



GENEVA INTERNATIONAL CENTRE FOR JUSTICE (GICJ)

THE PLIGHT OF THE PALESTINIAN REFUGEES

Understanding the Humanitarian Crisis and Global
Responsibility for Refugees of the War in Palestine

DECEMBER 2024

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Image from: <https://news.un.org/en/story/2024/12/1158316>

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December 2024

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Introduction

The piercing sound of sirens, the sight of homes reduced to rubble, and the harrowing uncertainty of survival have become a grim reality for many displaced by the ongoing war in Palestine. For the civilians caught in the crossfire, it has become dangerous to flee and to stay in their homes. This has created the most protracted of all refugee crises, whose plight dates back 77 years.

International migration is mainly driven by structural economic and political factors such as labour market demand, income inequalities, and conflict in origin countries. Globally, approximately 184 million people, or 2.3% of the world's population, live outside their country of citizenship, as reported by the World Health Group in 2023. This highlights the growing complexity of human mobility, which is increasingly driven by factors like climate change, conflict, and income inequality. Recent trends show a significant shift as more people move to urban centres, largely due to the influence of “push and pull” factors. Push factors are conditions that drive people from their places of origin, such as limited employment opportunities, political instability, or ethnic conflict. Large-scale sources of recent displacement in the Middle Eastern countries have experienced high and/or prolonged conflicts exacerbating poverty and food insecurity. The consistent conflict within the country or with bordering nations has become a push factor causing widespread displacement; exacerbating a man-made humanitarian refugee crisis.

More than 2 million people in Gaza are trapped in a space of 141 square miles without reliable or consistent access to clean water, sufficient food, adequate medical care, or even a roof over their heads. They have lost the humble right to live a life of dignity and security or make a living. The 25 mile long Gaza Strip is slowly experiencing deteriorating living conditions and declining hope for a brighter future. Israeli policies and conduct have caused a man-made humanitarian crisis in the Middle East.



Image from: <https://www.undp.org/press-releases/new-un-report-impacts-war-have-set-back-development-gaza-much-69-years>

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) reported that 90% of the Gazan population (2.1 million people) is displaced out of which 1.2 million people are internally displaced. 180,700 people are in 978 refugee shelters, 775 of which are at full capacity. Moreover, Palestinians comprise the largest population of stateless people with 5.9 Palestinian refugees living across the Middle East. The position of Palestinian refugees under international refugee law is complex. The United Nations Refugee Agency (UNHRC) defines refugees as “*people who have fled their countries to escape conflict, violence, or persecution and have sought safety in another country.*” This universally accepted definition of a refugee from Article 1A [2] of the 1951 Convention relating to the Statue of Refugees does not apply to the majority of Palestinians. Those who are outside the Palestinian territory occupied by Israel since 1967 and are unable and/or unwilling to return, even if due to fear of persecution, do not qualify as refugees under Article 1A (2). Only those Palestinians displaced for the first time after 1967 fall within the scope of Article 1A (2) of the Convention because they are not covered by the mandate of another UN agency.

The Palestinian refugee crisis is a multi-faceted issue rooted in decades of conflict and marked by significant historical events, such as the Nakba of 1948 and the more recent escalation following the events of 7 October, 2023. This report delves into the dual challenges faced by internally displaced individuals within Gaza and refugees who have fled across borders, examining the genocidal intent underpinning systemic policies and their generational impact. It also addresses the obstacles to rebuilding lives amidst displacement which include but are not limited to the loss of livestock and the destruction of buildings and means of production are blocking any hope of a return to normal life. In addition, to the depleting cash flow of the displaced persons, restricting their return to work, their homes, sustainable food etc, given that all these factors are still standing and not destroyed in the war. In addition to discussing the critical role of international aid agencies like the United Nations Relief and Works Agency (UNRWA) and the devastating consequences of blocked aid routes. By understanding these interconnected issues, this report underscores the urgency of global action to mitigate the crisis, and proposes recommendations aimed at ensuring the dignity, security, and eventual return of Palestinian refugees.

GICJ position

Geneva International Centre for Justice (GICJ) stands firmly in solidarity with the Palestinian people and underscores the urgent need for comprehensive, humane, and sustainable solutions to address the ongoing refugee crisis. The systemic displacement and marginalisation of millions of Palestinians constitute a grave violation of international humanitarian and human rights law, including the right to return and the right to live in dignity.

GICJ condemns all actions that perpetuate forced displacement, demolitions, and restrictions on essential aid, particularly those that disproportionately affect vulnerable populations such as children and women. We emphasise that the lack of enforceable reparations, along with the ongoing blockade and forced re-displacement, has created a man-made humanitarian crisis that demands immediate global intervention.

We call for:

1. **Enforcement of International Law:** The implementation of UN General Assembly Resolution 194 (which states that “refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable

date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or equity, should be made good by the Governments or authorities responsible”) and other legal frameworks ensuring the right of Palestinian refugees to return to their homeland, with reparations for those who cannot return.

2. **Protection of Vulnerable Populations:** Prioritising children’s rights to education, healthcare, and safe living conditions, and safeguarding future generations from the destructive cycles of statelessness and conflict.
3. **Unimpeded Humanitarian Access:** The removal of barriers preventing the delivery of essential aid, including food, medical supplies, and shelter, to displaced Palestinians.
4. **Accountability for Violations:** An international inquiry into actions that constitute forced displacement, collective punishment, or other breaches of international law.
5. **Comprehensive International Support:** Increased funding for agencies such as UNRWA and strengthened global cooperation to ensure sustained assistance for displaced Palestinians.

