ONE MONTH AFTER ISRAEL'S SEVEN COMMITMENTS ON HUMANITARIAN ACCESS:

THE REALITIES ON THE GROUND

AS RAFAH MILITARY OFFENSIVE UNFOLDS

Released on May 7, 2024

OXFAM

care

MÉDECINS DU MONDE

MÉDICOS DEL MUNDO

PLAN INTERNATIONAL

humanity &inclusion

Save the Children

NRC NORWEGIAN REFUGEE COUNCIL

The Israeli authorities have not implemented the pledged commitments they made on April 6, 2024, following the killing of seven World Central Kitchen (WCK) staff, to facilitate increased humanitarian access in the Gaza Strip. Humanitarian actors see no significant improvement from Israeli authorities in addressing the dire challenges to provide life-saving aid for Gaza's 2.3 million residents, including those in northern Gaza who according to the World Food Programme's (WFP) Executive Director Cindy McCain are living under a "full-blown famine." The current situation is expected to deteriorate even further as Israeli forces issue "evacuation" orders to more than 100,000 civilians in parts of Rafah and should the Israeli military ground offensive on Rafah move forward. No aid entered Gaza through the Rafah crossing on May 5 and no aid entered Gaza through either Rafah or Kerem Shalom /Karam Abu Salem crossings on May 6, 2024.

Methodology
The information outlined in this briefing note is sourced from two key areas: publicly available reports, including those from the United Nations, and insights gathered from the on-the-ground experiences of NGOs. By analyzing public data and connecting it to the seven commitments that were made by the Government of Israel, and by incorporating the ground-level observations and expertise of participating NGOs, this joint briefing note aims to clarify the realities on the ground for humanitarian access into and inside the Gaza Strip.

The killing of seven World Central Kitchen (WCK) staff on April 1 brought significant attention to the extreme insecurity Palestinian and international aid workers and civilians alike have faced in Gaza since October 7. The WCK attack showed: no one is safe in Gaza. On April 6, following the outcry of Member States, **the Government of Israel made seven commitments in a reported effort to increase humanitarian access into Gaza**.

As humanitarian agencies with staff in Gaza working around the clock under impossible conditions, **we note that the majority of the announced measures have not been implemented, nor has a timeline for implementation been announced**. Even if fully met, the realization of these commitments alone would still not provide the conditions for safe, unhindered, principled humanitarian access. To roll back six months of starvation and the collapse of all services and infrastructure amid catastrophic conditions requires much more than mere logistical facilitation: what is needed is a massive flow of humanitarian aid and an immediate and sustained ceasefire.

Far from witnessing an improvement in access following Israel's commitments, **humanitarian actors are only expecting further challenges as Israel's offensive on Rafah unfolds.** Humanitarian agencies have warned this will result in an even more catastrophic scenario, including a devastating surge of civilian deaths, mass forcible displacement and severe deterioration of the operating environment of humanitarian actors.

Only an immediate, sustained ceasefire, full adherence to international humanitarian law (IHL), and the opening of all entry points to Gaza for humanitarian and commercial supplies, including for banking, will allow civilians' basic human needs to be met. Israel, as the occupying power, bears the responsibility to provide or facilitate the provision of humanitarian relief for the protected population under its military occupation.

The implementation status of the seven commitments made by the Government of Israel

Israeli commitment n°1: "A better functioning coordination cell will be established that links humanitarians directly with the Israeli Forces (IF) Southern Command."

A humanitarian notification and coordination system (HNS) is a voluntary information sharing mechanism. It is a tool of last resort, not a requirement for humanitarian actors or civilians. Its purpose is to support parties to conflict to fulfill their IHL obligations more effectively. Ultimately, the responsibility to protect humanitarian personnel and civilians, relief items, and civilian objects lies with the conflict parties.

The reality on the ground

Civilian and aid workers' deaths continue to be recorded in unprecedented numbers in modern humanitarian aid history. According to OCHA, the killing of aid workers continued after Israeli commitments were made, with at least 11 aid workers killed between April 8 and May 1, therefore highlighting the continuous danger for the lives of humanitarian personnel operating in the Gaza Strip. As is their obligation under IHL, Israeli forces have failed to facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, ensure the freedom of movement of humanitarian actors essential to the exercise of their functions, and protect civilians and civilian objects by upholding the principles of distinction, precaution, and proportionality. As such, NGOs have repeatedly been forced to halt operations and aid delivery missions due to the targeting of their staff and infrastructure and the mounting danger involved in delivering aid. The urgent call of the senior humanitarian and reconstruction coordinator for Gaza Sigrid Kaag for effective and credible deconfliction for humanitarian actors on April 24 further confirms that, after 20 days, Israeli authorities have not made significant steps forward in setting a functioning humanitarian notification system.

