



## Humanitarian Betrayal: Israel's Impact on Humanitarian Aid Delivery in Gaza

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### JCSP 49 DL

#### Exercise Solo Flight

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## HUMANITARIAN BETRAYAL: ISRAEL'S IMPACT ON HUMANITARIAN AID DELIVERY IN GAZA

*“War is exclusively human, yet it is inherently inhumane.”<sup>1</sup>*

- Nils Melzer

On October 7, 2023, the Palestinian Sunni Islamist group, *Hamas*, led a series of surprise attacks from the Gaza Strip by land, sea, and air against Israel.<sup>2</sup> The assault targeted Israeli military bases and civilian areas, killing more than 1,200 Israelis and foreign nationals, while taking 253 hostages' captive.<sup>3</sup> In response to this barbaric act of terror, Israel declared a state of war with the sole objective of destroying Hamas and controlling the Gaza Strip. They ordered a complete siege of Gaza and launching one of the most severe aerial bombardments in modern history before commencing a full-scale ground invasion on 27 October. Apart from a six-day humanitarian pause at the end of November 2023, the unfathomable violence and restrictions on movement have made it challenging for humanitarian organizations to reach those in need and provide adequate assistance, leading to a humanitarian crisis of unprecedented proportions.<sup>4</sup>

After six-months of intense conflict, approximately 36,000 Palestinians have been killed, roughly 75,000 injured, with an estimated 1.7 million Gazans are displaced (out of a population of 2.2 million).<sup>5</sup> Despite efforts by humanitarian agencies, such as UNRWA and OCHA, they have faced challenges and constraints, including security risks, funding shortages, and restrictions on access to affected populations.<sup>6</sup> As of 22 May 2024, reports were stating that famine is imminent in Gaza, as 1.1 million people projected to face catastrophic levels of food insecurity due to the intense conflict and severe limitations on humanitarian access.<sup>7</sup> Several reports claim that Israel is waging an extensive war of starvation, and South Africa has accused the country of committing genocide in its retaliation against Hamas.<sup>8</sup> Amid an international outcry, the United States (US) and other countries have taken steps to provide additional humanitarian aid to Gaza via airdrops, the US, an ally to Israel, has paused shipments of weapons, and at the time of writing the International Court of Justice (ICJ) has ordered Israel to

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<sup>1</sup> Melzer, Nils. International Humanitarian Law: A Comprehensive Approach. International Committee of the Red Cross. August 2016. [https://www.jep.gov.co/Sala-de-Prensa/Documents/4231\\_002-IHL\\_WEB\\_13.pdf](https://www.jep.gov.co/Sala-de-Prensa/Documents/4231_002-IHL_WEB_13.pdf)

<sup>2</sup> Zanotti, Jim and Sharp, Jeremy M. *Congressional Research Service*. Israel and Hamas Conflict in Brief: Overview, U.S. Policy, and Options for Congress. 13 March 2024.

<sup>3</sup> Ibid, pg. 1.

<sup>4</sup> UNRWA Situation Report #100 on the Situation in the Gaza Strip and the West Bank, Including East Jerusalem. 9 April 2024. (Accessed 10 April 2024) <https://www.unrwa.org/resources/reports/unrwa-situation-report-100-situation-gaza-strip-and-west-bank-including-east-jerusalem>

<sup>5</sup> OCHA. Hostilities in the Gaza Strip and Israel - reported impact | Day 229. 22 May 2024. Accessed: 23 May 2024. <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-reported-impact-day-229>

<sup>6</sup> UNRWA Situation Report #100

<sup>7</sup> Humanitarian Access Snapshot – Gaza Strip, 1-31 March 2024. Posted 6 April 2024. (Accessed 10 April 2024). <https://reliefweb.int/report/occupied-palestinian-territory/humanitarian-access-snapshot-gaza-strip-1-31-march-2024>