GICJ reaffirms that addressing the root causes of the crisis—occupation, systemic policies of discrimination, and the denial of basic human rights—is essential to achieving lasting peace and justice. We stand committed to advocating for the rights of Palestinian refugees and holding all parties accountable to international standards.

Decades of Conflict: Understanding the Background

Nakba 1948: Arab-Israeli War

Displacement is all too familiar to Palestinians as many had to flee their homes during the 1948 Arab-Israeli war, in a forced migration known as *Nakba*, which means catastrophe in Arabic. On 17 May 2024, the Chair of the United Nations Committee on the Exercise of the Inalienable Rights of the Palestinian People, Cheikh Niang, made a statement announcing that the Nakba of 1948 and today’s Nakba in Gaza are the same event. The prolonged nature of this displacement underscores the enduring nature of the crisis and the immense challenges faced by the Palestinian people in seeking stability and justice.

The United Nations General Assembly Resolution 181 of November 1947 recommended the partition of Palestine. By resolution 181 (II), the Assembly decided to partition Palestine into two states, one Arab and one Jewish, with Jerusalem placed under a special international regime. That led to a conflict which resulted in the expulsion of over 800,000 people from Palestine, with a majority being Arabs. 46 years later, the United States brokered the Oslo Accord in 1993 which was intended to bring about Palestinian self-determination, limited to the fraction of historic Palestine which was brokered by resolution 181. The peace process was unsuccessful as the illegal occupation of Palestinian territories by Israeli forces continued. In 1995, the former Prime Minister of Israel, Yitzhak Rabin was assassinated by Yigal Amier, an Israeli who opposed the Oslo Accord on religious grounds, followed by a string of attacks by Hamas on the Israeli people.

The following two graphs by the United Nations Office for Coordination of Humanitarian Affairs, highlight how the humanitarian response required has been based on the people in need and people targeted. According to OCHA, the humanitarian needs of the Palestinian people based on their plans for each year, are being met. Surprisingly, it is clear that these coordinated plans are requiring less funding all together.

HRP	People in need	People targeted	Requirements (US\$)
2023	2.1M	1.6M	510M
2022 - Nov.	2.1M	1.6M	509.9M
2022	2.1M	1.6M	510M
2021	2.4M	1.8M	417M
2020	2.4M	1.5M	348M
2019	2.5M	1.4M	350M
2018	2.5M	1.9M	540M
2017	2M	1.6M	550M
2016	2.3M	1.6M	570M

The 2023 figures are estimates and pending the launch of the HRP. Unless otherwise indicated numbers reflect data as of the GHO launch date.

Table: Global Humanitarian Overview 2023 • Source: Financial Tracking Service

Image of the Annual Humanitarian Response Plan (HRP) for the occupied Palestinian territory, taken from: <https://www.ochaopt.org/country/opt>

