

**CONTRIBUTION OF THE REPUBLIC OF TÜRKİYE IN RESPONSE TO THE
QUESTION POSED BY HONORABLE JUDGE JULIA SEBUTINDE, VICE-
PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE**

The Republic of Türkiye, having submitted its written statement on February 27 and oral statement on April 30, hereby would like to address the inquiry posed by Ms. Julia Sebutinde, member of the International Court of Justice (ICJ) with respect to the request for an advisory opinion on the legal consequences of Israel’s conduct in the Occupied Palestinian Territory (OPT). In particular, this submission responds to the question of “*Which third States and other international organizations operate to provide basic services, and humanitarian and development assistance in the Occupied Palestinian Territory? To what extent have restrictions, if any, been placed upon their operation in the Occupied Palestinian Territory by Israel since 2 March 2025?*”. The focus is mostly on the Gaza Strip, which has experienced a severe humanitarian crisis in the aftermath of escalated hostilities and a total blockade since March 2, 2025. This submission is grounded on the commitment of the Republic of Türkiye to uphold international humanitarian law (IHL), international human rights law (IHRL), and relevant United Nations (UN) resolutions in the OPT.

At the outset, it should be underscored that the Republic of Türkiye has a direct interest in this matter, as a leading supporter of humanitarian and development initiatives in the OPT. Türkiye, as a member of the UN, has an inherent stake in respect for international law to sustain peace, security and stability in its broader neighborhood. Türkiye is also a member of the Organization of Islamic Cooperation (OIC) and has deep historical, cultural and political ties with Palestine.

Following the Israeli attacks, Türkiye has sent humanitarian assistance including food and medicine destined for Gaza. Due to the Israeli blockade and closure of border crossings, Türkiye was compelled to send its humanitarian assistance to Gaza through mainly the Egyptian port of Al-Arish which incurred further costs and delays to the delivery of urgent and vital humanitarian aid.

On a constant basis, the Turkish aid agencies and NGOs have been on the ground to help aid workers to distribute tens of thousands of hot meals and food parcels to the local population in Gaza on a daily basis. In Gaza, the Turkish aid agencies focused on basic needs such as food, shelter, health and water, making Türkiye the largest aid donor (26 per cent of international humanitarian assistance, as of 7 April 2024).

Türkiye, along with other donor countries, international NGOs and UN agencies, has been facing limitations imposed by the Coordination of Government Activities in the Territories (COGAT), Israel’s military body responsible for the coordination of government activities and supply of humanitarian aid to the OPT, in transferring humanitarian aid to Gaza. Turkish agencies, including the Turkish Red Crescent (Türk Kızılay), the Republic of Türkiye’s Disaster and Emergency Management Authority (AFAD) and other Turkish humanitarian organizations faced Israeli restrictions at border crossings, which prevented the delivery of humanitarian aid to Gaza.

Since 2 March 2025, COGAT has not allowed any country, international organization or UN agency to transfer humanitarian aid to Gaza. International organizations operating on the field confirm that there is a complete halt to the transfer of humanitarian aid. This is the longest period since the beginning of the war that Gaza is left without humanitarian supply.

On a different note, even before 2 March 2025, during the ceasefire period, donors willing to transfer humanitarian goods to Gaza faced limitations imposed by COGAT.

In the period prior to 2 March 2025, Turkish government agencies tried to transfer tents, electric generators and portable toilets to Gaza, which were blocked by COGAT due to “security reasons.” Only at a later point, COGAT asked the tents to be replaced with those having wooden (instead of metal) poles, which complicated the process of aid shipment for donors.

As part of the ceasefire that was implemented as of January 19, 2025, in the first 42-day period of the deal, COGAT was supposed to allow the entry of 200 thousand tents and 60 thousand mobile homes/caravans to Gaza. Yet, due to its approach of prioritizing security over humanitarian needs, no mobile home could enter Gaza until 2 March 2025, while the number of tents that could match COGAT’s strict criteria remained far below the target.

Both before and after 2 March 2025, one could also observe COGAT’s country specific limitations. COGAT demanded that Turkish humanitarian aid for Gaza shall not bear any Turkish flags on the aid packages, whereas the flags/national symbols of other countries could be seen on their aid packages, based on photos circulated in the media.

Furthermore, Türkiye wanted to take part in humanitarian aid delivery to Gaza via airdrops alongside Jordan, UAE, US and Egypt, which was a widely used method of aid delivery particularly from February to April 2024. However, Israeli authorities did not allow Türkiye to take part in the airdrop mechanism, which also appeared in Israeli press on 26 March 2024.

