly deteriorated into a veritable disaster.

Overcrowding: In the early stages of the war, the Israeli military ordered residents of northern Gaza to move south. Hundreds of thousands responded to the call, and according to UN estimates, about 1.8 million residents of the Gaza Strip - around 80% of the population - have been internally displaced. About 1.1 million of them are registered in UNRWA facilities throughout the Strip, mostly in the south.

Conditions in UNRWA shelters are unbearable: The facilities are overrun and continue to receive people well beyond capacity. According to reports, hundreds of people sheltering in these facilities are forced to share a single bathroom, a shower is a rare commodity, and water, food, blankets and mattresses are scarce. Due to overcrowding, women and children remain inside the buildings, while the men are outside. Other internally displaced persons (IDPs) are sheltering in schools, hospitals

and other public buildings, while some are staying with relatives in difficult conditions with dozens of people crowding in a single home.

The situation has markedly deteriorated since the fighting resumed after the ceasefire, with the military ordering hundreds of thousands more to leave their homes as it attempts to pack more and more of Gaza's residents into an increasingly smaller area, without basic living conditions. According to UN OCHA, the military has ordered the evacuation of an area covering about 20% of the city of Khan Yunis, affecting more than 150,000 people, some of whom had been displaced to the area from their homes in the northern Gaza Strip. Tens of thousands have already evacuated, but the shelters they reached have no capacity to take them in and provide them with basic aid.

Fuel and electricity shortage: When the war began, Israel said it would not allow fuel to enter Gaza. Beginning 18 November 2023, Israel has authorized the entry of a limited amount of fuel daily, solely for humanitarian operations such as food distribution trucks, hospital generators, water and sewage facilities, and UNRWA facilities. During the ceasefire, which lasted a week, Israel allowed four fuel tanker trucks to enter each day.

The fuel shortage is paralyzing infrastructure in the Strip: Israel halted the sale of electricity to Gaza back on 7 October 2023. Several days later, on 11 October 2023, Gaza's power plant shut down after running out of fuel. Without electricity or fuel to run the generators used when power is down, water pumps are unable to function, and desalination and sewage treatment facilities can only operate partially, if at all, increasing the danger of further contamination of the water sources.

Water and food shortage: Gaza residents suffered from a chronic water shortage even before the war. Average daily consumption amounted to 85 liters per person per day, whereas the minimum recommended by the World Health Organization (WHO) is 100 liters per person per day.

Most of Gaza's water originates in the coastal aquifer, but almost all the water pumped from it is contaminated due to over-pumping, as well as seawater and sewage seepage. This water cannot be consumed or used for washing without purification. Three desalination facilities supply water to approximately 300,000 people in the Gaza Strip. The rest of the water supplied to the population before the war, less than a fifth of the water supply in the Gaza Strip, was purchased from Israel.

The water shortage has worsened tenfold since the war began. Israel cut off the supply of water it sells Gaza on 9 October 2023. It was renewed a week later, on 15 October 2023, but only in certain areas in the south. Still, without electricity, pumping facilities have difficulty operating, as do water and sewage treatment facilities. In the absence of potable water, residents have no choice but to consume aquifer water, which is not suitable for drinking. Consumption of unpurified water is mostly a danger to pregnant women, babies, and people with kidney diseases.

The water shortage also impedes maintaining basic hygiene. This, coupled with extreme overcrowding, creates a real risk of infectious disease outbreaks and epidemics, and humanitarian organizations are already reporting the first signs of such outbreaks.

UN agencies report an extreme food shortage and actual hunger among residents, especially in the northern Gaza Strip. Bakeries are not operating due to the lack of fuel, water and flour. Production capacities within the Strip are non-existent at the moment. Agricultural fields and equipment have been damaged in bombardments and are unreachable either way. Fishermen are unable to work either, as Israel has forbidden them from accessing the sea.

