



NEWS

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Israel defying ICJ ruling to prevent genocide by failing to allow adequate humanitarian aid to reach Gaza

One month after the International Court of Justice (ICJ) ordered “immediate and effective measures” to protect Palestinians in the occupied Gaza Strip from the risk of genocide by ensuring sufficient humanitarian assistance and enabling basic services, Israel has failed to take even the bare minimum steps to comply, Amnesty International said today.

The order to provide aid was one of six provisional measures ordered by the Court on 26 January and Israel was given one month to report back on its compliance with the measures. Over that period Israel has continued to disregard its obligation as the occupying power to ensure the basic needs of Palestinians in Gaza are met.

Israeli authorities have failed to ensure sufficient life-saving goods and services are reaching a population at risk of genocide and on the brink of famine due to Israel’s relentless bombardment and the tightening of its 16-year-long illegal blockade. They have also failed to lift restrictions on the entry of life-saving goods, or open additional aid access points and crossings or put in place an effective system to protect humanitarians from attack.

“Not only has Israel created one of the worst humanitarian crises in the world, but it is also displaying a callous indifference to the fate of Gaza’s population by creating conditions which the ICJ has said places them at imminent risk of genocide. Time and time again, Israel has failed to take the bare minimum steps humanitarians have desperately pleaded for that are clearly within its power to alleviate the suffering of Palestinian civilians in Gaza,” said Heba Morayef, Regional Director for the Middle East and North Africa at Amnesty International.

“As the occupying power, under international law, Israel has a clear obligation to ensure the basic needs of Gaza’s population are met. Israel has not only woefully failed to provide for Gazans’ basic needs, but it has also been blocking and impeding the passage of sufficient aid into the Gaza Strip, in particular to the north which is virtually inaccessible, in a clear show of contempt for the ICJ ruling and in flagrant violation of its obligation to prevent genocide.”

“The scale and gravity of the humanitarian catastrophe caused by Israel’s relentless bombardment, destruction and suffocating siege puts more than two million Palestinians of Gaza at risk of irreparable harm.”

The supplies entering Gaza before the ICJ order have been a drop in the ocean compared to the needs for the last 16 years. Yet, in the three weeks following the ICJ order, the number of trucks entering Gaza decreased by about a third, from an average of 146 a day in the three weeks prior, to an average of 105 a day over the subsequent three weeks. Before 7 October, **on average, about 500 trucks entered Gaza every day**, carrying aid and commercial goods, including things like food, water, animal fodder, medical supplies and fuel. Even that quantity fell far short of meeting people’s needs. In the three weeks after the ICJ ruling, smaller quantities of fuel, which Israel tightly controls, made it into Gaza. The only crossings that Israel has allowed to open were also opened on fewer days, further demonstrating Israel’s disregard for the provisional measures. Aid workers reported multiple challenges, but said that Israel was refusing to take obvious steps to improve the situation.

In the case it submitted to the ICJ, South Africa argued that Israel’s deliberate denial of humanitarian aid to Palestinians could constitute one of the prohibited acts under the Genocide Convention by “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.”

“Now even the fodder is becoming scarce”

Across the Gaza Strip, the engineered humanitarian disaster grows more horrifying each day. On 19 February, **humanitarian agencies reported** that acute malnutrition was surging in Gaza and threatening children’s lives, with 15.6% of children under two years acutely malnourished in northern Gaza and 5% of children under two years in Rafah in the south. The speed and severity of the decline in the population’s nutritional status within just three months was “unprecedented globally”.

Hamza, a resident of northern Gaza, whose wife Kawthar gave birth to their fourth child on 17 February, told Amnesty International on 20 February that his family of six was barely able to secure half a meal per day amid severe shortages of food

and water. After flour and corn supplies ran out, they resorted to grinding barley and animal feed to make bread. "Now even the [animal] fodder is becoming scarce," he said. His wife gave birth at the already no-longer-operational Kamal Adwan hospital in Beit Lahia. She had no breast milk after delivery and has struggled to feed her newborn baby.