<sup>8</sup> Euro-Med Human Rights Monitor, “Israel Is Waging an Extensive War of Starvation against Gaza’s Civilian Population,” Euro-Med Human Rights Monitor. [Israel is Waging an Extensive War of Starvation against Gaza’s Civilian Population \(euromedmonitor.org\)](https://www.euromedmonitor.org/en/israel-is-waging-an-extensive-war-of-starvation-against-gaza-civilian-population/)

halt its offensive in Rafah. However, human rights and humanitarian organizations reiterate that the only way to meet the needs of this crisis is to secure an immediate and permanent ceasefire, to ensure safe access through all land crossings.<sup>9</sup>

Amidst the ongoing violence and turmoil, International Humanitarian Law (IHL) plays a crucial role in regulating the conduct of all parties involved in the Israel-Hamas conflict. The adherence to IHL principles, such as the distinction between civilians and combatants, respect for humanity, and coordination of military operations to protect civilians, is essential to address the humanitarian crisis in Gaza and ensure the delivery of life-saving aid to the affected population.<sup>10</sup> However, blatant disregard for and violations of IHL by Israel, including indiscriminate attacks on civilians and aid workers, destruction of civilian infrastructure, and obstruction of humanitarian operations, have further complicated the humanitarian response and exacerbated the suffering of the civilian population.<sup>11</sup>

This paper will argue that varying degrees of respect for International Humanitarian Law by Israel has significantly impacted the delivery and effectiveness of humanitarian aid, shaping the response of humanitarian organizations and the overall humanitarian situation in the region. First it will introduce the role of International Humanitarian Law (IHL) in non-international armed conflicts and explain the obligations of an occupying power, as well as define key IHL principles relevant to the Israel-Hamas war. Next, using the principles of humanity, proportionality, and distinction as a framework, the paper will analyze how Israeli violations of IHL have directly impacted the delivery of humanitarian assistance and created a catastrophic humanitarian crisis in Gaza. Lastly, several diplomatic steps have been taken by humanitarian organizations and the international community to increase humanitarian assistance region and prevent mass casualties in Gaza, unfortunately this is outside of the scope of this paper and will not be included.

### *International Humanitarian Law*

War has been a constant source of suffering and devastation throughout history, impacting millions of individuals, both combatants and civilians. Families have been torn apart, women and children subjected to unimaginable violence, and entire populations left destitute by famine and genocide.<sup>12</sup> In recognition of the need to alleviate the horrors of armed conflict, International Humanitarian Law (IHL), also known as the law of war (*jus in bello*), was established in 1864 in Geneva, Switzerland. The necessity for the fourth Geneva Conventions in 1949 (GCIV) became evident after the atrocities of World War II, when civilians were left vulnerable to deportation, hostage-taking, and internment in concentration camps by enemy

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<sup>9</sup> Amnesty International. Gaza: Airdrops and Sea routes are No Alternative to Aid Delivery by Land. 13 March 2024. (Accessed 5 April 2024). <https://www.amnesty.org/en/latest/news/2024/03/gaza-airdrops-and-sea-routes-are-no-alternative-to-aid-delivery-by-land/>

<sup>10</sup> Human Rights Watch. Questions and Answers: October 2023 Hostilities between Israel and Palestinian Armed Groups. 9 October 2023. (Accessed 4 April 2024) <https://www.hrw.org/news/2023/10/09/questions-and-answers-october-2023-hostilities-between-israel-and-palestinian-armed>

<sup>11</sup> Ibid.

<sup>12</sup> Melzer, Nils. International Humanitarian Law: A Comprehensive Approach.