Humanitarian agencies routinely provide notification of humanitarian operations, personnel, and assets to COGAT[1] without consistent confirmation of receipt, two-way communication, or any indication that the information is used to calibrate the Israeli force's conduct of hostilities. Even when humanitarian organizations provide notification of operations and receipt is confirmed, personnel, assets, locations have come under attack by Israeli forces. At least 254 aid workers have lost their lives, highlighting Israel's violation of its obligation to protect aid workers. Security concerns remain a key obstacle for the daily organization of the delivery of humanitarian aid and services. To effectively provide aid to 2.3 million people, humanitarian actors need to have guarantees that they will not be killed by Israeli air or ground forces. Depriving humanitarian organizations from a functioning coordination mechanism directly prevents them from delivering aid safely and consistently.

[1] Coordinator of Government Activities in the Territories (COGAT), is the unit in the Israeli Ministry of Defense that is responsible for implementing Israeli policies that concern civilian matters in the oPt.

In Rafah, NGOs continue to report Israeli airstrikes, resulting in casualties, including in locations in alleged deconflicted "safe" zones. This highlights the inadequacy of current deconfliction mechanisms. Due to pressures to increase safety for humanitarian operations and staff, organizations increasingly attempt to enter into bilateral instead of coordinated deconfliction channels with Israeli forces. While an obvious result of a dysfunctional 'humanitarian notification' system, this also risks further weakening existing centralized UN-led humanitarian coordination and information-sharing structures meant to function in a transparent and principled way.

Through this pattern of behavior, Israel has thus far demonstrated it has not upheld obligations to protect aid workers and assets. In the absence of a ceasefire, significant improvements to a standardized humanitarian notification and coordination system, supported by OCHA, in addition to a change in the behavior of Israeli forces, including the integration of this tool into the conduct of their operations, humanitarian relief efforts will continue to be severely impeded.

Israeli commitment n°2: "Plans to open Erez/Beit Hanoun Crossing temporarily to move much needed food, water and sanitation items, shelter and health materials from Ashdod port."

The reality on the ground

Since the beginning of April, there have been very few instances where humanitarian convoys were allowed through northern crossings. COGAT's own data shows that aid trucks were allowed through northern crossings only during a very limited period from April 17 to 19, with no report of humanitarian trucks being authorized before the crossing of an aid convoy through Erez/Beit Hanoun on May 1.[2] On May 1, one month after pledged commitments, WFP reported that after months of restricted access, it is building a storage capacity in Erez/Beit Hanoun. On the same day, a convoy carrying humanitarian supplies from Jordan, including food parcels, sugar, rice, supplementary food and milk powder, entered Gaza via back-to-back transfer at Erez crossing, following inspection by Israeli authorities only at Allenby Bridge. All trucks reached the two designated UN premises as of 3 May and distribution is ongoing.

Erez/Beit Hanoun crossing is a pedestrian terminal with no initial facilities for freight shipment or screening equipment. It was badly damaged on October 7 and requires extensive repairs. The area where trucks are offloading is exactly the area where the pedestrian crossing used to be. Israel is still leveling that area. Even if announced to have opened, the capacity of Erez would only allow a limited entry of trucks.

On April 10, the Government of Israel announced that a new crossing would be constructed in the north, though again with no timeline or concrete plan for implementation. The opening of Crossing 96 suggests that crossings can be opened in a timely manner when the Government of Israel chooses to do so. The low volume of humanitarian aid that has passed through this newly opened crossing remains highly inadequate to meet the dire needs of the population in northern Gaza.

