

INTERNATIONAL COURT OF JUSTICE

**REQUEST FOR AN ADVISORY OPINION BY THE UNITED NATIONS GENERAL
ASSEMBLY IN RESOLUTION 79/232 OF 19 DECEMBER 2024**

**OBLIGATIONS OF ISRAEL IN RELATION TO THE PRESENCE AND
ACTIVITIES OF THE UNITED NATIONS, OTHER INTERNATIONAL
ORGANIZATIONS AND THIRD STATES IN AND IN RELATION TO THE
OCCUPIED PALESTINIAN TERRITORY**

**THE STATE OF PALESTINE'S COMMENTS ON THE RESPONSES OF THE
OTHER PARTICIPANTS TO THE COURT'S REQUEST OF 13 AUGUST 2025**



8 September 2025

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**THE STATE OF PALESTINE’S COMMENTS ON THE RESPONSES OF THE OTHER
PARTICIPANTS TO THE COURT’S REQUEST OF 13 AUGUST 2025**

I. Introduction

1. On 27 August 2025, the State of Palestine submitted its response to the Court’s request as provided in the Court’s letter of 13 August 2025, concerning the General Assembly’s request for an advisory opinion on the *Obligations of Israel in relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in relation to the Occupied Palestinian Territory*. In that resolution the General Assembly demanded “consideration by and guidance from the International Court of Justice, on a priority basis and with the utmost urgency”.¹

2. On 28 August 2025, the Registry transmitted to the State of Palestine copies of the submissions made by the United Nations and Israel, and recalled the authorisation granted to the State of Palestine in the Court’s letter of 13 August 2025 to present comments on those submissions. This submission contains the comments of the State of Palestine on the submissions presented by the United Nations and Israel.

3. The State of Palestine notes that, after being given the opportunity to submit a written statement and participate in the oral hearings held in April and May 2025, the Court is allowing the State of Palestine, Israel and the United Nations to, once again, present information. Although the State of Palestine is grateful to the Court for this occasion of presenting its views on these written statements, it wishes to recall that the Integrated Food Security Phase Coordination (IPC) already stated on 12 May 2025 that “[i]mmediate action [was] essential to prevent further deaths, starvation and acute malnutrition” in the Gaza Strip.²

4. Indeed, since the referral of the question by the General Assembly to the Court, the urgency of the situation in the State of Palestine has only increased. As noted by the United

¹ General Assembly, Resolution 79/232, 19 December 2024.

² IPC, Gaza Strip: IPC Acute Food Insecurity and Acute Malnutrition Special Snapshot, April - September 2025, 12 May 2025, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Malnutrition_Apr_Sept2025_Special_Snapshot.pdf. See also, among many statements alike: German Foreign Office, X, @GermanyDiplo, 31 July 2025, <https://x.com/GermanyDiplo/status/1951007712566976534>: “The humanitarian catastrophe [in Gaza] is beyond imagining. People are starving every day.”

Nations in its written statement of 27 August 2025, “[s]ince 7 May 2025, the catastrophic humanitarian situation in the Gaza Strip has worsened further. There is evidence of famine, which could have been prevented, mass displacement, extreme levels of deprivation, and a continued increase in civilian casualties, including children.”³

5. In its observations submitted on 27 August 2025, Israel alleges that it “has made extraordinary efforts to address the current humanitarian situation in the Gaza Strip”⁴ and asks the Court to accept its assertions as absolute truths, while framing the reports presented by dozens of reputable international organisations and NGOs, involved for a long time in the Gaza Strip and the rest of the Occupied Palestinian Territory (OPT) as nothing but lies. Even if Israel’s claims are taken at face value, they confirm the existence of a widespread famine in the Gaza Strip.

6. For example, Israel claims that “[t]hrough extensive cooperation with its international partners, Israel has, among other efforts, facilitated between 7 May and 22 August 2025 ... (ii) the provision of more than 2 million packages, across four distribution centres, which, according to GHF, are equivalent to 150 million meals.”⁵ In reality, Israel’s exclusive “international partner” is the so-called GHF, a pseudo-NGO controlled by it, which functions as an auxiliary to the Israeli occupation forces. It distributes very limited food in limited areas in militarised distribution centres. As will be established further below, even taking Israel’s false assertions at face-value, the meals it distributes would amount to less than one meal per day person per day over the period from 28 May to 22 August,⁶ which is “still a drop in the ocean when we’re talking about assisting some 2.1 million people.”⁷ In both cases, the militarized conditions under which aid is distributed make these places high-risk areas, resulting in thousands of civilians killed and wounded by Israeli occupation forces surrounding the distribution sites.⁸

³ Explanation submitted on behalf of the Secretary-General of the United Nations in response to the request by the International Court of Justice of 13 August 2025, 27 August 2025, para. 4.

⁴ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 53.

⁵ *Ibid.*, para. 16.

⁶ See below, Section II (C), para. 48

⁷ “Aid to famine-struck Gaza still ‘drop in the ocean’: WFP”, *France 24*, 26 August 2025, <https://www.france24.com/en/live-news/20250826-aid-to-famine-struck-gaza-still-drop-in-the-ocean-wfp>.

⁸ OCHA, Humanitarian Situation Update #319 | Gaza Strip, 4 September 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-319-gaza-strip>. See also “Gaza: Israeli Killings of Palestinians Seeking Food Are War Crimes”, Human Rights Watch, 1 August 2025, <https://www.hrw.org/news/2025/08/01/gaza-israeli-killings-of-palestinians-seeking-food-are-war-crimes>. See also OCHA, Humanitarian Situation Update

7. Beyond the inadequacy of the food that Israel permits to enter the Gaza Strip, in amount and quality far below the minimum standards required to meet the needs of the population and the requirements of international law, Israel denies or severely restricts all forms of humanitarian access, assistance, relief and care to the civilian population, in breach of its obligations under international humanitarian law. The consistent call by the Secretary-General, UN agencies and international NGOs to “flood Gaza with aid”⁹ requires opening the blockaded gates of the Gaza Strip to humanitarian access, including restoration of the presence of the United Nations and other international organizations and third States providing assistance to the Palestinian people, which Israel, the illegal occupant, has no right to prohibit and is obligated to facilitate for as long as it remains the occupying Power.

8. More generally, alongside its deliberate denial and obstruction of humanitarian aid, Israel continues to deliberately target civilians in the Gaza Strip, including those seeking access to humanitarian goods essential for their survival. In recent days, Israel ordered Palestinian civilians, including sick and wounded, elderly persons and orphaned children, to leave Gaza City and relocate to al-Mawasi, an area south of the Gaza Strip. On 2 September, a spokespersons for the Israeli occupation army conveyed this message on X: “Urgent !! To all residents of the Gaza Strip, in anticipation of the expansion of fighting into Gaza City, we remind you that the Al-Mawasi area will see improved humanitarian services, particularly concerning health, water, and food services.”¹⁰ As reported the same day, “[a]t least nine people, including five children, have been killed in an Israeli strike while fetching water in al-Mawasi.”¹¹

9. At the time of writing this submission, the Israeli army’ offensive to completely empty Gaza City of its population has begun, further endangering the lives of nearly one million

#317 | Gaza Strip, 28 August 2025, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-317-gaza-strip>.

⁹ For example: Statement by UNRWA Commissioner General Philippe Lazzarini, “The worst case scenario of famine is happening now in Gaza”, 29 July 2025, <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-gaza-worst-case-scenario-famine-now-happening-gaza>: “The only way to reverse this catastrophe is to flood Gaza with a massive scale up of aid.”. See also Jorge Moreira da Silva, X, @UNOPS_Chief, 22 August 2025, https://x.com/UNOPS_Chief/status/1958828548543684729.

¹⁰ افياي ادرعي, X, @AvichayAdraee, 2 September 2025, <https://x.com/AvichayAdraee/status/1962821466329661731>.

¹¹ “Five children in Gaza among those killed by Israeli strike while fetching water”, *The Guardian*, 2 September 2025, <https://www.theguardian.com/world/2025/sep/02/children-among-those-killed-in-gaza-while-fetching-water-by-israeli-strike>.

people,¹² half of whom are children.¹³ On 5 September 2025, Israel's Minister of Defense, Israel Katz, announced:

Now the bolt must be removed from the gates of hell in Gaza.

The first evacuation notice is delivered to a multi-story building in the city of Gaza before an attack.

When the door is opened, it will not be closed, and IDF activity will intensify.¹⁴

10. Less than an hour after this announcement, the Israeli army struck and levelled a 13-story residential building in Gaza City with more attacks following. The Israeli army published a propaganda video on the same day showing dozens of multi-story residential buildings it claimed would be levelled in the coming days as part of its onslaught against the City.¹⁵

11. Since May 2025, the situation in the State of Palestine, already described at that time by the Secretary General of the United Nations as “the cruellest phase of this cruel conflict”, has seriously worsened.¹⁶ Israel endeavours to rebut this objective truth but does so without providing the slightest amount of evidence to support its assertions.