Powers.<sup>13</sup> Today, GC IV and its 1977 Additional Protocols stand as the most widely endorsed treaties in the world, with a primary objective of safeguarding civilians from arbitrary enemy actions and ensuring the humane treatment of individuals affected by armed conflicts.<sup>14</sup>

When considering how IHL applies to the protection of civilians and humanitarian efforts the Israel-Hamas war, an important aspect to consider is that this conflict is a non-international armed conflict, and Gaza has been occupied by Israel since 1967. As the occupying power, Israel is obligated to meet the basic needs of Palestinians in Gaza under IHL. More specifically, the Fourth Geneva Convention explicitly states:

“to the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population and, if the resources of the occupied territory are inadequate, they must bring in the necessary foodstuffs, medical stores, clothing, bedding, means of shelter, other supplies essential to the survival of the civilian population and objects necessary for religious worship.”<sup>15</sup>

IHL provides further provisions on the humane treatment of civilians in common Article 3, the cornerstone of IHL governing non-international armed conflicts and more rightly known as a *Convention in Miniature*.<sup>16</sup> It provides that each party to a non-international armed conflict, whether represented by a government or an organized armed group, must comply as a minimum with the following basic rule:

“Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed ‘hors de combat’ by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.”<sup>17</sup>

Of interest to this case study is Additional Protocol I, Article 54, which prohibits the use of starvation of the civilian population as a method of warfare and obliges all parties in a conflict to facilitate the delivery of humanitarian relief for any civilian population affected by armed conflict.<sup>18</sup>

Behind the articles which make up the laws of war are key principles and rules which inspire the entire substance of IHL, such as the principle of distinction, proportionality, and humanity. They apply to the present Israel-Hamas conflict and serve as a framework for promoting respect for the rules of war and minimizing harm to those affected by armed conflict.

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<sup>13</sup> Crawford, Emily, and Alison Pert. “Historical Development of International Humanitarian Law.” *International Humanitarian Law*. Cambridge: Cambridge University Press, 2020. 4–29.

<sup>14</sup> Ibid.

<sup>15</sup> GC IV, Art. 55(1); AP I, Art. 69(1).

<sup>16</sup> Melzer, Nils. *International Humanitarian Law: A Comprehensive Approach*.

<sup>17</sup> GC I–IV, common Art. 3(1).

<sup>18</sup> AP I, Art. 54(1); CIHL, Rule 53. See also Chapter 3.II.2.c.

The principle of distinction is the cornerstone of the IHL and provides that all parties to a conflict are required to distinguish between civilians and combatants, as well as between civilian objects and military objectives.<sup>19</sup> The principle of proportionality is defined as “any attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.”<sup>20</sup> Lastly, the principle of humanity, one of the most fundamental rules of IHL, is that all persons who have fallen into the power of the enemy are entitled to humane treatment regardless of their status and previous function or activities.<sup>21</sup> Violations of these core principles can constitute war crimes and may be prosecuted under international law. Using these fundamental principles of IHL as a framework, this paper will investigate the profound impact Israel’s violations of IHL has had on the delivery of humanitarian aid in Gaza from the start of the conflict to the time of writing.

### *Humanity*

One of the main tenets of humanity is ensuring access to humanitarian assistance for those in need. Under IHL, Israel is required, as the occupying power, to make sure that the basic needs of the population of Gaza, such as food and water, are met.<sup>22</sup> Unfortunately, since the beginning of the war Israel has seriously dishonoured this responsibility. From immediately ordering a complete siege of Gaza, to the utilization of blockade tactics, Israel has deprived the civilian population to the point of starvation and exacerbated the difficulty for aid organizations to provide the necessary support to those in need. At the time of writing, approximately 1.1 million Palestinians are facing catastrophic levels of food insecurity;<sup>23</sup> much of the international community claims that Israel is using starvation as a weapon of war, and South Africa charged Israel of committing genocide at the International Court of Justice (ICJ) in January 2023.<sup>24</sup>