Hospital collapse: Gaza's health care system was on the brink of collapse even before the war, able to function only partially and unable to provide residents with many life-saving treatments and

services. The war has sent it into full collapse. According to the World Health Organization, 18 of the 38 medical care centers that operated in Gaza before the war remain active, and three of them provide only first aid.

The remaining hospitals function on a bare-bones basis: With occupancy twice or even three times capacity, and as beds are not available, patients are forced to lie on the floor, even as doctors treat them. The health care system is suffering from a shortage of electricity, water, medications and basic medical supplies. In addition to all this, there is a shortage of medical professionals, and the medical teams on duty are on the verge of collapse. The World Health Organization has cautioned that these conditions increase the risk of disease and epidemics.

The WHO has also warned that due to the incessant bombing, lack of fuel and destruction of roads, access to hospitals is almost impossible, and stressed that so long as the fighting in the south continues, more and more residents will be cut off and have difficulty accessing hospitals at a time when the number of casualties is rising by the day.

What has Israel allowed into the Strip since the war began?

When the war broke out, Israel shut down all crossings into the Gaza Strip and prevented Rafah Crossing on the Egyptian border from opening. It began allowing humanitarian aid in on 21 October 2023, initially 20 truckloads of food, water and medicine per day, but no fuel. Gradually, the number of incoming trucks increased to about a hundred trucks a day. Since 18 November 2023, Israel has also allowed the entry of two fuel tanker trucks per day, for humanitarian needs only.

The aid coming in is no more than a drop in the ocean. Before the war, about 500 trucks entered the Strip every day. According to OCHA, from 21 October 2023 to 23 November 2023, before the ceasefire began, at least 1,723 truckloads of humanitarian supplies - excluding fuel - entered Gaza through Rafah Crossing. This amount of aid is not even close to covering the needs of the population.

Additionally, as Israel has cut off the northern Gaza Strip from the south and due to the ongoing Israeli strikes, aid organizations are reporting that they are almost incapable of distributing the little aid that does come in. They were only able to reach the northern Gaza Strip to distribute food, water, medical equipment and fuel during the ceasefire. In recent days, as the fighting resumed, aid organizations have reported difficulties reaching the Khan Yunis area as well, and most of the aid never leaves Rafah and does not reach the people most in need of it.

All aid entering the Gaza Strip is transported solely through Rafah Crossing - a pedestrian crossing that is not equipped for the transport of goods - complicating aid shipments and limiting how much aid can get through. Because of this, when Israel increased the number of trucks allowed to enter during the ceasefire, it was impossible to bring all the aid in. [Aid organizations](#) and [Western countries](#) have asked Israel several times to transport supplies through Kerem Shalom Crossing, a designated commercial crossing, where about 60% of the goods entering the Strip are transported in ordinary times, as this would enable sending in much more aid. Israel refuses.

The humanitarian crisis is not a side effect. It is the policy

The humanitarian crisis currently underway in the Gaza Strip is not a side effect of the war, but the direct intended result of the policy implemented by Israel. The people behind this policy see inflicting a humanitarian crisis on more than two million people as a legitimate way to put pressure on Hamas.

Energy Minister Israel Katz, who [signed](#) an order to stop the supply of electricity to the Gaza Strip

on the very first day of the crisis, 7 October 2023, [clarified](#): “Humanitarian aid to Gaza? No electrical switch will be turned on, no water tap will be opened, and no fuel truck will enter until the Israeli abductees are returned home. Humanitarianism for humanitarianism And no one can preach morality to us.”

This mindset was clearly reflected in the reactions to the War Cabinet’s November 17 [decision](#) to allow the entry of two diesel fuel tanker trucks - containing about sixty thousand liters - so aid agencies could do the bare minimum and water and sewage systems could run. The decision drew a [slew](#) of angry statements. Finance Minister Bezalel Smotrich wrote to the Prime Minister that the decision was unfathomable and “spits in the face of the IDF soldiers, the hostages and their families, and the bereaved families.” National Security Minister Itamar Ben Gvir said, “As long as the hostages are not even visited by the Red Cross, there is no sense in giving ‘humanitarian gifts’ to the enemy,” while Yisrael Beiteinu Chair, Avigdor Lieberman, said, “Proclamations about not a drop of fuel entering Gaza have effectively turned into tens of thousands of liters entering unilaterally without any humanitarian gestures towards kidnapped Israelis.”