12. In fact, Israel has imposed a veritable information war on the situation in Gaza, not only by preventing international journalists from entering the enclave, but also by systematically killing Palestinian journalists operating there.¹⁷ Even recently, the Israeli army repeatedly struck a Al-Nasser hospital, killing at least 22 people, including five journalists.¹⁸

¹² ICRC, “ICRC president: Mass evacuation of Gaza City unfeasible and incomprehensible”, 30 August 2025, <https://www.icrc.org/en/news-release/icrc-president-mass-evacuation-gaza-city-unfeasible-and-incomprehensible>. See also “Israel declares Gaza’s largest city a combat zone as death toll surpasses 63,000”, *AP*, 30 August 2025, <https://apnews.com/article/mideast-wars-gaza-08-29-25-da2b9fa41fc50b922b826343f7ce49ab>. See also “IDF begins first strikes of Gaza City op.”, *The Jerusalem Post*, 5 September 2025, <https://www.jpost.com/israel-news/defense-news/article-866471>. See also افياحي ادوعي, *X*, @AvichayAdraee, 6 September 2025, <https://x.com/AvichayAdraee/status/1964251652984361046>.

¹³ UNICEF on the dire humanitarian situation in Gaza, *X*, @AJEnglish, 6 September 2025, <https://x.com/ajenglish/status/1964334551611953497>: “Every second person in Gaza City is a child. This is a war on children. They are suffering immeasurably.”

¹⁴ Israel Katz, *X*, @Israel_katz, 5 September 2025, https://x.com/israel_katz/status/1963898503890882998.

¹⁵ Israel Defense Force, *X*, @IDF, 5 September 2025, <https://x.com/idf/status/1963910424694280403>.

¹⁶ “UN chief says Palestinians enduring ‘cruellest phase’ of Gaza conflict – as it happened”, *The Guardian*, 23 May 2025, <https://www.theguardian.com/world/live/2025/may/23/israel-gaza-war-live-palestine-children-elderly-dying-starvation-aid-benjamin-netanyahu>.

¹⁷ See below, paras. 105-107.

¹⁸ “AP reporting calls into question why and how Israel attacked a Gaza hospital”, *The Washington Post*, 5 September 2025, https://www.washingtonpost.com/world/2025/09/05/israel-palestinians-hamas-war-strikes-hospital-journalists/7fa1de62-8a62-11f0-895c-97bd39cbdc59_story.html. See also Al Mezan Center for Human Rights, “Israel Kills Five Journalists, a Rescuer, a Medical Student, and Patients in Nasser Hospital Massacre”,

The facts show with the utmost clarity that Israel's claim of targeting a " Hamas camera " are pure propaganda with no basis in reality on the ground.¹⁹

13. This confirms what has been obvious since the beginning of the Israeli offensive: the genocidal intent behind it. By deliberately and systematically organizing the starvation of the Palestinian population in the Gaza Strip, Israel is not only committing a war crime, but is also deliberately inflict on the Palestinian people conditions of life calculated to bring about its physical destruction in whole or in part – the very definition of genocide. The denial of adequate food, water, medicines, fuel, shelter items and other essentials of life, the ongoing military bombardments and onslaught against residences, infrastructure, agriculture, hospitals, schools, mosques and cultural centres, the repeated and endless displacements of the civilian population, their confinement in unsanitary camps where they are deprived of the opportunity to live with dignity – indeed, to subsist humanely – as vowed, planned and executed by Israel officials and military forces are further evidence of this deliberate intent.

14. This intention is also reflected in the actions taken by Israel against Palestinians in the rest of the State of Palestine, which have intensified in severity and lethality in recent months. Israeli occupation soldiers and settlers have killed more than 987 Palestinians in the West Bank since October 2023 and thousands more have been injured.²⁰ Israel's intentions regarding the West Bank are no secret. As stated by the Israeli Minister of Finance, Bezalel Smotrich (who is also in charge of Israel's illegal settlement regime): "Tulkarem and Jenin [in the West Bank] will look like Jabalia and Shujayea [in Gaza]. Nablus and Ramallah [in the West Bank] will resemble Rafah and Khan Younis [in Gaza]."²¹ The Israeli Minister added that camps for

25 August 2025, <https://www.mezan.org/en/post/46755/Israel-Kills-Five-Journalists,-a-Rescuer,-a-Medical-Student,-and-Patients-in-Nasser-Hospital-Massacre>.

¹⁹ "Reuters stopped sharing Gaza locations with Israel after IDF strikes killed 'so many journalists'", *NBC News*, 28 August 2025, <https://www.nbcnews.com/world/gaza/news-group-stopped-sharing-gaza-locations-israel-many-journalists-kill-rcna227687>. See also "Israeli military says strikes on Gaza hospital targeted a Hamas camera, without providing evidence", *Politico*, 26 August 2025, <https://www.politico.com/news/2025/08/26/israeli-military-says-strikes-on-gaza-hospital-targeted-a-hamas-camera-without-providing-evidence-00527966>. See also "Analysis of footage from Nasser Hospital strike calls Israel's account into question", *The Times of Israel*, 6 September 2025, <https://www.timesofisrael.com/analysis-of-footage-from-nasser-hospital-strike-calls-israels-account-into-question/>.

²⁰ OCHA, Data on casualties – Palestinian fatalities in the West Bank between 7 October 2025 and 25 August 2025, <https://www.ochaopt.org/data/casualties>.

²¹ "Mapping Israel's military campaign in the occupied West Bank", *Aljazeera*, 27 May 2025, <https://www.aljazeera.com/news/2025/5/27/mapping-israels-military-campaign-in-the-occupied-west-bank>.

Palestine refugees in the West Bank “will also be turned into uninhabitable ruins, and their residents will be forced to migrate and seek a new life in other countries.”²²

15. And the killing of the two-State solution is now the stated goal of the Israeli Government.²³

Update on Significant Events Since the Submissions of 27 August 2025

16. The already catastrophic situation in the Gaza Strip has continued to deteriorate since the State of Palestine submitted its Response to the Court’s Request of 13 August 2025, which set out information current to mid-August 2025. Between 27 August and 3 September 2025 alone, Israel killed at least 571 Palestinians in the Gaza Strip and injured 2,318 others. That brings the terrible total of Palestinians killed and injured in the Gaza Strip by Israel since October 2023 to at least 63,746 and 161,245²⁴ respectively, though many experts estimate the true number of fatalities to be considerably higher.²⁵

17. In particular, Israel’s intensified military assault in Gaza City are having “horrific humanitarian consequences” for the approximately one million people who have taken refuge in the city, many of whom have been displaced multiple times previously, including from Northern Gaza, which now lies in ruins. The Site Management Cluster, a joint United Nations and humanitarian body responsible for tracking population movement in Gaza, has recorded 82,000 new displacements since 14 August 2025, with 29,700 movements observed from North to South Gaza between 14 and 31 August 2025 alone.²⁶ They explain, however, that:

²² *Ibid.*

²³ “Netanyahu said to mull annexing West Bank parts in response to Palestine recognition”, *The Times of Israel*, 2 September 2024, <https://www.timesofisrael.com/pm-ministers-said-to-mull-annexing-west-bank-parts-in-response-to-palestine-recognition/>. See also “Smotrich proposes annexing 82% of West Bank in bid to prevent Palestinian state, 3 September 2025”, *The Times of Israel*, <https://www.timesofisrael.com/smotrich-proposes-annexing-82-of-west-bank-in-bid-to-prevent-palestinian-state/>.

²⁴ OCHA, Humanitarian Situation Update #319 | Gaza Strip, 4 September 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-319-gaza-strip>.

²⁵ See, e.g., Rasha Khatib, Martin McKee, and SalimYusuf, “Counting the dead in Gaza: difficult but essential”, 10 July 2024, pp. 237-238, [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(24\)01169-3/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(24)01169-3/fulltext). See also Zeina Jamaluddine, Hanan Abukmail, Sarah Aly, Prof Oona M R Campbell, and Prof Francesco Checchi, “Traumatic injury mortality in the Gaza Strip from Oct 7, 2023, to June 30, 2024: a capture–recapture analysis”, 8 February 2025, pp. 469-477, [https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(24\)02678-3/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(24)02678-3/fulltext).

²⁶ “Statement On Escalating Forced Displacement in Gaza”, Site Management Cluster oPt, 3 September 2025, https://www.ccmcluster.org/sites/default/files/2025-09/250903_statement_SMC_opt_en.pdf.