Any crossing points in the north are welcome but their effectiveness hinges on being operational at full capacity and accompanied by the safe facilitation of humanitarian efforts to be able to

[2] COGAT Reports, The Humanitarian efforts in the past week, 4-10 April, 11-17 April, 18-24 April.

scale up our operations and access all areas. The north especially remains designated as a 'red zone,' and Israel has systematically denied humanitarians the ability to unimpeded humanitarian access[3]. Moreover, the introduction of additional crossings, like Erez/Beit Hanoun, should not be used as a rationale to justify diminishing access through existing ones, particularly Rafah and Kerem Shalom/Karm Abu Salem. Our message is the same. **All crossings should be open and stay open for a minimum humanitarian response. Only opening Erez is not a viable solution.**

While pledging to open crossings in the north, Israeli authorities continue to restrict the entry of aid into northern governorates via the Israeli checkpoints on Salah El Din and Al Rasheed roads that control movement between northern and southern Gaza, with reports of denials of planned humanitarian missions or prolonged delays. In April, nearly half of humanitarian aid missions to northern Gaza were unable to pass through, with at least 37 percent of them directly impeded or denied by Israeli forces.

Israeli commitment n°3: "Plans to increase the number of trucks entering through the Allenby Bridge crossing towards Gaza from 25 to at least 50 per day."

The reality on the ground

There is currently no direct route into Gaza via the Allenby Bridge, the Israeli-controlled border point between the occupied West Bank and Jordan. On May 1, Israeli settlers reportedly attacked two humanitarian convoys that were traveling through the Jordan Corridor, highlighting that it is likely that this road will be affected by similar security issues as the ones encountered at Kerem Shalom/Karm Abu Salem, where Israeli civilians have repeatedly prevented the crossing of aid shipments.

Trucks of aid being allowed to enter is not a sufficient indicator of 'increased aid': what needs to be monitored is the measurable reduction of human suffering and alleviation of the famine that is taking hold. As underlined by senior humanitarian and reconstruction coordinator for Gaza Sigrid Kaag on April 24, the number of trucks is "a false metric for gauging whether humanitarian assistance is sufficient, let alone whether it responds to the basic humanitarian requirements."

Many of these aid trucks are part of bilateral agreements directly negotiated with the Government of Israel, which does not necessarily reflect a comprehensive humanitarian strategy. For aid distribution to be both effective and equitable, it is essential that all humanitarian distribution, including commercial routes, be coordinated through the Humanitarian Country Team. This coordination allows for proper oversight, ensuring that prioritization is based on urgent needs and that a clear record is kept of what aid has been delivered and what is still required. Every actor, including the UN and other agencies, must align their efforts under this coordinated framework to maximize the impact of their interventions in Gaza.

[3] 'In April 2024, 55 per cent (52 out of 94) of humanitarian aid missions to northern Gaza were facilitated by Israeli authorities, 27 per cent (25) were impeded, 10 per cent (9) were denied, and eight per cent (8) were cancelled due to logistical constraints'.
'Between 23 and 29 March, 42 per cent (8 out of 19) of humanitarian aid missions to northern Gaza were facilitated by the Israeli authorities, 42 per cent (8) were denied, and 16 per cent (3) were postponed or withdrawn.' https://www.unocha.org/publications/report/occupied-palestinian-territory/hostilities-gaza-strip-and-israel-flash-update-148
'In February, the UN and its humanitarian partners planned only 24 missions to areas north of Gaza, of which six (25%) were facilitated. This stands in stark contrast to January, when 61 missions were planned to the north, with nine (15%) facilitated.' https://www.un.org/unispal/document/humanitarian-access-snapshot-un-ocha-6mar24/#:~:text=In%20February%2C%20the%20UN%20and,with%20nine%20(15%25)%20facilitated.
'Palestinians in the Gaza Strip have been deprived access to water, food, fuel, electricity and other essentials of life, as well as to medical care and medical supplies.' https://www.icj-cij.org/node/203454
'People in northern Gaza have been forced to survive on an average of 245 calories a day - less than a can of fava beans - since January' https://www.oxfam.org/en/press-releases/people-northern-gaza-forced-survive-245-calories-day-less-can-beans-oxfam

Israeli commitment n°4: "Intent to expand operating hours of Kerem Shalom/Karam Abu Salem and Nitzana crossings, while anticipating an increase in the number of trucks scanned by an additional 100 trucks per day."