Countless obstructions of aid to Gaza demonstrates a complete disregard for IHL and flouts the principle of humanity. But this is nothing new. Since Hamas took control in 2007, Gaza has been subjected to an Israeli blockade that has significantly limited the entry of people, goods, and services into the region, resulting in 80% of Palestinians in Gaza reliant on humanitarian assistance from groups like UNWRA.<sup>25</sup> In previous escalations in 2021, 2022, and May 2023, Israeli authorities imposed a blockade of air, sea, and land, effectively enacting a total siege, which they once again implemented immediately following Hama’s brutal attack on 7 October 2023.<sup>26</sup> Israel’s Defence Minister publicly acknowledged Israel’s intent to violate IHL when he declared on October 9th that “I have ordered a complete siege on the Gaza Strip. There will be no electricity, no food, no fuel, everything is closed.”<sup>27</sup> Over the past six months Israeli

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<sup>19</sup> AP I, Art. 51(1); CIHL, Rule 1. 9 AP I, Art. 48; CIHL, Rules 1 and 7

<sup>20</sup> AP I, Arts 51(5)(b) and 57(2)(a)(iii) and (b); CIHL, Rules 14, 18 and 19

<sup>21</sup> GC I–IV, common Art. 3(1); CIHL, Rules 87 and 88

<sup>22</sup> Baldwin, Clive. How Does International Humanitarian Law Apply in Israel and Gaza?

<sup>23</sup> <https://www.ochaopt.org/content/hostilities-gaza-strip-and-israel-reported-impact-day-229>

<sup>24</sup> Refugees International – Palestine and Israel. Siege and Starvation; Human Rights Watch. Gaza: Israel Flouts World Court Orders, Aid Still Being Obstructed Despite Famine. 7 May 2024. Accessed: 18 May 2024. <https://www.hrw.org/news/2024/05/07/gaza-israel-flouts-world-court-orders>

<sup>25</sup> Refugees International – Palestine and Israel. Siege and Starvation.

<sup>26</sup> Ibid.

<sup>27</sup> Ibid.

actions have consistently upheld this objective, which is causing unfathomable suffering among the Gazan population. Israel's fuel embargo led to the closure of Gaza's sole power plant in Gaza Governorate on October 11<sup>th</sup>, causing a full blackout in the region, and the breakdown of Gaza's water, sanitation, hygiene, and health sectors.<sup>28</sup> None of the 36 hospitals in Gaza are operating at full capacity due to the electricity outage and shortage of medical resources, and medical facilities that are still operational are struggling to provide adequate care and assistance.<sup>29</sup> Deliberate cut-off and access to life-saving supplies constitutes collective punishment of a population – it is inhumane, and is illegal under international law.<sup>30</sup>

During the initial two weeks of the war, Israel denied all entry into Gaza by closing the only two operational crossings at its borders, Erez and Karem Abu Salem (Kerem Shalom), and by prohibiting access by air and sea. The humanitarian aid-dependant population of Gaza were left without crucial lifesaving services until October 21, when Egypt permitted the flow of aid convoys by opening Rafah border.<sup>31</sup> Nearly all border crossings remain closed to humanitarian traffic, with limited commercial activities, reducing the operational capability of the aid system from an average of 500 trucks per day before the war to only 50-100 trucks a day. Throughout the conflict, blockade strategies have persisted, including strict Israeli inspection processes which create delays of sometimes weeks, and even result in being denied entry. Human Rights Watch reported that a “truck full of medical supplies had been sitting at the border for a month awaiting an inspection,” and several aid workers confirmed that “if any single item on a truck is rejected, then the entire truck is denied entry.”<sup>32</sup> The reasons for Israeli authorities' denials are often unclear, and the unpredictable obstacles at checkpoints pose severe security threats to both aid workers and those in need.<sup>33</sup>

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<sup>28</sup> OXFAM International. “Inflicting Unprecedented Suffering and Destruction: Seven Ways the Government of Israel Is Deliberately Blocking and/or Undermining the International Humanitarian Response in the Gaza Strip,” 15 March 2024, <https://policy-practice.oxfam.org/resources/inflicting-unprecedented-suffering-and-destruction-seven-ways-the-governmentof-621591/>.

<sup>29</sup> Ibid.