Many households are unable to move due to high costs and challenges, especially for the elderly or people with disabilities, and lack of a safe space to move to. Palestinians are also reluctant to move due to the fear of not being able to return or exhaustion from repeated displacement.²⁷

18. On 29 August 2025, the Israeli occupation army announced that the **claimed** 10-hour tactical pauses in military activity that it had previously observed to facilitate the distribution of humanitarian aid, would no longer apply to Gaza City, designating the city as a “dangerous combat zone.”²⁸ The President of the International Committee of the Red Cross (ICRC), Mirjana Spoljaric, warned that a forcible mass evacuation of Gaza City cannot be carried out in a safe and dignified manner under the current conditions, stating:

Such an evacuation would trigger a massive population movement that no area in the Gaza Strip can absorb, given the widespread destruction of civilian infrastructure and the extreme shortages of food, water, shelter and medical care. The order would be imposed on civilians who are already traumatised by months of fighting and terrified by what could come next. Many are unable to comply with evacuation orders because they are starving, sick, injured or suffering from physical disabilities. All civilians are protected by international humanitarian law (IHL), whether they leave or stay behind, and must be allowed to return home.²⁹

19. As the ICRC President explained:

IHL requires that when evacuation orders are issued, Israel must do everything to ensure that civilians have satisfactory conditions of shelter, hygiene, health, safety and nutrition, and that families are not separated. These conditions cannot currently be met in Gaza. This makes any evacuation not only unfeasible but incomprehensible under the present circumstances.³⁰

20. UNICEF has also warned that a further military offensive throughout Gaza City would lead to “catastrophe” for the almost one million people who remain there. They caution that “It would be an unthinkable tragedy” which the world must do “everything in our power to prevent it”, while emphasizing that in many respects “[t]his unthinkable is not looming – it is already here. The escalation is underway.”³¹

²⁷ *Ibid.*

²⁸ Israel Defense Forces, X, @IDF, 29 August 2025, <https://x.com/IDF/status/1961346516141953495>.

²⁹ “ICRC president: Mass evacuation of Gaza City unfeasible and incomprehensible”, *ICRC*, 30 August 2025, <https://www.icrc.org/en/news-release/icrc-president-mass-evacuation-gaza-city-unfeasible-and-incomprehensible>.

³⁰ *Ibid.*

³¹ “The unthinkable in Gaza City has already begun”, *UNICEF*, 4 September 2025, <https://www.unicef.org/press-releases/unthinkable-gaza-city-has-already-begun>.

21. Meanwhile, Israel has continued its attacks on Southern Gaza. to which it has ordered Palestinians from Northern Gaza and Gaza City to relocate, including attacks on displacement camps and medical facilities.³² As noted by UNICEF on 4 September, “[w]e have known for a long time that the so-called safe zone, Al Mawasi, is not safe. That children are being killed or maimed in their sleep, almost every night.”³³

22. By way of illustration, Israel’s direct strike on a bakery in Gaza City on 30 August 2025 killed 12 Palestinians, including five children.³⁴ At least nine others, including six children (three girls and three boys) were killed on 2 September 2025 and many others injured in multiple Israeli airstrikes on a group of people collecting water in Khan Younis.³⁵ Many such attacks are going unreported, as Israel continues its campaign of targeting and killing Palestinian journalists.³⁶ as of 26 August 2025, 245 Palestinian journalists and media workers had been killed by Israeli occupation forces, alongside at least 800 of their family members, in strikes on their family homes, in places where they have been sheltering, on press tents within hospital grounds, and in attacks that have destroyed 115 media institutions across Gaza.³⁷ A further 520 journalists and media workers have been injured, and 39 others have been arrested by Israeli occupation forces, 22 of whom remain in detention.³⁸ Meanwhile, Israel continues to deny access to international media and fact-finding teams.

23. On 4 September, UNICEF addressed the continuing effects of famine and malnutrition among children in the Gaza Strip:

Malnutrition and famine are weakening children’s bodies as displacement strips them of shelter and care, and bombardments threaten their every move. This is what famine in a war zone looks like and it was everywhere I looked in Gaza City.

³² OCHA, Humanitarian Situation Update #319 | Gaza Strip, 4 September 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-319-gaza-strip>.

³³ “The unthinkable in Gaza City has already begun”, *UNICEF*, 4 September 2025, <https://www.unicef.org/press-releases/unthinkable-gaza-city-has-already-begun>.

³⁴ OCHA, Humanitarian Situation Update #319 | Gaza Strip, 4 September 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-319-gaza-strip>.

³⁵ *Ibid.*

³⁶ *Ibid.*: “Between 31 August and 2 September, two Palestinian journalists were killed in Gaza, according to the Palestinian Journalists Syndicate (PJS). On 31 August, a journalist was killed with her husband and children in an Israeli airstrike that hit their apartment in Gaza city. On 2 September, a photojournalist was killed in an Israeli strike near Al Jala’ square in Gaza city. In total, since the escalation of hostilities in October 2023, 247 journalists and media workers have been killed in Gaza, PJS reported.”

³⁷ “Journalists and Media Workers Martyred During the Israeli Genocidal War”, Palestinian Journalists Syndicate, 26 August 2025, <https://pjs.ps/en/page-3389.html>.

³⁸ *Ibid.*

An hour in a nutrition clinic is enough to erase any questions of whether there is a famine – crowded waiting rooms, parents in tears, children fighting the double-punch of disease and malnutrition, mothers who cannot breastfeed, babies losing their vision, their hair and their strength to walk ...

The story is the same – a bowl a day from the community kitchen, almost always lentils or rice, shared amongst the family, parents skipping so children can eat. No nutrients. No other options – aid is scarce, and the market is far too expensive ...

The horrors in Gaza have dragged so long that children ... are returning to emergency wards or relapsing just weeks after finishing treatment for malnutrition because of the ongoing lack of food, safe water and other essential supplies.

Without immediate and increased access to food and nutrition treatments, this recurring nightmare will deepen, and more children will starve. A fate that is entirely preventable.³⁹

24. The spread of extreme hunger amongst medical staff has left many too weak to provide urgent medical care to malnourished and wounded civilians.⁴⁰ Meanwhile, the already horrific situation is set to worsen further still with Israel’s announced forced expulsion of the civilian population from Gaza City and threat to completely destroy the City. The World Health Organisation reports that Al-Shifa and Al-Ahli hospitals in Gaza City – which are already operating at nearly 300 per cent over-capacity, with a “constant influx of complex trauma injuries” – currently provide almost 49 percent (1,022) of the total hospital beds available in the whole of the Gaza Strip, including 47 percent (722) of the total inpatient beds, and 51 percent (35) of the only intensive care unit beds available to the population of Gaza.⁴¹ Their forced evacuation would be beyond catastrophic, and would result, in particular, in Gaza losing half of its already much diminished hospital bed capacity.⁴²

Structure of this Written Statement

25. Following this Introduction, the State of Palestine’s comments are structured as follows. First, the State of Palestine provides its comments on Israel’s submission of 27 August

³⁹ Tess Ingram, UNICEF Communication Manger for the Middle East and North Africa Regional Office, at the UN noon briefing, “The unthinkable in Gaza City has already begun”, 4 September 2025, <https://www.unicef.org/press-releases/unthinkable-gaza-city-has-already-begun>.

⁴⁰ “Gaza health care workers face starvation alongside their patients, Doctors Without Borders warns”, *ABC News*, 29 July 2025, <https://abcnews.go.com/International/gaza-health-care-workers-face-starvation-alongside-patients/story?id=124155381>.

⁴¹ OCHA, Humanitarian Situation Update #319 | Gaza Strip, 4 September 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-319-gaza-strip>.

⁴² *Ibid.*

2025, which rebut the assertions Israel has made about the situation in the Gaza Strip since 7 May 2025 (**Section** Error! Reference source not found.). This section includes 15 subsections, each of which demonstrates lack of evidentiary support or outright falsity of Israel’s assertions about a specific topic addressed in its submission. This is followed by a final brief section (**Section 0**) addressing the parallel between Israel’s actions in the Gaza Strip and those in the West Bank, including East Jerusalem, during the relevant period. The State of Palestine’s submission concludes (**Section IV**) by addressing what the United Nations has called – in its submission of 27 August 2025 – the “[c]ontinued relevance of the legal framework presented in the written and oral statements.”

II. Rebuttal of Specific Points in Israel’s Submission

26. Israel’s submission of 27 August 2025 paints a picture of the situation in the Gaza Strip since 7 May 2025 that is entirely divorced from reality. It relies mainly on assertions that are not cited to any evidentiary source; and where sources are provided, they are invariably to self-serving statements by Israeli officials or selected Israeli government documents rather than to any impartial or independent sources. As demonstrated below, the main assertions in Israel’s submission are not only unproven; they are demonstrably false. Every one of them is contradicted by the evidence published by authoritative and reliable sources, including United Nations senior officials and agencies, reputable international non-governmental organizations operating in the Gaza Strip, and leaders of third States.