The reality on the ground

Despite Israel's assertion that it has dramatically scaled up aid entry into Gaza, UNRWA has stated that "there has been no significant change in the volume of humanitarian supplies entering Gaza or improved access to the north." OCHA also counter Israel's claim, reporting that trucks which are screened by Israel are only half full, so an increase in the number of trucks does not indicate a significant increase in aid. To date, the number of trucks crossing via Kerem Shalom/Karm Abu Salem and Rafah is still falling short of both border crossings' operational capacity. NGOs continue to report denial of entry for humanitarian trucks at Kerem Shalom/Karm Abu Salem without being provided with clear reasons by Israeli forces.

More than 300 trucks - many of which were only half full - went through on April 8, which is still only 60 percent of the volume that used to enter Gaza on each working day before October 2023, at a time when Palestinians were not facing starvation. The amount of aid needed today to address the man-made famine and humanitarian needs created by this war are significantly higher than before October.

Israeli commitment n°5: "Deployment of additional scanner and staff capacity at Kerem Shalom/Karam Abu Salem crossing to accelerate the transfer of aid into Gaza."

The reality on the ground

While additional capacity at Kerem Shalom/Karem Abu Salem is welcome (if implemented), this commitment does not address the multitude of other arbitrary, often unwritten restrictions, including justification based on so-called 'dual use', on what essential humanitarian goods will be permitted entry into Gaza.

Sufficient fuel is not permitted into Gaza, including for NGOs and civil society organizations, and electricity to Gaza remains shut off. There is an intrinsic link between the availability of fuel and electricity and the ability of civilians to access goods and services essential for their survival, underscoring the importance of allowing fuel entry and resuming electricity provision.

Anything that is permitted entry into Gaza is often confined only to Rafah, denied permission to move further north. Only 4 percent of food aid that entered was allowed to move to central or north Gaza - where an estimated 300,000 civilians remain - during the week of April 1.

Israeli commitment n°6: "Assurance for approvals to activate 20 bakeries in north Gaza."

The reality on the ground

OCHA reported that as of April 22, only 4 bakeries were currently operational in Gaza city, with no mention of additional bakeries that would have reopened in North Gaza. The reopening of more bakeries in northern governorates relies on a steady flow of wheat and fuel entering through all crossing points, including the Israeli checkpoints controlling the access from the south. To date, it appears that Israeli authorities have not allowed sufficient supplies into the north to meet their commitment to assure the reopening of 20 bakeries.

UNRWA was last able to deliver food to the north at the end of January. The effects of the siege imposed by the Government of Israel on Gaza, coupled with the failure to allow and facilitate the rapid and unimpeded passage of and access to humanitarian relief operations is starving the civilian population of Gaza. Starvation as a method of warfare is strictly prohibited and codified as a war crime under international law.

Analysis of Israel's own data reveals that the population of Gaza has only received around 40 percent of the necessary food intake over a period of 186 days.[4] As a result, this dire situation leads to starvation and famine in northern Gaza.

With reports of severe malnutrition growing every day, the reopening of bakeries must be implemented immediately to help meet the needs of desperate Palestinians in northern Gaza. All bakeries must be allowed to reopen and supplied with the resources needed to help mitigate the effects of famine. However, this is not enough. After months of severe food shortages and starvation, the situation requires a comprehensive famine response strategy that goes beyond minimum standards, not just supplemental calories.

Israeli commitment n°7: "Approval for the Nahal Oz water line in North Gaza to restart."

The reality on the ground

Water should never have been cut to Gaza - restricting civilians' access to water is a clear violation of IHL. In April, the Palestinian Water Authority and the Municipality of Gaza have been undertaking the reparation of the water line, completing a first phase of repairs. However, in mid-April, the municipality issued an urgent call that fuel must be provided to facilitate the completion of the water supply restoration. Finally on 29 April, the PWA announced the resumption of water pumping through Al Muntar water line after 200 days of complete shutdown, potentially serving approximately 300,000 people in Gaza city.

[4] Between 7th October and 10th April, according to COGAT's website, 299,010 tonnes of food were provided. This equates to an average of 1607.58 tonnes per day (299,010 divided by 186 days). In 2008, when Gaza's population was 1,476,294 million, they required 2,571.5 daily tonnes of food according to Israel's calculations. Considering today's population of at least 2,287,558 million, based on PCBS's 2024 projections, factoring in population growth suggests a requirement of 3,984.6 tonnes of food daily (2,287,558 divided by 1,476,294, multiplied by 2,571.5). At best, Israel has provided an average of approximately 40.34% of the required daily food for the population in Gaza over the past 186 days. On 10th April, Israel inspected and transferred 3,885 tonnes of food, which still falls short by 100 tonnes of the minimum required amount.