Türkiye, in the immediate aftermath of the ceasefire effective on January 19, 2025 dispatched approximately 3,600 tons of humanitarian assistance by sea, comprising 21,000 tents, 351 shelter containers, and 300 generators, as well as food packages among other urgently needed supplies. However, due to Israel’s continued obstruction, this aid could not be delivered to those in need in Gaza. As a result, the materials remain stored in Al-Arish, loaded onto 197 trucks. In addition, 594 containers of humanitarian aid sent by Türkiye are stored in the Egyptian Red Crescent’s warehouses. Moreover, the food aid delivered to Egypt to be sent to Gaza rots as it sits on trucks or in warehouses.

Due to the fact that food supply has significantly diminished, the Turkish Red Crescent’s soup kitchen in northern Gaza has been temporarily closed as of May 2, 2025.

The capacity of the Turkish Red Crescent’s soup kitchen in the Deir al-Balah has been halved, and only the distribution of 7,500 hot meals per day continues.

Furthermore, Turkish agencies and partners have long contributed to Gaza’s healthcare, education and infrastructure by delivering substantial aid through the Turkish Red Crescent and other channels. Through the Turkish NGOs and its official agencies, particularly the development agency TİKA, the Republic of Türkiye has funded and built major facilities such as the 180-bed Turkish-Palestinian Friendship Hospital in Gaza City, which was inaugurated in 2017. The hospital was bombed and destroyed by the Israeli forces on March 21, 2025.

A. Restrictions Placed Upon Provision of Basic Services, and Humanitarian and Development Assistance in the Occupied Palestinian Territory by Israel

1. Imposition of a Total Siege

On March 2, 2025, Israel, claiming control over Gaza's airspace and all land/sea access points, abruptly closed all border crossings into the Gaza Strip, effectively imposing a total blockade or "siege" on the territory and jeopardizing recent improvements in dietary diversity and food availability and threatening to reverse food security gains made since the ceasefire.¹ From that date, Israeli authorities have prohibited the entry of all humanitarian aid, goods, and supplies into Gaza, including food, medicine, fuel, and other essentials. UNRWA reported that no relief or commercial supplies, whether from the UN, Red Crescent, or states, have been allowed through crossings. Since March 2, the critical stockpiles inside Gaza rapidly depleted once resupply was cut off and also, by mid-April 2025, UNRWA had completely exhausted its flour and food stocks.²

2. Humanitarian Aid "Backlog" and Starvation Risk

As a result of the closed crossings, Turkish humanitarian aid intended for Gaza has been waiting and mostly rotting or expiring on the border. The UN stated that over 3,000 trucks with life-saving supplies are being held at Gaza's borders, unable to enter due to Israel's restrictive measures.³ This backlog also includes hundreds of trucks organized by individual states and charities (as indicated above, approximately 700 of these are the Turkish Red Crescent trucks/containers stranded at Rafah/Egypt). The humanitarian community has overwhelmingly drawn attention to the fact that Gaza's residents are being pushed to the brink of famine and disease.⁴ On March 5, 2025, just three days after the decision of the renewal of the siege, human rights observers warned that thousands of Palestinians were likely to die from malnutrition, dehydration and disease if the blockade persisted.⁵ The World Food Program (WFP) warned on March 5, that it had barely two weeks of food left to keep public bakeries and kitchens operating.⁶ By early May, reports indicated that UN food aid had completely run out, and skyrocketing prices for scarce food in local markets left vast numbers of people hungry. The UN High Commissioner for Human Rights publicly cautioned that any use of starvation of the civilian population as a method of war constitutes a war crime, and so do all forms of collective punishment.⁷

3. Renewed Military Attacks and Direct Interference

The already dire situation was exacerbated when a temporary ceasefire, which came into effect on January 19, 2025, collapsed on March 18 as Israel resumed intensive military

¹ "Gaza Humanitarian Response Update | 2-15 March 2025" <https://www.ochaopt.org/content/gaza-humanitarian-response-update-2-15-march-2025#:~:text=,for%20the%20first%20half%20of>

² "UNRWA Situation Report #168 on the Humanitarian Crisis in the Gaza Strip and the West Bank, including East Jerusalem" <https://www.unrwa.org/resources/reports/unrwa-situation-report-168-situation-gaza-strip-and-west-bank-including-east-jerusalem#:~:text=,has%20become%20a%20land%20of>