<sup>30</sup> OXFAM International Press Release. Siege on Gaza will be a Humanitarian Catastrophe. 10 October 2023. Accessed: 21 May 2024. [Siege on Gaza will be a humanitarian catastrophe - Oxfam | Oxfam International](#)

<sup>31</sup> Refugees International – Palestine and Israel. Siege and Starvation.

<sup>32</sup> Human Rights Watch. Gaza: Israel Flouts World Court Orders

<sup>33</sup> Refugees International – Palestine and Israel. Siege and Starvation.



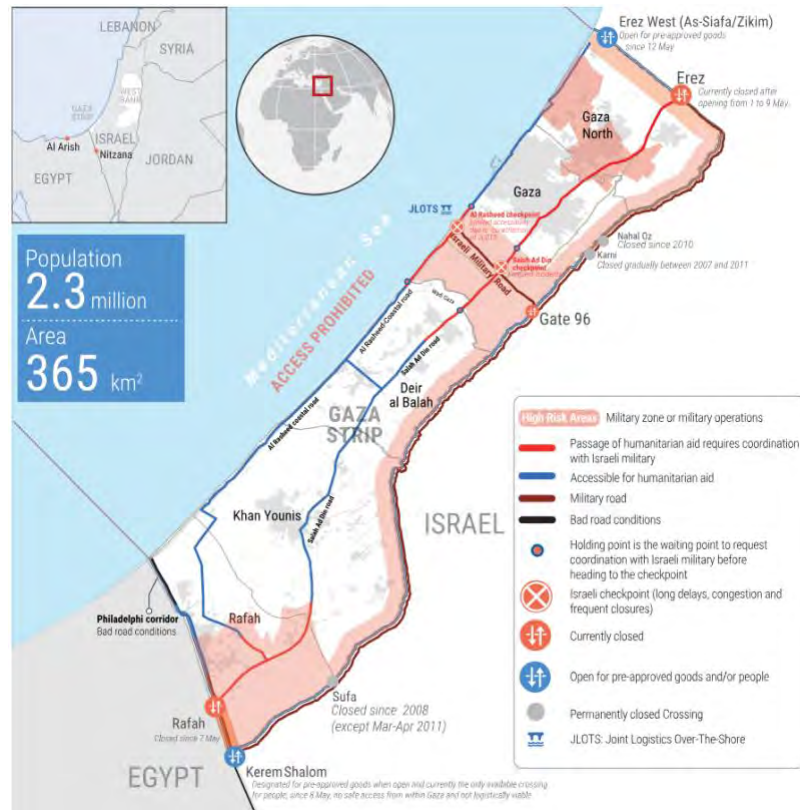


Figure 1. OCHA image of Gaza Strip depicting open and closed border crossings and road passages as of 22 May 2024.<sup>34</sup>

A complete siege and blockades on Gaza borders are having a devastating impact on the delivery of humanitarian aid to Palestinians, creating apocalyptic like conditions in the region; there are more than 35,709 reported Palestinian fatalities with grave starvation looming for the entire civilian population. As part of South Africa's case alleging that Israel is violating the Genocide convention of 1948, and the catastrophic spread of famine, the International Court of Justice (ICJ) issued two orders of provisional measures, on January 26<sup>th</sup> and March 28<sup>th</sup>, respectively. The orders required Israel to take effective measures to enable the provision of urgently needed humanitarian aid, and to cooperate in full with the UN, including by opening new land and crossing points.<sup>35</sup> As of May 2<sup>nd</sup>, the situation has not improve, as Israeli

<sup>34</sup> OCHA. Hostilities in the Gaza Strip and Israel - reported impact | Day 229.