Decision-makers were quick to respond that the move did not spell a change of policy and that humanitarian pressure on Gaza residents would continue. Minister Benny Gantz, a member of the War Cabinet, [explained](#): “[I]t is not a question of changing strategy, but of providing a specific response that serves the continued fighting of the IDF.” Prime Minister Binyamin Netanyahu also [clarified](#) that “this is a minimal emergency amount of fuel to operate water and sewage pumps without which we can expect an immediate outbreak of epidemics. You must understand that disease outbreaks will harm both residents of the Gaza Strip and IDF soldiers inside it. I stress: This is not a policy change, but a limited, localized response to prevent epidemic outbreaks.”

On 19 November 2023, retired Major General Giora Eiland, who previously served as head of the Operations Division and head of the National Security Council, published an op-ed in Yedioth Aharonot entitled “Let’s not be intimidated by the world.” Eiland holds no official position currently and is not among the policymakers responsible for the strategy pursued in the Gaza Strip at present, but his statements are an accurate reflection of it.

In his piece, Eiland claims Hamas is entirely indistinguishable from residents of the Gaza Strip and that Israel was fighting “the State of Gaza” – all citizens included - which is why it must not “give the other side any capability that extends its life.” Of course, everyone in Gaza will be hurt, but, says Eiland, “Who are the ‘poor’ women of Gaza? They are all the mothers, sisters or wives of Hamas murderers. On the one hand, they are part of the infrastructure that supports the organization, and on the other hand, if they go through a humanitarian disaster; then presumably, some Hamas fighters and more junior commanders will begin to understand that the war is futile and that it is better to prevent irreversible harm to their families.” Eiland acknowledges such a policy could cause a humanitarian disaster and severe epidemics but believes that “However difficult, this must not deter us. After all, severe epidemics in the southern Gaza Strip will bring victory closer and reduce casualties among IDF soldiers.” Eiland concludes: “This is not cruelty for cruelty’s sake, since we do not support suffering on the other side as an end, but as a means... We must not, simply must not, adopt the American narrative that gives us ‘permission’ to fight only Hamas fighters instead of doing the right thing - fighting against the opposing system in its entirety, because it is precisely the civilian collapse that will bring the end of the war closer.”

Humanitarian aid is neither a “gesture” nor a “bargaining chip”

Israeli officials made it clear early on in the war that the Strip would remain closed until the hostages were returned. Given that this is the case, the refusal to allow humanitarian aid into the Strip punishes residents for actions they did not commit and in which they had no involvement. It is

also clear that they have no way of exerting influence over those responsible for these actions to release the hostages. As such, sealing off the Gaza Strip constitutes unlawful collective punishment of its more than two million residents. This remains true even if some of them support Hamas, as Israeli officials claim.

Furthermore, closing the crossings and allowing a minuscule amount of aid that cannot begin to meet civilians' needs is tantamount to deliberately starving the population. International humanitarian law [prohibits](#) deliberate starvation as a method of warfare. This norm has attained customary status, meaning it applies to all countries. Violating this prohibition is a war crime under the Rome Statute.

The entry of humanitarian supplies into the Gaza Strip is not a gesture Israel is being asked to make towards the civilian population. It is its duty. According to the rules of international humanitarian law, when the civilian population lacks the means to survive, parties to the conflict have a positive obligation to allow the "rapid and unimpeded passage" of humanitarian supplies, including food and medicine. Aid should be delivered consistently such that people can rely on receiving it the next day as well.