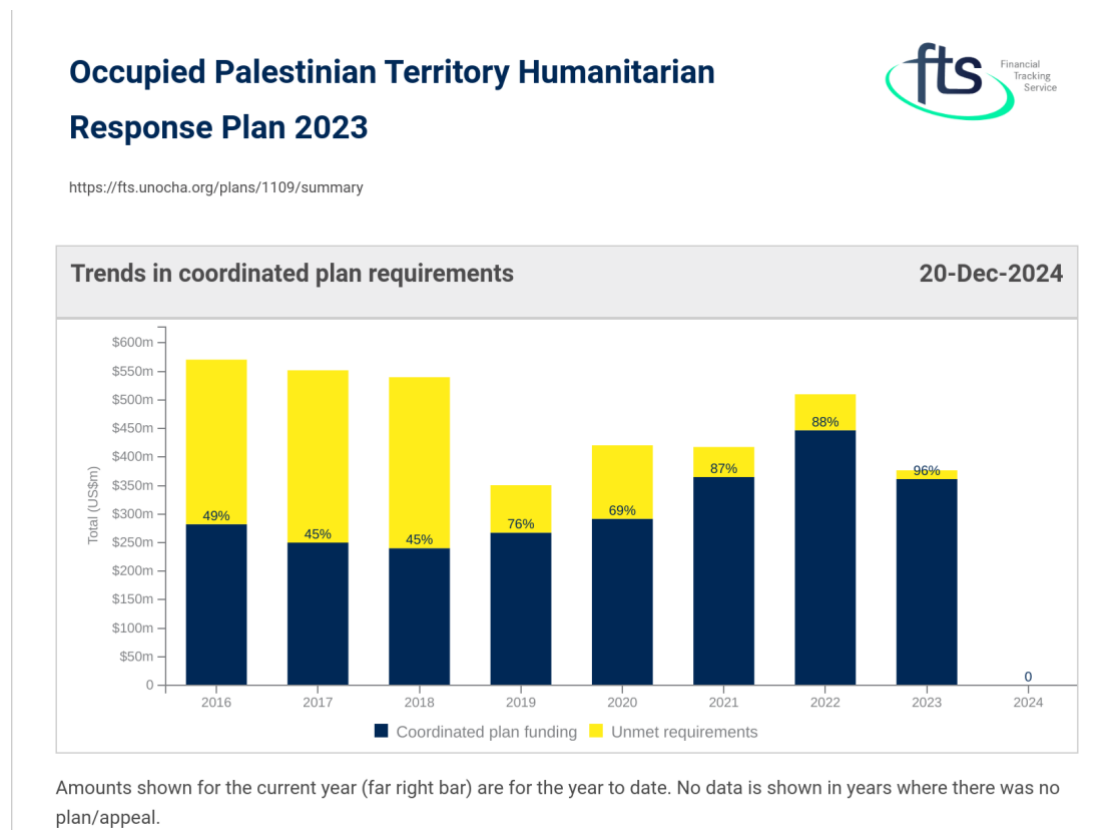


Image from: <https://fts.unocha.org/plans/1109/summary>

The Events of 7 October 2023

On 7 October 2023, there was an attack by Hamas, an Islamic militant group known for their armed resistance to Israel, during a significant Jewish holiday, the Simchat Torah. The assault began at about 6:30 am with a barrage of at least 2,200 rockets launched into Israel in just 20 minutes. Over 1,200 people were killed in the assault, which included families attacked in their homes in kibbutzim and attendees of an outdoor music festival. More than 240 others were taken into the Gaza Strip as hostages.

At the end of October, Israeli ground forces advanced into the Gaza Strip. The Israeli forces continue to justify their on-going violent military response on Palestinian civilians as a retaliation to the events of 7 October 2023. On 12 December 2023, the UN General Assembly (UNGA) passed a resolution calling for an “immediate humanitarian ceasefire in Gaza.” The vote saw 153 countries in favour, with 23 abstentions and only 10 votes against. This

included the United States of America vetoing the vote. Furthermore, almost a year into the war, the UNGA resolution set a deadline for Israel to end its occupation of Palestinian territories. However due to its non-binding nature, its effects have not been visible. In fact, the war has further extended into other parts of the Middle East, particularly Lebanon and Iran.

Genocidal Intent

Generational Impact: Education and Health

Approximately 69% of the Palestinian victims have been children and women, with around 572,000 women and girls in need of reproductive health services. According to the United Nations Sexual and Reproductive Health and Rights Agency (UNFPA), an estimated 50,000 pregnant women do not have access to medical care in Gaza, causing an overall rise in miscarriages by 300%. Philippe Lazzarini, the Commissioner General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), has repeatedly stated that this has become a war on children, irreversibly damaging their childhoods and their futures. Direct and targeted attacks on children have only continued to increase during this war. During an interview, Lazzarini warned that shattered classrooms in Gaza are equivalent to an entire “lost generation.” With over 123 schools and universities destroyed, Lazzarini advised that education needs to be made a collective and common priority for all. The UNRWA reported that on 27 September 2024, three of the schools that they operate within Palestine, which harboured 20,000 people, had been hit, killing 20 people. They have estimated that at least 87% of school buildings in Gaza were severely damaged between the first attack on 7 October, 2023 and 7 October, 2024.



Image from: <https://www.un.org/en/global-issues/refugees>

Additionally, 1.7 million people are infected with contagious diseases in Palestine. This includes a recent polio outbreak in Gaza. Lazzarini referred to this outbreak as a “total disgrace” as polio had been eradicated in Gaza over 25 years ago. Ten months after the beginning of the war, the dropping sanitary conditions led to a rise in rates of polio among children. As well as disease, famine is rampant in the Gaza Strip, leading to starvation and increasing rates of malnutrition. The rise of catastrophic food insecurity, which is affecting 1.1 million people in Gaza, has become a weapon of war. This has particularly affected children, as UNICEF has raised concerns that young people are especially vulnerable to hunger and disease. According to Integrated Food Security Phase Classification, both North Gaza and Gaza Governorates are classified in IPC Phase 5 (Famine) with reasonable evidence, with 70% (around 210,000 people) of the population in IPC Phase 5 (Catastrophe). Continued conflict and the lack of access to the northern governorates for humanitarian organisations and commercial trucks will likely compound heightened vulnerabilities and extremely limited food availability, access and utilisation, as well as access to healthcare, water, and sanitation.

Rebuilding lives and Return to Palestine

The right of a person to return to his home in his native country traditionally has been included among an individual's fundamental rights. While Israel argues for a narrower definition restricted to first generation refugees who were displaced in the 20th century, primarily in 1948 and 1967, Palestinians advocate for an inclusive definition that includes children and spouses of those refugees who have been unable to return. The UNGA's Resolution 194 of December 1948 stated that *"refugees wishing to return to their homes and live in peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss or damage to property."* However, these voluntary reparations, as envisioned under international law and reaffirmed by UNGA Resolution 194, offer a pathway to justice and restoration, yet remain largely unrealised.

While the resolution acknowledges the right of refugees to return to their homes and receive compensation, its implementation has been obstructed by political barriers. The absence of enforced international protocols addressing the rights of Palestinian refugees, particularly children, perpetuates their vulnerability and denies them the opportunity to rebuild their lives. If meaningful action is not taken, an entire generation risks losing not only their heritage but also the hope of a secure and dignified future in their homeland.

For children born in exile, the concept of "home" often exists only in stories passed down from their elders, perpetuating a sense of rootlessness and vulnerability. This loss of home is not merely physical but deeply tied to identity, culture, and heritage, leaving displaced Palestinians—particularly children—detached from the land that forms the cornerstone of their identity.

Borders and Displacement: Analysing the Conditions

Palestinians Displaced Within Gaza

Around 1.13 million people are in need of emergency kits for makeshift shelter or tents and 1.34 million people need bedding kits. While UN officials repeatedly issue pleas for unrestrained access to humanitarian assistance, Israel has implied that they are providing ample aid to the civilians trapped in Gaza. However, it has come to light that Israel's denial of certain items such as tent poles has exacerbated the severe shelter crisis with Palestinians being asked to dig through rubble to find metal and shelters. The Israeli restrictions have

gone as far as to claim that tent poles can have dual purposes as shelter but also a weapon, in the time of war.