A. ISRAEL’S “SUBSTANTIAL INCREASE IN HUMANITARIAN AID” TO THE GAZA STRIP

27. Despite the infliction of a man-made famine, widespread malnutrition and ever-increasing numbers of children dying of starvation – which authoritative and impartial United Nations officials and agencies, international non-governmental organizations operating in the Gaza Strip, and leaders of over 50 States have attributed to Israel’s unlawful and unconscionable restrictions on the delivery of food, water, medicines, fuel and other essentials of life to the Palestinian civilian population – Israel applauds itself for its “extraordinary measures to address a challenging and unparalleled reality”,⁴³ including “the substantial

⁴³ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 9.

increase in humanitarian aid that has entered the Gaza Strip in the period that is the subject of the Court’s request of 13 August 2025”⁴⁴

28. It is the height of cynicism for Israel to claim credit for a “substantial increase in humanitarian aid” since early May 2025 considering that it is Israel itself that permitted no aid – none at all – to enter the Gaza Strip for 78 days, from 2 March 2025 to 19 May 2025, unless “substantial” is defined to mean anything greater than zero, no matter how inadequate or insufficient the number is. It was during this 78-day period of no food, no water, no medicines, no fuel, no electricity, no shelter items, and no humanitarian aid of any kind that the conditions were indelibly established for famine, widespread starvation (especially among Palestinian children), and death from preventable or treatable illnesses or injuries due to lack of medicines and medical supplies, all of which inevitably ensued as part of Israel’s ongoing military onslaught and siege on the Gaza Strip.⁴⁵

29. In furtherance of this calculated policy to make life unbearable for the civilian population of the Gaza Strip, Israel’s Prime Minister, Benjamin Netanyahu, announced on 2 March 2025, that “the entry of goods and supplies into Gaza will be prevented.”⁴⁶ The Minister of Finance Bezalel Smotrich, explained the decision “to completely halt humanitarian aid to Gaza” as a means of opening “the gates of Hell ... as quickly and lethally as possible on the cruel enemy.”⁴⁷ The Minister of Defense, Israel Katz, expressly and terrifyingly identified the “enemy” against whom this lethal policy was directed: “Citizens of Gaza, this is your last warning ... The air force attack against Hamas terrorists was only the first step. The rest will be significantly worse and you will pay the price”⁴⁸

30. The Palestinian people in the Gaza Strip has been paying the price – and has not stopped paying it – not on 19 May 2025, when, in response to an international outcry, Israel began to allow limited and wholly inadequate amounts of food into the Gaza Strip, and not anytime thereafter. Israel’s hollow gesture was decried by the UN Secretary-General, among

⁴⁴ *Ibid.*, para. 11.

⁴⁵ Press encounter of the [UN] Secretary-General on the humanitarian situation in Gaza, 23 May 2025, <https://www.ochaopt.org/content/press-encounter-secretary-general-humanitarian-situation-gaza>.

⁴⁶ PM Netanyahu’s Remarks at the Start of the Government Meeting, 2 March 2025, <https://www.gov.il/en/pages/spoke-start020325>.

⁴⁷ “Israel’s Smotrich calls for ‘opening gates of hell’ on Gaza after halt of humanitarian aid”, *Middle East Monitor*, 2 March 2025, <https://www.middleeastmonitor.com/20250302-israels-smotrich-calls-for-opening-gates-of-hell-on-gaza-after-halt-of-humanitarian-aid/>.

⁴⁸ Israel Katz, X, @Israel_Katz, 19 March 2025, https://x.com/Israel_katz/status/1902388250053861589.

others, who called it “a teaspoon of aid when a flood of assistance is required.”⁴⁹ After the 78-day Israeli blockade on all humanitarian supplies to the Gaza Strip, the Secretary-General emphasized: “The needs are massive – and the obstacles are staggering. Strict quotas are being imposed on the goods we distribute – along with unnecessary delay procedures. Other essentials – including fuel, shelter, cooking gas, and water purification supplies – are prohibited Families are being starved and denied the very basics.”⁵⁰

31. It was clearly not Israel’s intention to allow a “substantial increase” in the amount of food or other essential humanitarian supplies entering the Gaza Strip, or to permit the kind of relief to the civilian population that is required of an occupying power under international humanitarian law. This was confirmed by Finance Minister Smotrich in May 2025: “Gaza will be entirely destroyed, civilians will be sent to ... the south to a humanitarian zone without Hamas or terrorism, and from there they will start to leave in great numbers to third countries.”⁵¹ To achieve this end, he explained: “Only the bare minimum of food and medicine will enter Gaza”⁵² Israel did not mention these statements – which directly contradict its own assertions – in its submission of 27 August 2025.

32. It is thus unsurprising that, by the end of July 2025 the amount of food that Israel allowed into the Gaza Strip was still “far below what is needed for the survival of the population”, according to the World Food Programme.⁵³ According to Secretary-General Guterres: “Palestinians in Gaza are enduring a humanitarian catastrophe of epic proportions. This is not a warning. It is a reality unfolding before our eyes. The trickle of aid must become an ocean. Food, water, medicine, and fuel must flow in waves and without obstruction. This nightmare must end.”⁵⁴

⁴⁹ Press encounter of the [UN] Secretary-General on the humanitarian situation in Gaza, 23 May 2025, <https://www.ochaopt.org/content/press-encounter-secretary-general-humanitarian-situation-gaza>.

⁵⁰ *Ibid.*

⁵¹ “Gaza will be entirely destroyed, Israeli minister says”, *The Guardian*, 6 May 2025, <https://www.theguardian.com/world/2025/may/06/hamas-israel-hunger-war-in-gaza>.

⁵² “Humanitarian aid a necessity, will not reach Hamas”, *Israel National News*, 19 May 2025, <https://www.israelnationalnews.com/news/408601>.

⁵³ Opening Remarks by Tedros Adhanom Ghebreyesus, WHO Director-General, at the media briefing, 23 July 2025, <https://www.who.int/news-room/speeches/item/who-director-general-s-opening-remarks-at-the-media-briefing-23-july-2025>.

⁵⁴ Antonio Guterres, X, @antonioguterres, 29 July 2025, <https://x.com/antonioguterres/status/1950201969290694991>.

33. But food and other humanitarian assistance did not flow into the Gaza Strip, and the nightmare for the Palestinian people did not end. To the contrary, the situation has grown worse, and it continues to grow even worse every day at an exponential rate. In its submission of 27 August 2025, the State of Palestine cited the report issued five days earlier by the Integrated Food Security Phase Classification (IPC), the world's most respected authority on food security, which declared for the first time (after four prior reviews) that there was a "famine" in Gaza City and North Gaza governorates spreading quickly throughout the territory.⁵⁵ As explained in the report, all three criteria for a declaration of famine were found to exist: extreme food deprivation, acute malnutrition, and starvation-related deaths.⁵⁶ According to the IPC: "Widespread human suffering is present across the Gaza Strip and the killings of civilians seeking food continue. Increasing reports of malnutrition-related deaths suggest that the most vulnerable in society are beginning to succumb. This trend is expected to increase amongst vulnerable groups such as children, the elderly, and people with chronic diseases, before spreading to the wider population."⁵⁷

34. The IPC found that the famine itself, and these consequences, were the direct and inevitable result of Israel's deliberate policies, including especially "the destruction of domestic food production systems, import limitations, and displacement of persons away from available food sources or production systems."⁵⁸ As the IPC emphasized, there can be no doubt that the famine in the Gaza Strip "is entirely man-made."⁵⁹ And, unless urgent action is taken by Israel to reverse its policies, especially its restrictions on the entry of food and other humanitarian assistance into the Gaza Strip, the catastrophic situation that presently prevails will grow immeasurably worse. In the words of Foreign Ministers of 28 States: "The humanitarian suffering in Gaza has reached unimaginable levels. Famine is unfolding before our eyes. Urgent action is needed now to halt and reverse starvation."⁶⁰

⁵⁵ The State of Palestine's Response to the Court's Request of 13 August 2025, paras. 229-237.

⁵⁶ The FAO, UNICEF, WHO and WFP, "Famine confirmed for first time in Gaza", 22 August 2025, <https://www.wfp.org/news/famine-confirmed-first-time-gaza>.

⁵⁷ Integrated Food Security Phase Classification (IPC), Famine Review Committee: Gaza Strip, 22 August 2025, p. 1, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_Aug2025.pdf.

⁵⁸ *Ibid.*, p. 8.

⁵⁹ *Ibid.*, p. 2.

⁶⁰ Statement by the Foreign Ministers of Andorra, Australia, Belgium, Canada, Cyprus, Denmark, Estonia, Finland, France, Greece, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland and the UK, 12 August 2025, https://ec.europa.eu/commission/presscorner/detail/da/statement_25_1959.