<sup>35</sup> Human Rights Watch. Gaza: Israel Flouts World Court Orders, Aid Still Being Obstructed Despite Famine. 7 May 2024. Accessed: 18 May 2024. <https://www.hrw.org/news/2024/05/07/gaza-israel-flouts-world-court-orders>



authorities continue to obstruct basic services and entry of fuel and lifesaving aid, violating the principle of humanity and using starving civilians as a weapon of war.<sup>36</sup> \

### *Proportionality*

“The onslaught in Gaza has a distinct feature: the systematic destruction of the very institutions that sustain life.”<sup>37</sup> Israel’s violation of the principles of proportionality and precaution have had a profound impact on the delivery of humanitarian aid in Gaza. By failing to adhere to the principle of proportionality, which requires the harm caused by an attack must not exceed the anticipated military advantage gained, Israel’s actions have resulted in widespread destruction to critical infrastructure and essential services, and an immense loss of life.

At only three months in to the conflict, Israel’s bombing campaign was referred to as the most destructive of the century due to the intensity and speed of the damage.<sup>38</sup> In the first week of the campaign, Israeli forces confirmed they dropped around 1,000 bombs a day and had conducted more than 10,000 airstrikes as of December 10 - an amount significant enough to draw criticism from their strongest allies.<sup>39</sup> Israel’s indiscriminate bombing and use of 2000 pound bombs and unguided munitions on Gaza has resulted in extensive damage to civilian infrastructure, including roads, food systems, hospitals, housing, and shelter, and has caused unnecessary fatalities amongst the civilian population.<sup>40</sup> Israel clearly demonstrated a complete disregard for proportion on October 31, when they dropped a 2,000 pound bomb on a crowded refugee camp with the intent to kill one Hamas member, but left a vast crater and more than 100 civilian casualties and hundreds more homeless.<sup>41</sup> This decimation has not only hindered the distribution of aid but has also intensified the humanitarian crisis in the region, obstructing humanitarian organizations' efforts to provide vital assistance to the distressed population.

In the wake of Israel’s vast land, sea, and airstrikes, is the destruction of major roads, which evidently pose significant challenges for humanitarian operations. More than 50% of the roads in Gaza have been destroyed by Israel, while 92% of all major roads have been damaged.<sup>42</sup> Civilians ordered to move from the north of the strip had to walk for hours because the roads leading to the main crossing junction have been destroyed, and the logistics required to deliver humanitarian aid are made incredibly difficult, and at times insurmountable.<sup>43</sup>

At the time of writing, Israel’s bombardment has destroyed a disproportionate amount of civilian infrastructure; 65% of primary health centers are not functional, approximately 86% of schools have sustained some level of damage, and more than 60% of residential buildings and

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<sup>36</sup> Ibid.

<sup>37</sup> Refugees International – Palestine and Israel. Siege and Starvation

<sup>38</sup> Dyer, Evan. Israel's Gaza Bombing Campaign is the Most Destructive of this Century Analysts Say. CBC News Politics. 30 Dec 2023. Accessed: 20 May 2024. <https://www.cbc.ca/news/politics/israel-gaza-bombing-hamas-civilian-casualties-1.7068647>

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

<sup>42</sup> Refugees International – Palestine and Israel. Siege and Starvation.

<sup>43</sup> Ibid.

more than 80% of commercial facilities have reported damage.<sup>44</sup> In November 2023, Israel bombed Gaza's largest wheat mill, knocking it out of production and further IDF attacks destroyed many of Gaza's bakeries.<sup>45</sup> Israel's military campaign destroyed more than 70,000 housing units and damaged an estimated 300,000 more—60 percent of Gaza's housing.<sup>46</sup> This level of damage is surely disproportionate to Israeli military advantage and has caused the displacement of almost the entire population of Gaza, which further challenges humanitarian aid delivery.