Image from: <https://palestine.un.org/en>

In addition to critical health and education challenges, famine now threatens the displaced population of Gaza. The fourth and ongoing phase of this crisis escalated sharply when the Israeli Defense Forces (IDF) launched a major assault on Rafah in early May 2024, followed by a series of forced evacuations within the so-called humanitarian zones over the summer. This triggered mass re-displacement and caused an unprecedented deterioration in humanitarian operational capacity.

Displaced individuals were forced to flee once again to designated humanitarian zones in Khan Younis and central Gaza, carrying only what they could. While some escaped by car, the majority fled on foot, leaving behind homes, personal belongings, and any sense of stability. NGOs, too, have been forced to abandon preplaced food and water supplies, while shelters were emptied and hospitals evacuated under duress. An estimated 1.8 million people are now crammed into two overcrowded strips of land in Mawasi and Deir Balah, without adequate planning or resources to sustain their basic needs. Though the Israeli government labelled these actions a “successful evacuation,” they amounted to a catastrophic forced re-displacement, executed without sufficient measures to protect, or support the displaced population.

On 26 October, 2023, Israel announced a 11 square kilometre expansion of the zone of al-Mawasi to become a safe zone for Palestine civilians. The zone now covers 19% of the land area of Gaza. The aid remains limited in this area due to restricted access and security issues while severe overcrowding is leading to dire health and sanitary concerns. Furthermore, this so-called humanitarian safe zone has been harmed by Israeli military as well. For instance, in September 2024, the encampment was struck by at least three missiles, killing 19 people, wounding an additional 65, and displacing civilians. Israeli intelligence claimed that several senior Hamas figures were in the humanitarian zone, although these claims have not been proven.

This is another example of the systematic terror affecting the people of Gaza, even in zones created for humanitarian purposes. Establishing the area as a humanitarian zone was widely criticised by the international community at the beginning of the war, with World Health Organization chief, Tedros Adhanom Ghebreyesus, calling the Israeli proposal a recipe for disaster. He claimed that *“attempting to cram so many people into such a small area with such little infrastructure or services will significantly increase risks to health for people who are already on the brink.”* Despite recent calls from the U.S. government and the international community to ensure safe evacuation procedures and humanitarian sustainment, the lack of planning has left millions in an increasingly dire situation, amplifying the risks of starvation and further collapse of the humanitarian framework.

Refugees Beyond Borders: The Externally Displaced

Palestinian President Mahmoud Abass declared that the entire world is responsible for what is happening to our people in Gaza and the West Bank. Similarly, the UN Secretary General stated that *“the Middle East is a powder keg with many parties holding the Match.”* It is common in wartime settings for the international community to coordinate humanitarian sites and operations with conflict parties to ensure that humanitarian needs are successfully met. Israel has long accused the UN of trying to safeguard over 6 million Palestinian refugees in Gaza, the West Bank, Syria, Lebanon, Jordan, and other places in the Middle East. In these places, nearly one-third of the registered refugees, more than 1.5 million individuals, live in 58 unregistered Palestinian refugee camps.

Jordan plays a significant role in hosting Palestinian refugees, with around 2.4 million registered individuals—nearly half of the total Palestinian refugee population—residing

within its borders. This leads Jordan to have the largest number of Palestinian refugees. Approximately 20% of Jordan's population is Palestinian, with many individuals holding full citizenship rights. Moreover, they have made notable strides in upholding the principles established by Arab states in 1965, which asserted that Palestinians should enjoy rights comparable to those of citizens in their host countries.

Many refugees in Jordan saw the camps as a temporary solution, with the hope of returning to their homeland still deeply ingrained. However, the situation for Palestinian refugees in Jordan intensified after the 1967 Middle East War, during which an additional 300,000 Palestinians fled to the country, primarily from the West Bank and Gaza Strip. Currently, UNRWA provides services to 10 refugee camps in Jordan, supporting the needs of these displaced populations. However, the country has recently refused to accept more refugees, a decision rooted in concerns that Israel may seek to implement a permanent expulsion of Palestinians, thereby undermining the Palestinians' demands for statehood. This complex scenario underscores Jordan's pivotal yet precarious position in the ongoing Palestinian refugee crisis. This has left thousands of Palestinians at the borders of their State, running out of places to run to and feel safe.



Image from: <https://www.ohchr.org/en/stories/2024/01/gaza-massive-human-rights-crisis-and-humanitarian-disaster>

As the first Arab country to establish peace with Israel, Egypt has historically played a significant role in mediating between Israel and Palestinian factions, particularly during conflicts in Gaza. The Rafah corridor has served as a vital lifeline for delivering humanitarian aid to Gaza since the onset of the conflict. However, Egypt faces its own challenges, currently grappling with a spiralling economic crisis while hosting approximately 9 million refugees and migrants. Recently, the Egyptian President expressed concerns regarding the ongoing war, stating that the conflict appears to be aimed not only at combating Hamas, which governs the Gaza Strip but also at pushing civilians to migrate into Egypt. This potential influx raises apprehension for Cairo, as the country does not want to exacerbate a complex security situation in a volatile region. Furthermore, similar to other Gulf countries, Egypt is keen to avoid being seen as complicit in what some observers describe as ethnic cleansing in Gaza.