35. The IPC's reference to Israel's "destruction of domestic food production systems" in the Gaza Strip follows similar findings by FAO that Israel has been destroying local food production there.⁶¹ Whereas prior to October 2023, Gaza produced up to 30 percent of its own food, "98.5 percent of cropland in the Gaza Strip is [now] either damaged, inaccessible, or both. This means that only 1.5 percent of cropland in Gaza – 232 hectares – is currently available for cultivation, down from 4.6 percent (688 hectares) as of April 2025, in a territory with over 2 million people. Satellite imagery also indicates that 12.4 percent of cropland, although undamaged, is not accessible due to designated 'no go' zones"⁶² Israel has killed over 96 percent of Gaza's livestock.⁶³ It has destroyed or damaged 71.5 percent of greenhouses, alongside solar panels and pumps⁶⁴ and 82.8 percent of irrigation wells,⁶⁵ eroding small scale food production and contributing to catastrophic food security conditions across Gaza.⁶⁶

36. Four United Nations agencies, the World Food Programme (WFP), Food and Agricultural Organization (FAO), World Health Organization (WHO) and United Nations International Children's Emergency Fund (UNICEF) – all of which have been actively carrying out humanitarian activities in the Gaza Strip - endorsed the IPC's report. Their joint statement, issued on 22 August 2025 emphasized that: "Almost two years of conflict, repeated displacement, and severe restrictions on humanitarian access, compounded by repeated interruptions and impediments to access to food, water, medical aid, support to agriculture, livestock and fisheries and the collapse of health, sanitation, and market systems, have pushed people into starvation."⁶⁷

37. Palestinian children are the most severely affected and the most acutely at risk: "Malnutrition among children in Gaza is accelerating at a catastrophic pace. In July alone, more

⁶¹ FAO, "Gaza Strip: 98.5 percent of cropland unavailable for cultivation as famine looms", 9 August 2025, <https://www.fao.org/newsroom/detail/gaza-strip--98.5-percent-of-cropland-unavailable-for-cultivation-as-famine-looms/en>. See also FAO, "Gaza's agricultural infrastructure continues to deteriorate at alarming rate", 26 May 2025, <https://www.fao.org/newsroom/detail/gaza-s-agricultural-infrastructure-continues-to-deteriorate-at-alarming-rate/en>.

⁶² *Ibid.*

⁶³ FAO, "Gaza: Immediate action must combine emergency relief with the restoration of local food production", 28 January 2025, <https://www.un.org/unispal/document/gaza-immediate-action-must-combine-emergency-relief-with-the-restoration-of-local-food-production-fao/>.

⁶⁴ FAO, "Gaza's agricultural infrastructure continues to deteriorate at alarming rate", 26 May 2025, <https://www.fao.org/newsroom/detail/gaza-s-agricultural-infrastructure-continues-to-deteriorate-at-alarming-rate/en>.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

⁶⁷ The FAO, UNICEF, WHO and WFP, "Famine confirmed for first time in Gaza", 22 August 2025, <https://www.wfp.org/news/famine-confirmed-first-time-gaza>.

than 12,000 children were identified as acutely malnourished – the highest monthly figure ever recorded and a six-fold increase since the start of the year. Nearly one in four of these children were suffering from severe acute malnutrition (SAM), the deadliest form with both short and long-term impacts.”⁶⁸

38. Responding to these findings, the Secretary-General said: “Just when it seems there are no words left to describe the living hell in Gaza, a new one has been added: ‘famine’.”⁶⁹ He continued: “This is not a mystery – it is a man-made disaster, a moral indictment, and a failure of humanity itself. Famine is not only about food; it is the deliberate collapse of the systems needed for human survival. People are starving. Children are dying. And those with the duty to act are failing. As the occupying power, Israel has unequivocal obligations under international law – including the duty of ensuring food and medical supplies of the population. We cannot allow this situation to continue with impunity.”⁷⁰

39. Against this evidence, Israel’s self-congratulation for a “substantial increase in humanitarian aid” to the Gaza Strip since May 2025, and a “humanitarian surge” (boasted of by Prime Minister Netanyahu on 10 August)⁷¹ are not only Orwellian in their prevarication; they are affronts to the universally accepted humanitarian principles enshrined in international law.

B. ISRAEL’S ATTACK ON THE IPC’S REPORT

40. In contrast to the four authoritative United Nations agencies and other credible international bodies, Israel responded to the IPC’s report by attacking it. This was, perhaps, predictable, since the IPC’s report plainly puts the lie to Israel’s assertions that it has promoted substantial improvements in the humanitarian situation in the Gaza Strip since May 2025. The Israeli submission of 27 August 2025 attempts to discredit this expert report as a “methodologically flawed and deficient report whose predetermined conclusions are based on selective and manipulative data and lack credibility.”⁷²

⁶⁸ *Ibid.*

⁶⁹ UN Secretary-General António Guterres, X, @antonioguterres, 22 August 2025, <https://x.com/antonioguterres/status/1958816495636545875>.

⁷⁰ *Ibid.*

⁷¹ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 17.

⁷² *Ibid.*, para. 48.

41. Apart from its political hyperbole, Israel made three specific criticisms of the IPC's report, each of a technical nature. The IPC responded point by point in a statement issued on 30 August 2025. As the IPC demonstrated, Israel's criticisms of its report are baseless.⁷³

42. Israel's first criticism of the IPC's report was that, in relation to food consumption, "the IPC relied exclusively on subjective self-reporting, rather than objective indicators", as a result of which "the sample base for those surveys is skewed."⁷⁴ The IPC responded that this is incorrect: "IPC analyses consider all available data. In Gaza, two surveys were available showing extreme food consumption and livelihood gaps for nearly all indicators. Only one indicator from one source diverged from this pattern. Taken together, the bulk of the evidence clearly indicated that the famine thresholds for food consumption had been crossed for Gaza Governate."⁷⁵

43. Israel's second criticism was that the IPC, in its reporting on global acute malnutrition in Gaza: "relied on only half of the data collected in July, ignoring the full July sample which was published on 8 August, a full week before the IPC report was published."⁷⁶ This accusation, too, is incorrect. The IPC's response explained that it "examined all nutrition data available"⁷⁷ including "new data received up to 12 August. The data showed a sharp rise in acute malnutrition among children in the Gaza Governate, with rates increasing from 10.1% in early July to 16.4% in late July, following an exponential trend and exceeding the IPC famine threshold."⁷⁸ The IPC further explained that "calculating a monthly weighted average can mask rapid changes in acute malnutrition, which may lead to underestimating the crisis. Segmenting the data into half-month intervals allowed for a more refined trend analysis as well as more precise estimates of the most recent GAM [Global Acute Malnutrition] prevalence."⁷⁹ In Gaza, for example, the weighted monthly average for the prevalence of GAM was 12.5%.⁸⁰ But, this

⁷³ Integrated Food Security Phase Classification (IPC), Response to Issues Raised Following IPC's Famine Classification in the Gaza Strip, 30 August 2025, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/Response_to_Issues_Raised_Following_IPC_Famine_Classification_in_the_Gaza_Strip.pdf.

⁷⁴ Response of the State of Israel to the Court's request dated 13 August 2025, 27 August 2025, para. 48(a).

⁷⁵ Integrated Food Security Phase Classification (IPC), Response to Issues Raised Following IPC's Famine Classification in the Gaza Strip, 30 August 2025, p. 4, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/Response_to_Issues_Raised_Following_IPC_Famine_Classification_in_the_Gaza_Strip.pdf.

⁷⁶ Response of the State of Israel to the Court's request dated 13 August 2025, 27 August 2025, para. 48(b).

⁷⁷ Integrated Food Security Phase Classification (IPC), Response to Issues Raised Following IPC's Famine Classification in the Gaza Strip, 30 August 2025, p. 2, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/Response_to_Issues_Raised_Following_IPC_Famine_Classification_in_the_Gaza_Strip.pdf

⁷⁸ *Ibid.*

⁷⁹ *Ibid.*, p. 3.

⁸⁰ *Ibid.*

monthly figure masked what occurred during the month, an “exponential trend” from 10.1% in the first half of July to a more alarming 16.4% in the second half.⁸¹ According to the IPC: “This sharp deterioration – from 10.1% to 16.4% within three weeks – highlights the accelerating crisis.”⁸²

44. Israel’s third challenge to the IPC’s report alleged that “the IPC assumed vast numbers of unreported malnutrition deaths, thirty times higher than Hamas’s own estimates”, in determining “the crude death rate.”⁸³ The IPC refuted this charge, as well: “Due to the breakdown of monitoring systems, recorded famine-related deaths likely represent only a fraction of the actual deaths. Nonetheless, reported figures indicate a recent sharp increase As described in the IPC Technical Manual version 3.1, protocols for IPC classification define mortality as deaths attributable to outright starvation or to the interaction of malnutrition and disease. In Gaza, many deaths – particularly non-traumatic fatalities – remain undocumented due to the breakdown of monitoring systems. As a result, reported figures almost certainly underestimate the actual mortality on the ground.”⁸⁴

45. The IPC further explained, in response to Israel’s claim that it was biased: “Neutrality is a core principle of the IPC In Gaza, to safeguard impartiality, parties to the conflict were not involved in the analytical process. The analysis was led by the IPC Global support Unit working with a team of 50 IPC-trained experts from 19 organizations, representing diverse sectors and bringing contextual expertise. The analysis team followed the standard IPC global methodology, and the conclusions were reviewed and validated by the FRC [Famine Review Committee], composed of independent and internationally-recognized famine experts.”⁸⁵

46. Israel effectively stands alone in challenging the world’s principal authority on food insecurity and its conclusion that a man-made famine now exists in the Gaza Strip. This is a man-made famine because, as explained by the Under Secretary General for Humanitarian Affairs: “It is a famine openly promoted by some Israeli leaders as a weapon of war It is a

⁸¹ *Ibid.*, p. 2.