³ "Gaza aid crisis deepens as border closure stretches into 50th day" <https://news.un.org/en/story/2025/04/1162471>

⁴ Famine Imminent in Gaza, Humanitarian Officials Tell Security Council, Calling for Immediate Ceasefire <https://press.un.org/en/2024/sc15604.doc.htm>

⁵ "Israel Again Blocks Gaza Aid, Further Risking Lives" <https://www.hrw.org/news/2025/03/05/israel-again-blocks-gaza-aid-further-risking-lives>

⁶ "WFP runs out of food stocks in Gaza as border crossings remain closed" <https://www.wfp.org/news/wfp-runs-out-food-stocks-gaza-border-crossings-remain-closed>

⁷ <https://www.ohchr.org/en/press-releases/2025/04/turk-calls-world-prevent-total-humanitarian-catastrophe-gaza>

operations in Gaza. Over the subsequent weeks, the Israeli military expanded ground incursions and heavy bombardment across various areas of Gaza. These attacks not only caused further mass displacement and casualties, but also directly targeted humanitarian facilities and personnel. On March 21, as part of its deliberate campaign to render Gaza uninhabitable by demolishing critical healthcare infrastructure, the Israeli army completely destroyed the Turkish-Palestinian Friendship Hospital in Gaza. According to the UN, on April 21–22, Israeli strikes destroyed over 30 pieces of heavy machinery and vehicles in Gaza, including bulldozers, excavators, and trucks that had been donated during the ceasefire for search-and-rescue, debris removal, sewage maintenance, and water delivery.⁸ By destroying these equipment, many of which were provided by international donors or agencies for Gaza’s rehabilitation, the Israeli military has hampered efforts to clear rubble, dispose of waste, and repair utilities.

The killing of a Turkish-American national, Ayşenur Ezgi Eygi, in the occupied West Bank during peaceful protests, and the killing of at least 418 aid workers, including 295 UN staff in Gaza further highlighted the grave risks faced by humanitarian aid volunteers in the OPT and Gaza.⁹ On March 19, 2025, Israeli army attacked a UN guesthouse in the Deir al-Balah area of Gaza killing a UN staff member with Bulgarian citizenship and wounded six other. Israeli military admitted that its forces had attacked the guesthouse. On March 23, Israeli army targeted a Palestinian Red Crescent ambulance, killing 14 emergency workers and a UN worker. Israeli soldiers involved in this act buried 15 health workers in a mass grave in order to destroy evidence. Israel by calling the incident as “professional failures” has acknowledged the involvement of Israeli soldiers into the incident.

On April 1, 2024, the World Central Kitchen (WCK) aid convoy was the target of an Israeli airstrike, killing 7 WCK aid workers, including British, Polish, Australian, Palestinian and US-Canadian dual citizens. Israeli Prime Minister Benjamin Netanyahu admitted that the Israeli army had hit the convoy.¹⁰

The serious incidents listed above provide evidence that Israel has failed to fulfil its responsibilities under international humanitarian law by targeting humanitarian and emergency workers.

B. Relevant United Nations Resolutions and ICJ Provisional Measures

Israel’s restrictions on humanitarian operations since March 2 also defy numerous UN resolutions and the express demands of the international community. The UN Security Council (UNSC) resolution 1860 (2009), adopted, in the aftermath of a prior Gaza conflict, “called for the unimpeded provision and distribution throughout Gaza of humanitarian assistance, including of food, fuel, and medical treatment”.¹¹ This call remains just as urgent and applicable today. However, more recently, on October 27, 2023 the UN General Assembly in Emergency Special Session adopted Resolution ES-10/21, which the Republic of Türkiye co-sponsored, and demanded an “immediate, full, sustained and unimpeded humanitarian access” for

⁸ "Humanitarian Situation Update #282 | Gaza Strip" <https://www.ochaopt.org/content/humanitarian-situation-update-282-gaza-strip>

⁹ "Humanitarian Situation Update Update #282 | Gaza Strip" <https://www.ochaopt.org/content/humanitarian-situation-update-282-gaza-strip>

¹⁰ "Who were the World Central Kitchen workers killed in Gaza" <https://www.bbc.com/news/world-middle-east-68711282>

¹¹ "S/RES/1860 (2009)" <https://www.un.org/unispal/wp-content/uploads/2016/06/SRES1860.pdf>

UNRWA and other agencies throughout Gaza.¹² It specifically called for Israel, as the occupying Power, to rescind any orders evacuating civilians and UN staff from areas of Gaza, and to ensure relief reaches those in need.