Though Egypt has declined to officially accept refugees from the Gaza Strip, more than 100,000 Palestinians have crossed the border into the country since Israel's offensive began following Hamas' attack on 7 October 2023. Many individuals face a unique predicament; while they have managed to enter Egypt, they are not formally classified as refugees, making them ineligible for most forms of international aid. This leaves them stranded in a foreign land without the refugee status and the critical assistance and support they need.

It is important to highlight that Israel has extended the war into other Middle Eastern nations such as Lebanon. Lebanon has seen multiple waves of Palestinian refugees, resulting in a stateless population of roughly 270,000 individuals who live in 12 camps scattered across the country. UNRWA offers vital support and services within these camps. Despite providing refuge, Palestinians in Lebanon endure systemic discrimination, and the community, along with its leaders, constantly faces the threat of Israeli attacks. Israel expanded war into Lebanon on the eve of their one year of war in Palestine, increasing fear of providing refuge to the Palestinian people, in addition to further exacerbating the refugee crisis in the Middle East.

The Role of the International Community in Mitigating the Refugee Crisis

United Nations Relief and Work Agency: Role and Funding

The United Nations plays a crucial role in addressing the needs of Palestinian refugees, mainly through the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). It was established shortly after the UNGA resolution 302 of 8 December 1949 to provide “*direct relief and work programmes*” to Palestine refugees, to “*prevent conditions of starvation and distress... and to further conditions of peace and stability.*” These refugees were defined as “*persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 war.*”

UNRWA is the backbone of the humanitarian operations in Gaza, however humanitarian aid goals remain unmet. The responsibility of UNRWA in Palestine refugee camps is limited to providing services and administering their installations. Palestine refugee camps are plots of land allocated by host governments, majorly in the Gulf region, to accommodate refugees and provide necessary facilities. The Agency does not own, administer, or police the camps, as this is the responsibility of the host authorities. UNRWA supports approximately 6 million Palestinians and serves as the primary humanitarian organisation in Gaza. More than 30,000 Palestinians in the Gaza Strip, West Bank and in vast refugee camps in neighbouring Arab countries work for the UNRWA. It is important to note that even though the UNRWA staff are dedicated to their mission, they face fears of their own as 237 colleagues have already been killed.

UNRWA has provided free basic education to millions of children for the past 75 years. Furthermore, the organization contributes to the local economy and delivers essential services to the refugee population. According to the UN Secretary General, in “*in the face of catastrophic conditions, UNRWA perseveres.*”

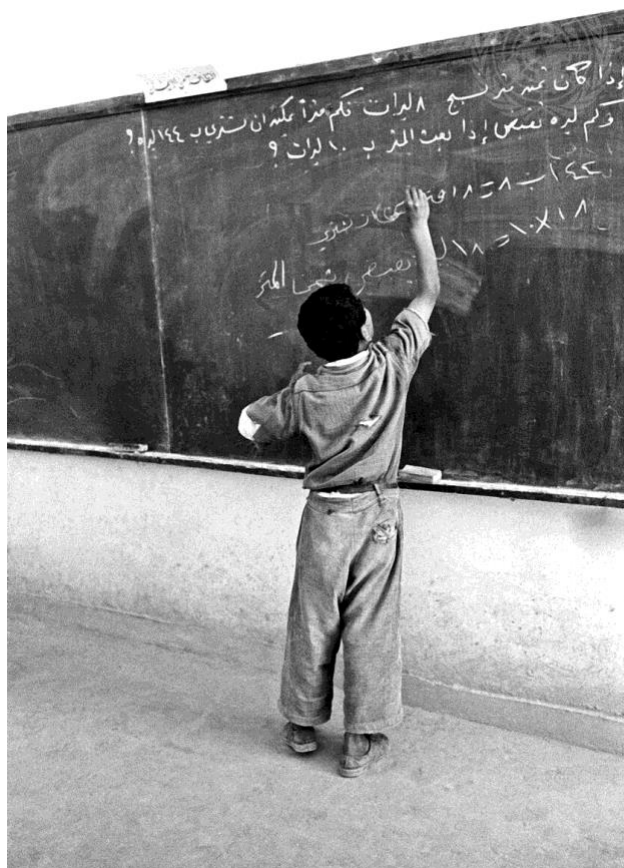
Image from a report on what UNRWA has built: <https://media.un.org/photo/en/photo-essays/what-unrwa-built>



A refugee family makes the most of the limited space in their prefabricated hut in Baqa'a Camp near Amman.



Children play on a water slide during UNRWA Summer Fun Weeks.



Refugee boy solving an arithmetic problem

in an elementary school in Nabatieh Camp.

Over the past few years, one of the key ways many States have aided the Palestinian refugees has been through their funding of UNRWA. Regrettably, in the summer of 2018, the Trump administration slashed more than half a billion dollars in US assistance to Palestine with UNRWA as their first target. However, by 2022, USA was one of the top donors to UNRWA, alongside Germany, the European Union, Sweden, Norway, Japan, France, Saudi Arabia, Switzerland, and Turkey. By late January of 2024, UNRWA faced significant funding challenges. Allegations, by Israeli authorities, that 12 UNRWA staff members were implicated in the 7 October 2023 Hamas attack on Israel led to the suspension of funding from several key contributors, including the USA, Germany, and Switzerland, followed by Canada in March 2024. Phillipe Lazzarini (UNRWA chief) viewed this step as “*additional collective punishment*” for the Palestinians.