⁸² *Ibid.*, p. 3.

⁸³ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 48(c).

⁸⁴ Integrated Food Security Phase Classification (IPC), Response to Issues Raised Following IPC’s Famine Classification in the Gaza Strip, 30 August 2025, p. 3, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/Response_to_Issues_Raised_Following_IPC_Famine_Classification_in_the_Gaza_Strip.pdf.

⁸⁵ *Ibid.*, p. 6.

predictable and preventable famine. A famine caused by cruelty, justified by revenge, enabled by indifference and sustained by complicity.”⁸⁶

C. THE ROLE OF THE “GAZA HUMANITARIAN FOUNDATION”

47. Israel claims that, on 28 May 2025 it “further facilitated” the delivery of food to the Palestinian civilian population in the Gaza Strip through “distribution centers operated by the GHF”, which “distributes food packages directly to households.” Citing, as the only source, the GHF’s “regular updates”, Israel claims to have distributed “more than two million packages, which according to the GHF, are equivalent to 150 million meals.”⁸⁷

48. Even on Israel’s numbers, which have not been verified by an independent or otherwise reliable source, the inadequacy of the quantity of food it claims to have “facilitated” to the Gaza Strip is glaring. 150 million meals for 2.1 million people (the population of the Gaza Strip) over 97 days (from 28 May to 22 August) equals less than three-quarters of a meal per person per day. Moreover, none of these “meals” have been delivered “directly to households”,⁸⁸ as Israel asserts. To the contrary, tens of thousands of desperately hungry Palestinian civilians, including children, from across the Gaza Strip are required to trek to one of the GHF’s four militarized distribution sites – all deliberately located in southern Gaza and all heavily guarded by Israeli occupation forces - to obtain a package, if they are fortunate enough to receive one. Many are not and are forcibly turned away empty-handed. The results of this enterprise have been both chaotic and murderous, and the food that is ultimately distributed is insufficient to stave off starvation of the Palestinian population.⁸⁹

49. The Commissioner-General of UNRWA, which was largely responsible for the provision of basic services to Palestine refugee communities, including food distribution, in the Gaza Strip for decades before Israel enacted a law banning its operations,⁹⁰ has stated that the GHF and its militarized distribution sites have functioned as a “death trap” for starving

⁸⁶ Remarks on Gaza by Tom Fletcher, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, at the UN press briefing and Q&A, 22 August 2025, <https://www.unocha.org/news/un-relief-chief-says-gaza-famine-must-spur-world-urgent-action>.

⁸⁷ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 28.

⁸⁸ *Ibid.*

⁸⁹ See below, para. 52.

⁹⁰ Law to Cease UNRWA Operations and Law to Cease UNRWA Operations in the Territory of the State of Israel, adopted by the Knesset Assembly on 28 October 2024, <https://main.knesset.gov.il/EN/activity/committees/Documents/LawUNRWA.docx>. See also Letter from the Secretary-General addressed to the President of the General Assembly, 28 October 2024, A/79/558, <https://docs.un.org/en/A/79/558>.

civilians desperately seeking food to stay alive.⁹¹ For UNRWA, the so-called GHF was “not designed to address the humanitarian crisis. It is serving military and political objectives. It is cruel and it takes more lives than it saves lives.”⁹²

50. In its Humanitarian Situation Update of 21 August 2025, OCHA supplied evidence to support the UNRWA statement. According to OCHA: “since the establishment of a militarized distribution system in the Gaza Strip on 27 May 2025, and as of 18 August, at least 1,889 people – mostly men and young boys – were killed while seeking food in Gaza – 1,025 near militarized distribution sites and 864 along convoy supply routes – most of whom appear to have been killed by the Israeli military, and with no information to suggest that these people ‘were directly participating in hostilities or posed any threat’ to Israeli forces or other people.”⁹³ On 4 September 2025, OCHA raised the number to 2,146 Palestinians killed seeking aid, including 1,135 near the GHF’s distribution sites and 1,011 along the routes to these sites.⁹⁴ In addition, over 17,070 others had been wounded.⁹⁵

51. On 30 June 2025, barely one month after the Israeli-installed GHF system began operating, over 200 international NGOs issued a joint statement condemning it and insisting on a return to pre-blockade arrangements for the delivery of humanitarian assistance under the aegis of the United Nations: “Today, Palestinians in Gaza face an impossible choice: starve or risk being shot while trying desperately to reach food to feed their families. The weeks following the launch of the Israeli distribution scheme have been some of the deadliest and most violent since October 2023. In less than four weeks, more than 500 Palestinians have been killed and almost 4,000 injured just trying to access or distribute food. Israeli forces and armed groups – some reportedly operating with backing from Israeli authorities – now routinely open fire on desperate civilians risking everything just to survive.”⁹⁶ The United Nations Under-

⁹¹ UNRWA Commissioner-General, “Aid distribution has become a death trap”, 1 June 2025, <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-gaza-aid-distribution-has-become-death-trap>.

⁹² UNRWA Commissioner-General, “A constructed and deliberate mass starvation”, 25 July 2025, <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-gaza-constructed-and-deliberate-mass-starvation>.

⁹³ OCHA, Humanitarian Situation Update #315 | Gaza Strip, 21 August 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-315-gaza-strip>.

⁹⁴ OCHA, Humanitarian Situation Update #319 | Gaza Strip, 4 September 2025 <https://www.ochaopt.org/content/humanitarian-situation-update-319-gaza-strip>.

⁹⁵ *Ibid.*

⁹⁶ Joint statement by Non-Governmental Organizations, “GAZA: Starvation or gunfire – not a humanitarian response”, 30 June 2025, <https://www.oxfam.org/en/press-releases/gaza-starvation-or-gunfire-not-humanitarian-response>.

Secretary-General for Humanitarian Affairs, Tom Fletcher condemned the GHF as a “cynical sideshow. A deliberate distraction. A fig leaf for further violence and displacement.”⁹⁷

52. The IPC addressed the inadequacy of the food packages distributed at the GHF militarized sites: “our analysis of the food packages supplied by the GHF shows that their distribution plan would lead to mass starvation, even if it was able to function without the appalling levels of violence that have been reported GHF claims to have distributed over 89 million meals from four distribution sites, primarily in militarized zones along the Khan Younis-Rafah border – where less than a quarter of the population is located. However, most of the food items are not ready-to-eat and require water and fuel to cook, which is largely unavailable.”⁹⁸ As assessed by the IPC, “[t]he fact that people continue to risk being shot or caught in stampedes at distribution sites indicates the extremely desperate level of hunger that the population is experiencing.”⁹⁹

53. Although it has failed to prevent starvation, the so-called GHF effectively serves a different purpose: it acts as a magnet drawing Palestinian civilians to the south, where the four food distribution sites are located, and into the strictly confined and heavily concentrated areas where Israel has sought to forcibly displace them and ultimately, as reflected in the statements of several Israeli ministers, to coerce their displacement from the Gaza Strip.¹⁰⁰ As OCHA reported on 23 July 2025: “Since 18 March, the Israeli military has issued displacement orders for 303.2 square kilometres (83 per cent of the Gaza Strip). According to the Site Management Cluster (SMC), more than 762,500 Palestinians in Gaza were newly displaced between 18 March and 22 July With no safe place to go, many people have sought refuge in overcrowded displacement sites, makeshift shelters, damaged buildings, streets and open areas. People have been confined to ever-shrinking spaces; as of 20 July, around 88 per cent of the

⁹⁷ Tom Fletcher, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Briefing to the Security Council on the humanitarian situation and the protection of aid workers in the Gaza Strip, 13 May 2025, <https://www.unocha.org/news/un-relief-chief-calls-security-council-act-decisively-prevent-genocide-gaza>.

⁹⁸ Integrated Food Security Phase Classification (IPC), *IPC ALERT: Worst-case scenario of Famine unfolding in the Gaza Strip*, 29 July 2025, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_GazaStrip_Alert_July2025.pdf.

⁹⁹ *Ibid.*

¹⁰⁰ Explanation submitted on behalf of the Secretary-General of the United Nations in response to the request by the International Court of Justice of 13 August 2025, 27 August 2025, para. 26.