Perhaps some of the saddest violations of IHL and complete breach of proportionality are Israel's repeated attacks on hospitals and medical facilities, whose primary purpose is to deliver humanitarian aid to the sick and wounded. Gaza's healthcare infrastructure is in rubble, and its hospitals – protected sites under international law – continue to be active battlegrounds for IDF soldiers.<sup>47</sup> As of February, only 12 out of 36 hospitals in Gaza are only partially functional because of Israeli attacks, and Al Shifa and Al Nasser hospitals – two of Gaza's largest – have been systematically targeted (and occupied in the case of Al Shifa) and raided by Israeli forces, forcing tens of thousands of people sheltering in these hospitals to be forcibly displaced further south.<sup>48</sup> The devastating Israeli offensive rendered at least two-thirds of hospitals and over 80% of all health clinics in Gaza totally non-functional as 70,000 injured people require urgent medical Hospitals have been ordered to evacuate and have been bombed and besieged repeatedly.<sup>49</sup> The implications of illegally targeting health facilities directly impact the ability to deliver humanitarian assistance to those in need.

### *Distinction*

From the onset of Israel's offensive against Hamas, their flagrant violations of the principle of distinction have severely impacted the delivery of humanitarian aid to the Palestinian people of Gaza. From their indiscriminate targeting of civilian infrastructure, and deliberate attacks on humanitarian aid workers and convoys, highlight the blatant disregard for distinguishing between military targets and civilian populations.

On the last day of February in 2024, thousands of Palestinians living in famine-like conditions gathered in the early morning to wait for several food trucks that were delivering flour

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<sup>44</sup> OCHA. Hostilities in the Gaza Strip and Israel - reported impact | Day 229.

<sup>45</sup> Oxfam, Inflicting Unprecedented Suffering and Destruction

<sup>46</sup> Ibid.

<sup>47</sup> Refugees International – Palestine and Israel. Siege and Starvation.

<sup>48</sup> Amnesty International. Israel's Raid of Al-Shifa Hospital is a Devastating Attack on Human Rights in Gaza Crisis. 27 November 2023. Accessed: 20 May 2024. <https://www.amnesty.org.au/israel-opt-israels-raid-of-al-shifa-hospital-is-a-devastating-attack-on-human-rights-in-gaza-crisis/>; People Dispatch. In a Flagrant Violation of International Law, Israel Intensifies Siege of Nasser Medical Complex. 14 February 2024. Accessed: 20 May 2024. <https://peoplesdispatch.org/2024/02/14/in-a-flagrant-violation-of-international-law-israel-intensifies-siege-of-nasser-medical-complex/>

<sup>49</sup> Refugees International – Palestine and Israel. Siege and Starvation.

to an area that had no aid for weeks due to a blockade.<sup>50</sup> As they tried to reach humanitarian aid trucks at Al Nabulsi roundabout outside Gaza City, Israeli forces opened fire at starving Palestinians, killing at least 118 people in what soon came to be called the “Flour Massacre.”<sup>51</sup> Accounts from the thousands of Palestinian witnesses describe a slaughterhouse filled with desperate and ravenous civilians grasping for food supplies while Israeli forces fired indiscriminately upon them, killing dozens of innocent people and triggering a stampede which caused more unnecessary fatalities and hundreds of injuries.<sup>52</sup> According to Al Jazeera’s Ismail al-Ghoul, “after opening fire, Israeli tanks advanced and ran over many of the dead and injured bodies.”<sup>53</sup> More fittingly dubbed the Red Flour Massacre, this deliberate assault on a civilian population clearly breaches the principle of distinction and is considered a war crime on top of war crimes.<sup>54</sup> This specific violation directly impacted the safe delivery of long-awaited humanitarian aid, as much of it was ruined, but also added to the many safety concerns and chaos in the region, resulting in further delays and paused in humanitarian aid delivery to a population on the brink of famine.