The funding cuts to UNRWA have had a profound impact on Palestinian refugees, significantly reducing their access to essential services such as healthcare, education, and food aid. As UNRWA is the primary humanitarian provider for millions of Palestinians, the cuts have led to overcrowded schools, shortages in medical supplies, and limited social services in refugee camps. The financial strain has also jeopardised emergency relief efforts, leaving many families even more vulnerable in the face of ongoing conflict and displacement. These reductions in aid exacerbate the already dire living conditions for refugees, further deepening their hardship.

To make situations worse, based on unproved claims that UNRWA was colluding with Hamas, Israel's parliament, the Knesset, passed legislation aimed at the UNRWA at the beginning of November 2024. The bill prohibits the country's authorities from having any contact with UNRWA and bar the agency from operating within Israel itself. It was approved overwhelmingly by Israeli parliamentarians with 92 in favour and 10 against. Furthermore, several senior Israeli government officials have denounced UNRWA, with a former ambassador describing the agency as *"a Palestinian organization fully committed to the Jewish State's destruction"*. In fact, the day before the vote, one of the politicians behind the bills was reported saying that UNRWA *"is educating kids to hate Israel and spreading antisemitism."*

Lazzarini stated that this is an *"insidious campaign"* by Israeli authorities to push it out of Occupied Palestinian Territory. Antonio Guterres, Secretary General of the UN, stressed the central role that UNRWA plays in the delivery of aid and said that the effective ban would have *"devastating consequences"*. Additionally, the acting head of the UN aid coordination office, Joyce Msuya, called the decision *"dangerous and outrageous."*

To further attempt to protect the pride and work of UNRWA, an independent UN report was published in April 2024: *"Colonna report and Action Plan."* The report highlighted UNRWA's longstanding commitment to humanitarian principle of neutrality and concluded that the Agency has a developed approach to neutrality similar to UN entities or NGOs. It confirmed that the Agency has established and updated a significant number of policies, mechanisms, and procedures to ensure rapid and adequate responses to allegations. It also confirmed that over the last two years, the Agency reviewed all external allegations made and opened an investigation when warranted. Additionally, implementation of the

Action Plan is intended to protect and fortify the Agency and its mandate in the face of relentless politically motivated attacks by the Israeli Parliament.

As an organisation, UNRWA protects and assists Palestine refugees, seeking to help them achieve their full potential in human development. By attacking UNRWA, Israel is not only preventing the right of return, but also the nourishment, education, and administration of care to Palestinians.

Exploring the Role of Neighbouring Countries: Humanitarian Aid Routes and Challenges

The bordering ports and corridors to Gaza have been vital supply lines for humanitarian aid, especially via Egypt, Jordan, Cyprus, and the West Bank. The quickest way to get aid into Gaza is to increase the aid passing through established crossings like Rafah, Kerem Shalom/Karem Abu Salem and Erez/Beit Hanoun. Land-based delivery remains the most effective way to deliver aid, as these roads are the main arteries and so have the greatest capacity. This approach is sustainable, reliable and has been successful in the past. Water, food, dignity kits (containing, among other things, menstrual pads, bath soap, multiple pairs of underwear, detergent powder, a flashlight, toothpaste, and a toothbrush) and medical supplies continue to be among the most precious commodities, according to UNRWA. Furthermore, as winter approaches, the lack of food and other vital humanitarian supplies entering the Strip will likely lead to catastrophic consequences. The UN World Food Programme (WFP) currently has approximately 94,000 metric tons of food - enough to feed one million people for four months - ready to go to Gaza with 46,596 metric tons positioned in Ashdod port, Egypt, and Jordan. WFP stands ready to bring the urgently needed supplies into Gaza but need more border crossing points to be open and for them to be secure.

Yet humanitarian goals remain unmet due to denials, delays, and lack of safety and security. Prior to the war's escalation on 7 October 2023, about 500 trucks of commercial goods and humanitarian aid entered Gaza daily. However, the humanitarian situation has been rapidly deteriorating due to Israeli ongoing blockade and on-going military action as it maintains de-facto approval over all aid operations and movements. In August 2024, only 1559 trucks in total entered Gaza through the Kerem Shalom and the Rafah border crossing. According to the WFP Reports, an estimated 95,000 people remain besieged in North Gaza itself without necessary medical and food supplies. The shortage of food, water, and medical supplies have escalated famine. One of the key reasons can be seen as the obstruction of aid

and commercial entry into the area of conflict leading to a direct increase in mortality rates. Furthermore, the attack on frontline responders has increased and not even a minimum of 350 trucks are allowed to enter Gaza daily.

Despite their claims to be facilitating humanitarian aid, research by Refugees International show that Israel has consistently impeded aid operations within Gaza and blocked flows of aid through various means, such as:

- Routine and arbitrary denial of legitimate humanitarian goods
- Highly complicated inspection and approval processes without consistent and clear instructions
- Frequent denial of humanitarian worker movements
- Clear indication of failed deconfliction
- Persistent attacks on Gaza's humanitarian, health, food, power, and other critical infrastructure debilitating the aid efforts. Coordinating humanitarian sites and operations is crucial for the survival of the civilians in challenging war zones
- WFP reported that only 30 vetted drives are allowed to operate on the fence road at present