This [rule](#), which is enshrined in Additional Protocol (I) to the Geneva Conventions, stipulates that the obligation carried by a party to the conflict to allow humanitarian aid in applies even when it is the other party's civilians who need it. This obligation addresses countries whose geographical location is such that the passage of aid through their territory "is necessary, or even simply useful." The commentary on this rule clarifies that a party to the conflict cannot arbitrarily deny passage of humanitarian aid, although it is clear that each party may supervise the shipment and even search it. The obligation to allow humanitarian aid in is also a [customary norm](#) and therefore applies to Israel.

Refusing to let humanitarian aid in is a crime under the Rome Statute of the International Criminal Court in The Hague, which stipulates that the deliberate starvation of the civilian population as a method of war, including by deliberately denying humanitarian aid - is a war crime.

Israel must allow humanitarian aid into the Gaza Strip immediately

At a press conference held on the evening of 5 December 2023, Prime Minister Benjamin Netanyahu suggested a humanitarian crisis in the Gaza Strip would be a problem for Israel, and hence the need to address it, saying: "Any breakdown, from disease to water contamination, could halt the fighting." Defense Minister Gallant added: "We're required to allow the humanitarian minimum to allow for the military pressure to continue."

This is a cynical, twisted and instrumental approach to the lives of more than two million people who are being forced these days to muster whatever strength they have remaining to find water, food and shelter for themselves and their families in order to survive, during incessant Israeli strikes. Yet, these statements are also astounding in their honesty: The Prime Minister and the Defense Minister admit, in front of cameras, that Israel is deliberately manufacturing a humanitarian crisis in the Gaza Strip. If Israel wills it, the crisis will be solved. If it does not, it will continue. This is a confession to a war crime.

Israel must allow humanitarian aid into the Gaza Strip immediately, not just because it is the right thing to do morally, but also because it is Israel's duty under international humanitarian law, which it has undertaken to uphold. The entry of humanitarian aid cannot be subject to any conditions, including the release of the hostages, as it was during the ceasefire, when Israel allowed more trucks in as part of the hostage release deal with Hamas. Clearly, Hamas must release all the hostages immediately and unconditionally. Taking hostages is absolutely [prohibited](#), whatever the

circumstances, and is also a war crime.

Israel must allow aid to enter Gaza freely, in quantities commensurate with the population's needs. This includes opening Kerem Shalom Crossing and allowing the passage of supplies through it to enable a more appropriate response to residents' needs. Quantities should be determined by the aid agencies that deliver assistance and are familiar with the population's needs rather than the Israeli government, which sticks to an arbitrary "humanitarian minimum."

Israel has used this policy before when it imposed the closure on Gaza in 2007 after Hamas took power. In October 2010, following a Freedom of Information petition submitted by Israeli human rights NGO Gisha, it came to light that for years, Israel had employed a [deliberately restrictive policy](#) that relied on intricate calculations of the minimal caloric intake Gaza residents need to survive. It was illegal and cruel then. It is illegal and cruel now. The war crimes committed by Hamas in its horrific attack on October 7th, in the illegal holding of hostages and with the firing of rockets at Israelis throughout the war, cannot serve as a reasoning or justification for the denial of food, water, medicines and fuel to more than 2 million human beings.

On 4 December 2023, when the ceasefire ended, Lynn Hastings, Humanitarian Coordinator for the Occupied Palestinian Territories, [issued](#) a statement in which she said: "[A]n even more hellish scenario is about to unfold." On 6 December 2023, UN Secretary General Antonio Guterres [wrote](#) to the Security Council he "expects public order to completely break down soon due to the desperate conditions, rendering even limited humanitarian assistance impossible". He added that "the situation is fast deteriorating into a catastrophe with potentially irreversible implications for Palestinians as a whole and for peace and security in the region".

Israel must change its horrifying policy, detailed in this document, before these predictions come true. The profound violation of human dignity encapsulated in this policy, the perception of Gaza's two million residents as devoid of humanity, desires and needs, as no more than pawns in the game of war - are unjustifiable and must end.

B'Tselem

The Gaza Strip, 07 December 2023

P.S.

- B'Tselem. 7 December 2023:
https://www.btselem.org/gaza_strip/20231207_humanitarian_catastrophe_as_policy