The scale and gravity of the humanitarian catastrophe caused by Israel's relentless bombardment, destruction and suffocating siege puts more than two million Palestinians of Gaza at risk of irreparable harm.

Heba Morayef, Amnesty International

"After an anxious search around the hospital, a woman gave us a small quantity of milk which we fed the baby through a syringe. My aunt managed to find us some milk today, I don't know how, and she didn't say how much it cost her. There is no rice, no meat. I went to the market yesterday to look for food and came back home empty handed: no meat, no chickpeas, nothing."

The looming threat of a full-scale ground assault on Rafah in southern Gaza, where over 1.2 million civilians are currently sheltering, would have further devastating consequences for the humanitarian situation.

The limited supplies trickling into Gaza are entering through two crossings along the perimeter with Israel and on the border with Egypt. The two operational crossings – Rafah, on the border with Egypt, and Karem Abu Salem, on the perimeter with Israel – are both in southern Gaza. A ground operation in the area near where the Rafah and Karem Abu Salem crossings let trucks into southern Gaza risks cutting off the flow of aid entirely and destroying the last remaining vestiges of the aid system.

"All around me people are broken"

Amnesty International spoke to ten workers from five humanitarian agencies or organizations in mid and late-February who described horrifying conditions in Gaza, as well as ongoing, severe access restrictions. All said their ability to get aid into and around Gaza had either remained the same or gotten worse since the ICJ ruling.

Humanitarians highlighted Israel's failure to take obvious steps, such as opening all available access points and crossings to enable them to transfer aid more rapidly and on a larger scale to areas in need or to ensure that humanitarian operations did not come under military attack.

A UN Security Council resolution passed in December 2023 demanded that parties "allow and facilitate the use of all available routes to and throughout the entire Gaza Strip, including border crossings" to ensure vital assistance reaches civilians "through the most direct routes." Despite this legally binding resolution, Israel has refused to open further crossings to facilitate humanitarian access.

Fathia, a mental health support practitioner, told Amnesty International of the challenges she faces with her family and work. She described the difficulty of trying to get her 78-year-old mother who has developed a form of dementia since they were displaced to understand why they don't have enough food.

"My sons are hardly earning any money and we can't find or afford even basic food. There is nothing and the little there is unaffordable. My mother cannot comprehend this; she thinks we are neglecting her. I have come to the point that I wish my own mother died rather than see her suffer thinking we are neglecting her. All around me people are broken because they can't feed their children, their families, and I am unable to offer them any useful advice or support because I, myself, am broken," she said.

Israeli protesters demanding the government stops allowing aid into Gaza until the hostages are freed have repeatedly blocked access to the Karem Abu Salem crossing, forcing it to close repeatedly, sometimes for multiple days. Such disruptions do not relieve Israeli authorities of their obligation to take necessary measures to maintain unhindered flow of aid.

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Heba Morayef, Amnesty International

Other access points and crossings exist. Some were closed by Israel after 7 October. Others have been kept closed for years by Israel. Israel tightly controls what enters and exits Gaza, including people and goods, as part of its illegal blockade, which has become significantly more suffocating in recent months.

The situation is particularly dire in the north of the Strip, which Israel has effectively cut off from the rest of Gaza. Between 1 January and 12 February, OCHA reported Israel had denied permission to more than half of the requests by humanitarians to access the north. On 6 February, OCHA reported Israel had granted none of the UN's 22 requests to open checkpoints early, including to access areas north of Wadi Gaza.

On 21 February, one of the aid workers interviewed said: "There's basically no access [to the north]. We had the ceasefire in November where we pushed a lot of trucks north. Other than that we have not been able to get trucks north at any scale. In 2024, it has been even less. Some people are already starving."