The World Bank reports that 57 percent of all WASH infrastructure was damaged by January 2024, a figure which has only increased in the months since. This includes significant damage to pipe networks within Gaza, desalination plants, water wells, and pipelines. It is expected that water delivery infrastructure in north Gaza has been severely impaired, restricting the capacity to deliver water once it enters Gaza.

Israel's commitment is therefore insufficient. OCHA reports that the two other cross-border pipelines remain damaged and in need of repairs, which Israel should help facilitate. Additionally, two out of three of the main desalination plants are only partially functional and only 34 municipal water wells are functioning, many having been destroyed by Israeli forces.

Israel continues to arbitrarily restrict the entry of critical WASH supplies into Gaza, including water treatment chemicals and testing kits. Together, this means that Palestinians in Gaza are facing a severe water shortage.[5]

No genuine promises of improvement of humanitarian access can be made while planning a Rafah military invasion

Not only will a ground offensive by Israeli forces in Rafah critically increase humanitarian needs, but it will drive humanitarian actors out of the governorate and endanger the operationality of Rafah crossing at a time when the direly needed humanitarian response is already obstructed.

No viable evacuation plan that could genuinely ensure the safety of civilians is possible, especially under the current circumstances of overcrowding, multiple displacement, spread of communicable diseases and starvation already affecting thousands of people in Rafah governorate. Thousands of families will be forced to attempt to reach locations north of Rafah that are extremely vulnerable, with high levels of destruction of core infrastructure and contamination of unexploded ordnances from fighting. The surroundings of Rafah are not prepared to host hundreds of thousands of people, with little to no infrastructure for basic services, and the existing ones already overwhelmed. The response to the massive humanitarian needs that will rise from this severe degradation of the situation will be extremely challenging.

A significant portion of humanitarian capacities, including premises and warehouses, are located in Rafah. Therefore, a full-scale invasion of the governorate by Israeli forces will represent a significant step backwards for the humanitarian response, which has already been constrained for months by a highly insecure and access-restricted operational environment. The Rafah operation will force humanitarian actors to relocate to other areas under extremely dangerous circumstances along with the rest of the displaced population. The invasion will not only increase the humanitarian needs in the southern governorates, but it will further jeopardize the humanitarian response capacity of aid agencies.

[5] The World Bank reporting that they are accessing 3 to 7 liters per capita per day, which falls well below even the minimum emergency requirements of 7.5 to 15 liters per capita per day, and dramatically below the required 50-100 liters to meet basic needs and minimize health concerns.

Moreover, the south of the strip has been the primary entry point for aid since October 2023. Since May 5, following a Hamas rocket attack on Kerem Shalom/Karm Abu Salem, Israel has closed the Kerem Shalom/Karm Abu Salem and Rafah crossings, prohibiting the entry of humanitarian aid (goods and people). These are the main lifelines for entry of humanitarian trucks into the enclave. Their closure will dramatically reduce the volume of aid entering Gaza and cause an indefinite delay of entry for the kilometers-long line of aid trucks waiting on the Egyptian side of the border. At the same time, there has been absolutely no guarantee that the delivery of lifesaving supplies will be scaled up at other entry points into Gaza, as we note Israeli authorities' failure to comply with their own commitments to scale up the operational capacities of these land crossings.

Third States should not base their analysis of the humanitarian access situation on unmet commitments from Israeli authorities but on their actions. The international community must hold Israel accountable for the obstruction of aid and unprecedented loss of aid worker's lives.

We reiterate that only an immediate, sustained ceasefire, full adherence to IHL, and the opening of all possible entry points to Gaza for humanitarian and commercial supplies will allow civilians' basic human needs to be met and for further suffering to be averted.

Third States must urgently put Israel's Rafah military operation on top of their political agenda and allocate substantial efforts to create monumental diplomatic pressure to deter the Government of Israel from moving forward with its plan immediately. States must also use all bilateral tools at their disposal to directly pressure parties to the conflict into a sustained unconditional ceasefire.