In terms of particular borders that have been most beneficial in providing supply lines for aid, Egypt's UN operational centre at the Rafah Crossing is the most vital lifeline. Presently only two border crossings remain open: Rafah Crossing and Kerem Shalom crossing from Israel into Southern Gaza. Coordinated with Egypt's government, aid and personnel movement is streamlined via trucks to and from Gaza. To facilitate deliveries, the UN Humanitarian Air Service (UNHAS) arranged flights to carry hundreds of tonnes of aid to El Arish Airport in Egypt which is located 48km from the Rafah Crossing. The Rafah Crossing is prone to random closure and Israel's initial closure of its own Gaza crossings, Kerem Shalom (now open) and Erez, has placed a heavy burden on Egypt to serve as the primary source of aid entry leading to a lack of capacity to process the required amount. These complications pushed UN agencies and non-governmental organizations to look at alternatives in Jordan. Israel's COGAT tracks and records all aid provisions to Gaza, and they are yet to provide clear standard operating procedures to Jordanian authorities. To offset time lags for the inspection processes at Kerem Shalom, there is an up-scaling of capacity inside

Jordan which would mitigate potential hang-ups however nothing is systemised, regularised, or clarified.



Image from: <https://news.un.org/en/story/2023/10/1142622>

Aid prevention and overall blockades at the borders prevent the free flow of aid and movement of people, and can be seen as an unlawful war tactic against civilians. Aid workers have been largely prevented from accessing North Gaza along with humanitarian deliveries since the first two weeks after the war escalated.. Until 21 October 2023, when the Rafah Border was opened and started to deliver supplies , no movement into Gaza was allowed at all . Sigrid Kaag, UN Senior Humanitarian and Reconstruction Coordinator for Gaza since 2024, has highlighted that despite the complex situation, there have been negotiations to strengthen supply lines and systems, as well as additional routes, in efforts to facilitate, accelerate and expedite aid flows in a sustained and transparent manner. In accordance with Resolution 2720 (2023), adopted by the Security Council at its 9520th meeting on 22 December 2023, it is important to reaffirm that all parties to conflicts must adhere to their obligations under international law, including international humanitarian law and international human rights law, as applicable. The devastating impact on the Gazan civilian population can be attributed to Israeli refusal to ensure unimpeded access to humanitarian aid. The lack of transparency and predictability from Israel's side highlights their consistent failure to uphold and adhere to international humanitarian law and its obligations as an occupying power.

Recommendations

Despite intensive diplomatic engagement by the international community, Israel has consistently failed to uphold their legal obligation to facilitate adequate humanitarian relief for civilians in Gaza. By denying border access for movement of food, aid and basic necessities, they have not only instigated a famine for over 800,000 Palestinians but also triggered generational trauma caused by displacement, disrupted education, increased mortality rates, unsafe pregnancies, and many more such factors.

- Protect civilians in conflict zones by enforcing international humanitarian law and holding perpetrators accountable. Allow and facilitate the free flow of people and goods in and out of Gaza, subject to reasonable and consistent security restrictions; in particular, patients who need medical assistance.
- Prioritize human rights in diplomacy, trade, and international cooperation, refusing to let political interests overshadow fundamental values. The effectiveness of international diplomatic efforts to alleviate the humanitarian crisis in Gaza hinges on the willingness of the other countries to push Israel to comply with these priorities. Their continued non-compliance exacerbates suffering and undercuts the credibility of any international legal framework in place to prevent such grim circumstances. Therefore, it is necessary for the international community to urge humanitarian pauses in this war of agony to support the civilians in Gaza.
- Open additional border crossings for sustained humanitarian access and end their policy of starvation. This would ensure restoration of essential services to prevent further famine risk and also release the pressure placed on the capacity of the Egyptian border. It is important to waive bureaucratic requirements that cause delay, until the UN is able to implement its own processing and allow both to function at full capacity.
- Cease forced evacuations which tend to degrade humanitarian response and capacity and worsen the vulnerability of affected civilians. Moving across the Gaza Strip is not only unsafe and uncertain, but also expensive.
- Ensure that IDF forces adhere to deconfliction protocols to ensure safe movement of humanitarian aid and people throughout Gaza, as coordinating

humanitarian operations is crucial for delivering assistance and safeguarding the future of the civilians in challenging war zones.

- Lift all restrictions on essential aid items and UN agencies like UNRWA or mutually agreed neutral parties to improve transparency and accountability during this time of war. It is important for Israeli authorities to allow access to those trapped in Gaza, pathways and clear communication to the international community in their humanitarian aid and goals.
- WFP calls for opening more border crossings for aid provision, particularly Kissufim which would give direct access to Deir Al Balah and Karni Crossing to enable dispatches to Gaza City.
- The Gulf countries must prioritise humanitarian response in Gaza in their own foreign assistance policies and practices in order to support those in need in their neighbouring area of conflict. This could be in the form of a multiyear financing for UNRWA or any projects that aim to restore the economy and livelihood in Gaza, opening up their borders to refugees of war, provision of education and health support particularly to the children of conflict. This is vital in preventing the generational impact of the war on the people of Palestine.
- Enabling a minimum of 350 trucks per day to enter Gaza in order to uphold Israel's prior commitment to allow aid through their four major crossings of Erez West, Erez East, Gate 96 and Kerem Shalom. Prior to October 7th 2023, an average of 500 trucks entered Gaza daily which is more than 8 times the current amount, making it impossible to meet the current humanitarian needs. Similarly, to meet Gaza's urgent needs, WFP has called for sustained daily convoys of 50 trucks and freedom of movement across Gaza as an alternative to the irregular pattern of convoy movements.
- Increase driver and trucking capacity as only 30 vetted drives are allowed to operate on the fence road at present. WFP estimated that this number needs to increase between 100-150 drivers to allow for constant flow of aid.
- Allowing people in Mawasi (Israel's designated Gaza safe zone which expands to 11 square kilometres) to move inland before winter. Movement that should be conducted with enhanced security. Israel's evacuation orders

have not been compatible with international law guidelines with already evacuated internally displaced persons being forced into new locations.