The UNSC resolution 2720 (2023) calls upon all parties concerned to make full use of the humanitarian notification and deconfliction mechanisms in place to protect all humanitarian sites, including UN facilities, and to help facilitate the movement of aid convoys, without prejudice to the obligations of the parties to uphold international humanitarian law.¹³ More recently, the UNSC resolution 2735 (2024), *inter alia* called for the safe and effective distribution of humanitarian assistance at scale throughout the Gaza Strip to all Palestinian civilians who need it, including housing units delivered by the international community.¹⁴

Regarding the humanitarian situation in Gaza, Israel's actions further violate the three sets of provisional measures ordered by the International Court of Justice in the case of South Africa v. Israel (26 January, 28 March, and 24 May 2024).¹⁵ The Court specifically ordered Israel, *inter alia*, to desist from actions creating conditions calculated to bring about the physical destruction of the Palestinians and to “take immediate and effective measures to enable the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip.”¹⁶

Despite UN resolutions and ICJ provisional measures, Israel is fully restricting any aid from entering into Gaza since 2 March. Israeli officials are seeking to shut down the existing aid distribution system run by the UN and its humanitarian partners.

Concordantly, the enactment of the “Law to Cease UNRWA Operations” and of the “Law to Cease UNRWA Operations in the Territory of the State of Israel” by the Knesset of Israel on 28 October 2024 has prevented UNRWA operations in East Jerusalem, which Israel unlawfully considers to be part of the territory of the State of Israel. The enactment and implementation of this law is inconsistent with the international legal status of East Jerusalem. Unlawful restrictions on the work of UNRWA and other organizations hamper the delivery of assistance to people in need. The no contact policy under the Knesset laws bans Israeli officials from coordinating or communicating with UNRWA officials, obstructing the delivery of essential relief services and aid. Since these restrictions came into effect at the end of January, UNRWA international staff have not received visas to enter Israel. This is banning them from entering the West Bank including East Jerusalem and the Gaza Strip where over 2 million people rely on the Agency services and assistance. Several UNRWA facilities including schools in occupied East Jerusalem are also threatened by closure orders from the Israeli authorities. Some 800 children are likely to miss out on finishing the school year if their schools are forced closed. As an occupying power, the State of Israel must provide services or facilitate their delivery including through UNRWA.

¹² "A/RES/ES-10/21" <https://www.un.org/unispal/wp-content/uploads/2023/11/N2332702.pdf>

¹³ "S/RES/2720 (2023)" [https://docs.un.org/en/S/RES/2720\(2023\)](https://docs.un.org/en/S/RES/2720(2023))

¹⁴ "S/RES/2735 (2024)" [https://docs.un.org/en/s/RES/2735\(2024\)](https://docs.un.org/en/s/RES/2735(2024))

¹⁵ <https://icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>; <https://icj-cij.org/sites/default/files/case-related/192/192-20240328-ord-01-00-en.pdf>; <https://icj-cij.org/sites/default/files/case-related/192/192-20240524-ord-01-00-en.pdf>.

¹⁶ <https://www.icj-cij.org/node/203447#:~:text=It%20refers%20to%20the%20rights,and%20conspiracy%20to%20commit%20genocide.>

These acts contradict with the absolute and mandatory obligation to respect the inviolability of UN premises, property and assets at all times, including during armed conflict, wherever they may be located and by whomsoever they may be held, as well as other obligations, including the obligation to uphold the immunity from legal process of the UN and its personnel, as well as to facilitate the movement of supplies, goods and equipment of the UN and the freedom of movement of its personnel.

C. Conclusion

Türkiye emphasizes that the question posed by Ms. Vice-President concerns the survival and dignity of millions of Palestinians. The facts demonstrate that third states and humanitarian bodies are doing their utmost, often at great personal risk, to keep the civilians in the Gaza Strip alive. But their efforts have been arbitrarily hindered and systematically threatened by Israel's actions since March 2, 2025. International law does and shall not permit such inhumane treatment.

Accordingly, Türkiye respectfully submits that Israel's recent restrictions on humanitarian and development actors in the OPT are unlawful and that Israel should immediately lift those restrictions and comply fully with its obligations under IHL, IHRL, and relevant UN resolutions. The Court needs to reaffirm these principles and encourage decisive action to end the suffering. No civilian population should be deprived of basic services and humanitarian relief, even amidst conflict. Upholding this norm is essential to preserve the integrity of international law and the very values of humanity it aims to protect.