Blocking and delaying life-saving supplies while people starve

Israel continues to tightly restrict the import of essential supplies to Gaza. All imports to Gaza must be pre-approved by Israeli authorities. In February, humanitarians continued to describe frequent, unpredictable and "arbitrary" rejections and limitations. Israeli officials repeatedly blame humanitarian organizations for any gaps in aid delivery, alleging they are incapable of dispatching and distributing more aid, or due to looting in Gaza. But humanitarians described an array of ways in which Israeli authorities impede their work. They offered a list of basic steps Israel has failed to take to facilitate aid delivery: from allowing in sufficient and essential supplies, which they regularly reject; to opening checkpoints earlier, which authorities have repeatedly refused; to respecting basic security guarantees for aid convoys, aid workers and aid offices, which have instead come under recurrent attack.

In addition to goods, Gaza desperately needs fuel to allow people to purify water, process food and run medical equipment, like incubators. Since 11 October, Gaza has been under an electricity blackout as a result of Israel cutting off Gaza's electricity supply. Israel also completely blocked the import of fuel from early October until 18 November 2023. While it has now

allowed some fuel to enter Gaza, the quantities remain jarringly insufficient. As of late-February, Israeli authorities also continued to regularly reject humanitarian requests to bring in other power sources, like solar panels, generators and batteries. "No human beings should be forced to suffer the inhumane conditions Gazans are being subjected to. Instead of lifting their brutal blockade, Israeli authorities are planning to escalate their attacks with a deadly military operation into Rafah that will have horrific consequences for civilians and risks cutting off the only lifeline for aid entering Gaza. Only an immediate and sustained ceasefire can save lives and ensure that the ICJ's provisional measures, including the delivery of lifesaving aid, can be implemented," said Heba Morayef.

"Instead, the USA has, for a third time, vetoed a UN Security Council resolution demanding an immediate ceasefire, effectively greenlighting more killings and mass suffering of Palestinians. Countries with influence over the Israeli government, including the USA, UK, Germany and other allies must not stand by and watch as Palestinian civilians die preventable deaths due to bombardment, lack of food and water, the spread of diseases and lack of healthcare. In light of the humanitarian catastrophe in Gaza, these states' support for Israel's actions, including its flouting of the ICJ's ruling, is indefensible and could violate their obligation to prevent genocide."

Amnesty International is also calling on states to ensure that UNRWA receives adequate funding to continue its operations after a number of states suspended funding to the organization based on allegations that some of its members took part in the 7 October attack. UNRWA has long served as a sole lifeline for Palestinian refugees in Gaza and elsewhere in the Middle East offering indispensable humanitarian aid, shelter and education.

All states must uphold their obligation to prevent genocide by taking urgent steps to ensure Israel complies with the ICJ's provisional measures, including by pressing Israel to rapidly open up access to Gaza and end its brutal blockade once and for all. All states must also immediately end the transfer of arms to Israel, **as recently asked by 24 UN Experts**.

Background

Today's humanitarian catastrophe in the occupied Gaza Strip is the result of Israel's 16-year-long blockade and its further intensification and recurrent devastating military operations. Since 2007 Israel has maintained control of Gaza's air space, land borders and territorial waters, tightly restricting the movement of basic goods and people in and out of the Strip, fuelling a humanitarian disaster. Israel has forced Gaza's population to live in increasingly dire conditions, which have, since October 2023, deteriorated with such speed and severity that the entire population now faces an engineered famine.

Israel's blockade is a form of collective punishment and is a war crime. It is one of the key ways in which Israel maintains its **system of apartheid** against Palestinians, which is a crime against humanity.

On 7 October 2023, Hamas and other armed groups launched indiscriminate rockets, sent fighters into southern Israel and committed war crimes. According to Israeli authorities, at least 1,139 people were killed and more than 200 people, mostly civilians, including 33 children, were taken as hostages by Hamas and other armed groups in Gaza. As of 1 December, 113 hostages held by Hamas and other armed groups in Gaza had been released.