References

- <https://www.aljazeera.com/program/newsfeed/2024/10/10/apalestinian-mothers-year-of-resilience-after-giving-birth-oct-72023>
- <https://www.aljazeera.com/program/newsfeed/2024/10/10/video-family-forcibly-displaced-14-times-during-gaza-war>
- <https://www.who.int/news/item/12-09-2024-who-analysis-highlights-vast-unmet-rehabilitation-needs-in-gaza>
- <https://www.unrwa.org/palestine-refugees>
- <https://www.aljazeera.com/news/2024/2/1/what-is-unrwa-and-why-it-is-important-for-palestinians>
- <https://www.reuters.com/world/middle-east/bombardments-hit-area-gaza-sinai-border-crossing-gaza-officials-2023-10-10/>
- <https://apnews.com/article/sudan-fighting-civilians-egypt>
- <https://apnews.com/article/palestinian-jordan-egypt-israel-refugee>
- <https://www.usnews.com/news/best-countries/articles/2024-01-05/explainer-the-complicated-plight-of-palestinian-refugees>
- <https://www.aljazeera.com/news/2024/10/6/palestinians-in-lebanon-refugees-living-in-fear-of-israeli-airstrikes>
- <https://unrwa.org/where-we-work/lebanon/ein-el-hilweh-camp>
- <https://news.un.org/en/story/2024/09/1154371>
- <https://news.un.org/en/interview/2024/09/1154386>
- <https://news.un.org/en/story/2024/09/1154401>
- <https://news.un.org/en/audio/2024/09/1154826>
- <https://news.un.org/en/story/2024/09/1154971>
- <https://news.un.org/en/story/2024/09/1155011>
- <https://news.un.org/en/story/2024/10/1155371>
- <https://www.unicef.org/>
- <https://news.un.org/en/story/2024/10/1155471>
- <https://news.un.org/en/story/2024/10/1155501>

- <https://www.refugeesinternational.org/reportsbriefs/scorecard-israel-fails-to-comply-with-u-s-humanitarian-access-demands-ingaza/>
- <https://www.refugeesinternational.org/reports-briefs/untangling-the-reality-of-famine-in-gaza/>
- <https://www.refugeesinternational.org/reports-briefs/the-thousandth-cuteliminating-u-s-humanitarian-assistance-to-gaza/>
- <https://www.fmreview.org/rempe/>
- <https://www.unrwa.org/userfiles/2010011791015.pdf>
- <https://press.un.org/en/2024/sc15713.doc.htm>
- <https://www.wfp.org/news/wfp-sounds-alarm-urgent-action-needed-food-insecurity-gaza-reaches-critical-levels>
- <https://www.worldbank.org/en/news/feature/2023/12/11/global-migration-in-the-21st-century-navigating-the-impact-of-climate-change-conflict-and-demographic-shifts>
- <https://www.ipcinfo.org/ipcinfo-website/alerts-archive/issue-97/en/>
<https://news.un.org/en/story/2024/10/1156326>
- https://www.unrwa.org/sites/default/files/content/resources/final_colonna_report_key_messages_20240820.pdf
- <https://www.unrwa.org/content/resolution-302#:~:text=UNRWA%20is%20created%20by%20General,conditions%20of%20peace%20and%20stability%E2%80%9D>
- <https://www.aljazeera.com/opinions/2024/11/13/israels-unrwa-ban-is-another-declaration-of-genocidal-intent>
- <https://www.aljazeera.com/news/2024/11/4/israel-notifies-un-of-ending-ties-with-unrwa-amid-warning-of-famine-in-gaza>
- [https://undocs.org/Home/Mobile?FinalSymbol=S%2FRES%2F2720\(2023\)&Language=E&DeviceType=Desktop&LangRequested=False](https://undocs.org/Home/Mobile?FinalSymbol=S%2FRES%2F2720(2023)&Language=E&DeviceType=Desktop&LangRequested=False)
- <https://www.redcross.org.uk/stories/disasters-and-emergencies/world/how-is-aid-getting-into-gaza>
- <https://news.un.org/en/story/2023/10/1142622>

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GICJ is an independent, non-profit, international non-governmental organisation dedicated to the promotion and reinforcement of commitments to the principles and norms of human rights.

GICJ is headquartered in Geneva, Switzerland and is governed by the Swiss Civil Code and its statutes. Basing its work on the rules and principles of International Law, International Humanitarian Law and International Human Right Law, GICJ observes and documents human rights violations and seeks justice for their victim through all legal means available.

MISSION:

GICJ's mission is to improve lives by tackling violations and all forms of violence and degrading or inhumane treatment through the strengthening of respect for human rights; reinforcing the independence of lawyers and judiciaries; consolidating the principles of equity and non-discrimination; ensuring rule of law is upheld; promoting a culture of awareness on human rights; and combating impunity.



GICJ maintains a partnership with various NGOs, lawyers and a vast civil society network around the world. Through these channels, GICJ is able to receive documentation and evidence of human rights violations and abuses as they occur in several countries. GICJ continues to bring this information to the attention of relevant UN bodies in order to gain justice for all victims.

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