Gaza Strip is within Israeli-militarized zones or placed under displacement orders (they largely overlap) since 18 March 2025.”¹⁰¹

54. In its submission of 27 August 2025, the United Nations reported that, for the period covered by the Court’s request of 13 August 2025: “Between 7 May and 19 August 2025, the Israeli military issued about 40 displacement orders, forcing hundreds of thousands of people into overcrowded areas and restricting the United Nations’ ability to deliver urgently needed essential supplies. As of 18 August 2025, over 86 per cent of the Gaza Strip was designated as militarized or subject to displacement orders or was in areas where they overlapped – an increase from 70 per cent in May 2025. The expansion has left only a few overcrowded and poorly equipped areas available for displaced populations, severely straining essential services, including shelter health and sanitation.”¹⁰² OCHA reported on 21 August that over 1.4 million displaced Palestinians require emergency shelter and essential household items, with some unable to find any form of shelter.¹⁰³ Palestinian NGOs warn that the South of the Gaza Strip cannot absorb another wave of mass displacement, advising that “hundreds of families forcibly displaced from all across Gaza” are already “sleeping on streets and in public squares in Deir al-Balah and Al-Mawasi in Khan Younis, living in inhumane conditions and without even the bare minimum of shelter, water, or food”,¹⁰⁴ and that Israel’s plan to force residents of Gaza City into the South will “create conditions akin to mass internment camps.”¹⁰⁵

55. The ultimate objective of these mass displacements was explained by Finance Minister Smotrich in a post on X dated 28 August 2025: to ensure that “the areas of the Gaza Strip are reduced and annexed to Israel, and the gates of Gaza are opened for the emigration of Gazans.”¹⁰⁶ This, and not alleviation of the catastrophic humanitarian situation in the Gaza Strip, is what the evidence shows to be the purpose and intent of the “extraordinary measures

¹⁰¹ OCHA, Humanitarian Situation Update #307 | Gaza Strip, 23 July 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-307-gaza-strip>.

¹⁰² Explanation submitted on behalf of the Secretary-General of the United Nations in response to the request by the International Court of Justice of 13 August 2025, 27 August 2025, para. 26.

¹⁰³ OCHA, Humanitarian Situation Update #315 | Gaza Strip, 21 August 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-315-gaza-strip>.

¹⁰⁴ Al Mezan Center for Human Rights, “Al Mezan Refutes Israeli Claims of ‘Empty Areas’ in Gaza, Calls for an End to Forced Displacement”, 27 August 2025, <https://www.mezan.org/en/post/46757>.

¹⁰⁵ *Ibid.*

¹⁰⁶ 'בצלאל סמוטריץ', X, @bezaleism, 28 August 2025, <https://x.com/bezaleism/status/1961095797073735685>.

to address a challenging and unparalleled reality” of which Israel boasts in its submission of 27 August 2025.¹⁰⁷

D. DELIVERIES VIA LAND CROSSINGS

56. Israel claims that since May 2025 it has “facilitated” the entry of “over 200,000 tons of aid through the various land crossings”¹⁰⁸ and that, as a result, “aid has entered the Gaza Strip in massive quantities through four passageways.”¹⁰⁹ It identifies these as the “Kerem Shalom Crossing, the Erez West (Zikim) Crossing, ‘Gate 96’ and ‘Gate 147’.”¹¹⁰ These are the only points of entry designated by Israel for humanitarian assistance to be brought into the Gaza Strip by the United Nations, non-governmental organizations and third States. The evidence supplied by these entities shows that Israel has obstructed their deliveries of humanitarian assistance to the Palestinian civilian population in the Gaza Strip via these land crossings more than it has “facilitated” them.

57. The World Food Programme, for example, reported on 10 June 2025 that: “Since the limited resumption of humanitarian assistance on 19 May, WFP has only been able to bring in small amounts of life-saving food and aid As of 10 June – almost three weeks after limited supplies were allowed to enter Gaza, WFP has transported over 700 trucks of aid to the Kerem Shalom border crossing point. This compares to 600-700 trucks of aid transported per day during the ceasefire earlier this year.”¹¹¹

58. As OCHA reported on 11 June 2025: “Since 19 May, after almost 80 days of a full blockade on the entry of aid and any other supplies into Gaza, the Israeli authorities have allowed only a select number of UN agencies and international non-governmental organizations (NGOs) to resume the delivery of aid into Gaza and have authorized the entry of only very limited amounts of certain food items, nutrition supplies, some health supplies, and water purification items. The entry of other aid supplies, such as shelter materials, hygiene products, and medical equipment remains blocked, and so is the entry of cargo through the Egypt and West Bank routes. Both sides of Kerem Shalom crossing are tightly controlled by

¹⁰⁷ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 9.

¹⁰⁸ *Ibid.* para. 16(i).

¹⁰⁹ *Ibid.* para. 27.

¹¹⁰ *Ibid.* fn. 38.

¹¹¹ WFP, Statement on WFP aid operations in Gaza, 10 June 2025, <https://www.wfp.org/news/statement-wfp-aid-operations-gaza>.

the Israeli authorities, and the UN has not been permitted to deploy monitors at the site, significantly limiting visibility over the aid pipeline.”¹¹²

59. The OCHA report continued: “Overall, limited access, long delays in movement approvals (sometimes up to 36 hours and beyond), constantly shifting, insecure convoy routes, intensified military operations, and a breakdown of public order and safety with a very high risk of looting continue to severely constrain operations to collect aid from Kerem Shalom crossing and are placing humanitarian staff, drivers and trucks at significant risk. Collections are frequently cancelled, re-routed, or significantly delayed, aid deliveries have become largely unsafe, unpredictable and inefficient”¹¹³

60. On 16 July 2025, UNICEF reported that: “after almost 11 weeks of a complete aid blockade, authorities have permitted a trickle of UN supplies to enter the Gaza Strip beginning in mid-May. It is nowhere near enough. Between May 19th and July 2nd, authorities allowed an average of 30 UN trucks per day to offload aid at designated crossings.”¹¹⁴ This compares to over 600 UN trucks per day to meet humanitarian requirements in the Gaza Strip during the ceasefire between 19 January 2025 and 29 February 2025, according to Israel’s own figures (“25,200 trucks carrying essential supplies” over 41 days averages 614.6 trucks per day).¹¹⁵

61. On 25 July 2025, the Commissioner-General of UNRWA observed that, “Israel controls all aspects of humanitarian access, whether outside or within Gaza....When bureaucratic and political hurdles are lifted, the humanitarian community has demonstrated that it can deliver assistance at scale, in a dignified way, without diversion. During the ceasefire earlier this year, we succeeded to reverse the deepening hunger. Today, UNRWA alone has the equivalent of 6,000 trucks of food and medical assistance stuck in Egypt and Jordan. The unfolding famine can be reversed only by a political will.”¹¹⁶

¹¹² OCHA, Humanitarian Situation Update #296 / Gaza Strip, 11 June 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-296-gaza-strip>.

¹¹³ *Ibid.*

¹¹⁴ Remarks by Catherine Russell, UNICEF Executive Director, on the humanitarian situation for children in Gaza at the UN Security Council meeting, 16 July 2025, <https://www.unicef.org/press-releases/unicef-executive-director-catherine-russells-remarks-humanitarian-situation-children>.

¹¹⁵ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 26.

¹¹⁶ UNRWA Commissioner-General, Philippe Lazzarini, “A constructed and deliberate mass starvation”, 25 July 2025, <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-gaza-constructed-and-deliberate-mass-starvation>.

62. In August 2025, the IPC’s Famine Review Committee also reported on the inadequacy of food deliveries through Israel’s designated land crossings: “Humanitarian access to affected populations inside the Gaza Strip is limited to four border crossings (Karem Shalom, Kissufim, Gate 96 and Erez West) as Erez and Rafah crossings are fully closed. No access by sea is permitted and air access is limited to airdrops, not permissible for helicopters or other air assets. Each land crossing is now located a significant distance from areas not under evacuation order or militarized zones. The expansion of these zones places humanitarian convoys farther from populations and increases risks from looting and insecurity due to the prolonged time in active conflict settings and the limited routes available to use.”¹¹⁷

E. AIRDROPS

63. Israel asserts that “essential supplies have also been provided to the civilian population of the Gaza Strip directly via airdrops” including “approximately 540 tons of food” supplied by third States since 26 July 2025.¹¹⁸ The evidence from authoritative United Nations sources demonstrates that, notwithstanding the goodwill of the participating third States, this has not been an effective means of supplying food to the Palestinian civilian population, and certainly not in the quantity required to prevent famine and mass starvation.

64. On 26 July 2025, the Commissioner-General of UNRWA explained why airdrops were not an effective means of addressing the humanitarian needs of the civilian population in the Gaza Strip: “airdrops will not reverse the deepening starvation. They are expensive, inefficient and can even kill starving civilians Driving aid through is much easier, effective, faster, cheaper and safer. It’s more dignified for the people of Gaza. Finally, airdrops will not prevent aid diversion, principled humanitarian assistance will.”¹¹⁹

65. Israel does not explain why, if it is willing to allow concerned third States to provide limited, if ultimately ineffective, humanitarian aid by airdrops, it has refused them permission to provide larger and more impactful amounts of aid by land, and it keeps thousands of trucks

¹¹⁷ Integrated Food Security Phase Classification (IPC), Famine Review Committee: Gaza Strip, 22 August 2025, p. 8, https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_Aug2025.pdf.