Unsung heroes, humanitarian aid workers do not seek recognition for risking their lives in dangerous and challenging environments, for their selfless dedication and compassion, or for their lifesaving assistance to the world’s most vulnerable populations. As of April 30<sup>th</sup>, 2024, the UN reported that 254 aid workers had been killed in Gaza since October 7<sup>th</sup>, 2023, many of them due to fundamental flaws or complete disregard of the deconfliction system.<sup>55</sup> Israeli forces have carried out attacks on humanitarian aid workers and their convoys even though aid groups had followed process and provided their coordinates to Israeli authorities to ensure protection. On April 1<sup>st</sup> Israeli forces carried out a drone strike with three missiles targeting a World Central Kitchen (WCK) convoy, which killed seven international workers and sparked a global outcry. Immediately following the attack, WCK paused its operations for several weeks, as did American Near East Refugee Aid (Anera), which eliminated their combined 300,000 daily meals delivered across Gaza.<sup>56</sup> The WCK attack is just one of at least eight incidents that Human Rights Watch (HRW) identified as a disregard of deconfliction mechanisms by Israeli forces, who attacked the convoy or shelter without any warning.<sup>57</sup> After meeting with personnel from 11 humanitarian organizations and United Nations aid agencies working in Gaza, HRW revealed that Israeli assaults on aid workers had compelled these organizations to implement a range of measures, such as temporary suspension of operations, downsizing of staff within Gaza, or

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<sup>50</sup> Cordall, S.S., Mhawish, M.R., and Nashed, M. When Israel Soldiers Shot at Hungry Palestinians. Aljazeera. 5 March 2024. Accessed 18 May 2024. <https://www.aljazeera.com/news/longform/2024/3/5/the-blood-was-everywhere-inside-israels-flour-massacre-in-gaza>

<sup>51</sup> Al Jazeera. The Blood Was Everywhere: Inside Israel’s Flour Massacre in Gaza | Israel War on Gaza News | Accessed: 26 March 2024 <https://www.aljazeera.com/news/longform/2024/3/5/the-blood-was-everywhere-inside-israels-flour-massacre-in-gaza>

<sup>52</sup> Cordall, S.S., Mhawish, M.R., and Nashed, M. When Israel Soldiers Shot at Hungry Palestinians.

<sup>53</sup> Ibid.

<sup>54</sup> Assi, Serju. Israel’s Flour Massacre in Gaza is a Horrific War Crime. Progressive International. 26 March 2024. Accessed 04 May 2024. <https://progressive.international/wire/2024-03-26-israels-flour-massacre-in-gaza-is-a-horrific-war-crime/en>

<sup>55</sup> OCHA. Hostilities in the Gaza Strip and Israel - reported impact | Day 229.

<sup>56</sup> Assi, Serju. Israel’s Flour Massacre in Gaza is a Horrific War Crime.

<sup>57</sup> Ibid.

significantly constraining their humanitarian activities.<sup>58</sup> This underscores the detrimental impact of Israeli attacks on civilian aid workers and convoys, and the subsequent challenges faced by humanitarian organizations in carrying out their crucial work in a region in the midst of a humanitarian catastrophe.

### *Conclusion*

Using the IHL principles of humanity, distinction, and proportionality, this paper examined how Israel's violations of the laws of war have impacted the delivery and effectiveness of humanitarian aid to Palestinians in Gaza, and how this has shaped the humanitarian situation in the region overall. Israel's conduct as the occupying power in Gaza has resulted in significant breaches of IHL, impeding the provision of crucial basic needs to Palestinians and generating apocalyptic conditions that pose a severe threat to widespread starvation. The implications of a complete siege and blockages, extreme destruction of life-saving civilian infrastructure, such as hospitals and food production facilities, as well as the killing of humanitarian workers have created an unimaginable challenge for humanitarian aid organizations to deliver assistance. This inhumane situation underscores the urgent need for a ceasefire to be implemented as the sole viable solution to mitigate the catastrophic humanitarian situation in Gaza.

As an ongoing war that continuously evolved throughout the writing of this paper, it has been devastating to watch the human suffering and increasing level of famine take hold of the war-torn region, knowing that it was preventable. If Israel adhered to the principles of IHL and fought a just and humane war, vice employing barbaric tactics against an equally cruel enemy, there would be fewer civilian casualties and vital humanitarian actors would be more effective in exercising their functions within the war.

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<sup>58</sup> Ibid.

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