¹¹⁸ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, paras. 43-44.

¹¹⁹ UNRWA Commissioner-General, Philippe Lazzarini, “Airdrops will not reverse the deepening starvation”, 26 July 2025, <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-gaza-airdrops-will-not-reverse-deepening>.

filled with food stalled in Egypt and Jordan, while also continuing to obstruct the access of humanitarian and medical personnel urgently needed to assist the population.

F. “TACTICAL PAUSES”

66. Israel claims that: “To enhance the provision of humanitarian supplies to the civilian population, the IDF has, since 27 July 2025, implemented long daily humanitarian tactical pauses in fighting throughout the Gaza Strip.”¹²⁰ This is a gross exaggeration, unsupported by anything other than an announcement that there would be such “pauses” by Prime Minister Netanyahu on 28 July. Israel has introduced no evidence of their length, frequency or effects on the provision of humanitarian supplies to the Palestinian civilian population. The evidence provided by United Nations agencies shows that their effects have been no more than marginal. As explained by OCHA on 10 August 2025 that, although “recent military ‘tactical pauses’ have enabled some positive changes in humanitarian operations ... [o]ur teams on the ground caution us that despite these developments, meaningful change for the population remains elusive, as humanitarian conditions remain largely unchanged.”¹²¹ In particular: “Crossing arrangements have remained inadequate. Humanitarian missions, though less frequently denied outright, can still take over 18 hours, with teams stranded on dangerous roads. Extreme desperation is driving people to take the humanitarian aid in transit – but this need not be the case. We’ve seen that when assistance is rapidly and significantly scaled up, incidents of looting and insecurity decline, and trust begins to be rebuilt. The United Nations has the plan and the systems in place to respond. We’ve said this before, and we will say it again and again: let us work.”¹²²

67. In any event, Israel’s “tactical pauses” have been short-lived. On 29 August 2025, after Israel’s security cabinet approved a plan to expand its military assault and take control of Gaza City, the Israeli armed forces posted on X: “In accordance with the situational assessment & directives of the political echelon, starting today at 10:00, the local tactical pause in military activity will not apply to the area of Gaza City, which constitutes a dangerous combat zone.”¹²³

¹²⁰ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 29.

¹²¹ Briefing to the Security Council on Gaza by Ramesh Rajasingham, OCHA Director of Coordination, on behalf of Tom Fletcher, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, 10 August 2025, <https://www.unocha.org/news/ocha-urges-security-council-summon-courage-end-inhumanity-gaza>.

¹²² *Ibid.*

¹²³ Israel Defense Forces, X, @IDF, 29 August 2025, <https://x.com/IDF/status/1961346516141953495>.

This was seven days after the IPC declared that Gaza Governate, in which Gaza City is located, was suffering from famine.

G. MEDICAL EQUIPMENT

68. Israel, citing only to COGAT, claims to have “facilitated” into the Gaza Strip the delivery “more than 2,700 tons of medical equipment needed for the operation of the various medical facilities”, including 18 permanent facilities and 12 field hospitals.¹²⁴ There is a cruel irony in this assertion, given that, as UN agencies and NGOs have regularly reported, Israeli military forces have targeted and destroyed hospitals, clinics and other medical facilities in the Gaza Strip, bringing death to more than 1,580 physicians, nurses, medical aides and emergency responders.¹²⁵ According to the Under Secretary-General for Humanitarian Affairs, reporting on 16 July 2025: “The health system is shattered. Only 17 of 36 hospitals and 63 of 170 primary healthcare centres are functioning, all only partially, even as mass casualties arrive daily. In some hospitals, five babies share one incubator. Seventy per cent of essential medicines are out of stock. Half of all medical equipment has been damaged. Pregnant women give birth without medical care.”¹²⁶

69. UNICEF reported on the same date that the hospitals still functioning were “overwhelmed”, and “facing severe shortages of essential medicine and fuel, disrupting critical care and leaving some operating rooms in the dark.”¹²⁷ On 21 July 2025, OCHA’s Director for the OPT warned that: “Hospitals lack essential supplies & are collapsing under relentless waves of casualties. There isn’t enough fuel for critical services.”¹²⁸ As recently as 10 August 2025, OCHA reported that: “The humanitarian system has effectively collapsed. Hospitals are not protected, doctors have been killed or detained, and facilities are working without sufficient medical supplies.”¹²⁹

¹²⁴ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 16.

¹²⁵ OHCHR, “Killing of medical professionals in Gaza”, 16 July 2025, <https://www.un.org/unispal/document/ohchr-press-release-16jul25/>.

¹²⁶ Briefing to the Security-Council by Tom Fletcher, Under-Secretary General for Humanitarian Affairs and Emergency Relief Coordinator, 16 July 2025, <https://www.ochaopt.org/content/security-council-briefing-tom-fletcher-under-secretary-general-humanitarian-affairs-middle-east>.

¹²⁷ Remarks by Catherine Russell, UNICEF Executive Director, on the humanitarian situation for children in Gaza at the UN Security Council meeting, 16 July 2025, <https://www.unicef.org/press-releases/unicef-executive-director-catherine-russells-remarks-humanitarian-situation-children>.

¹²⁸ Jonathan Whittall, X, @_jwhittall, 21 July 2025, https://x.com/_jwhittall/status/1947405012541575478.

¹²⁹ Briefing to the Security Council on Gaza by Ramesh Rajasingham, OCHA Director of Coordination, on behalf of Tom Fletcher, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator,

70. In fact, in addition to those killed, over 300 medical professionals from the Gaza Strip have been detained by Israel since October 2023.¹³⁰ The case of Dr. Abu Selmia, the Director of al-Shifa hospital, is illustrative of their treatment in Israel's detention centers. Released without charge after seven months in detention, he described being subjected to "clubbing, being beaten with rifle butts and being attacked by dogs" to such an extent that he "couldn't use [his] legs or walk",¹³¹ reporting that there was little to no food, no personal hygiene, no soap inside the cells, no water, no toilet, no toilet paper."¹³² Dr Hussam Abu Safiya, the director of the Kamal Adwan hospital in northern Gaza, has been detained by Israel since being abducted from Kamal Adwan hospital in December 2024. His lawyer reports that he has lost a third of his body weight due to food deprivation, and that he has been beaten and tortured. She confirms that Dr Abu Safiya, like other detainees, "can't shower, their clothes aren't replaced, not even underwear", that "[s]cabies is rampant, skin diseases are widespread and the most basic medical attention is only given when they see you're on the verge of death."¹³³

71. Among those Palestinian physicians who have died in Israeli detention are Dr. Adnan Al Bursh, head of the orthopaedic department at of Al Shifa Hospital and Dr. Iyad Al Rantisi, consultant obstetrician and gynaecologist at Kamal Adwan hospital.¹³⁴ Former detainees report that Dr Al Rantisi was subjected to severe sexual violence in the hours before his death. Their bodies have not yet been returned to their families. Nor has that of Palestinian child, Walid Khalid Abdullah Ahmad (17 years old), detained without charge for six months, who collapsed and died in the prison yard of Megiddo prison in Northern Israel on 22 March 2025. The autopsy report into his death concluded that he suffered from "extreme, likely prolonged

10 August 2025, <https://www.unocha.org/news/ocha-urges-security-council-summon-courage-end-inhumanity-gaza>.

¹³⁰ "Rising number of doctors among hundreds of medical staff detained in Gaza, say rights groups", *The Guardian*, 26 July 2025, <https://www.theguardian.com/global-development/2025/jul/26/rising-number-of-doctors-among-hundreds-of-medical-staff-detained-in-gaza-say-rights-groups>. See also "They forced me to stand for hours in the cold, arms raised and shackled': eight Gaza doctors on their Israeli prison ordeal", *The Guardian*, 26 February 2025, <https://www.theguardian.com/global-development/2025/feb/26/testimony-of-gaza-doctors-israel-prison>.

¹³¹ "More than 160 Gazan medics held in Israeli prisons amid reports of torture", *The Guardian*, 25 February 2025, <https://www.theguardian.com/global-development/2025/feb/25/more-than-160-gazan-medics-held-in-israeli-prisons-amid-reports-of-torture>.

¹³² *Ibid.*

¹³³ "Gazan doctor being held in 'inhumane' conditions in Israeli jail, says lawyer", *Sky News*, 22 July 2025, <https://news.sky.com/story/gazan-doctor-being-held-in-inhumane-conditions-in-israeli-jail-says-lawyer-13399671>.

¹³⁴ OHCHR, "Statement on the killing and arbitrary detention of health workers in Gaza", 25 June 2025, <https://reliefweb.int/report/occupied-palestinian-territory/un-human-rights-office-opt-statement-killing-and-arbitrary-detention-health-workers-gaza>.

malnutrition”.¹³⁵ He reportedly suffered from “extreme body muscle and fat wasting”, had “scabies rashes on both legs and his groin”, “abrasions on his nose, chest, and right hip”, and “significant air collections in both his chest and abdominal cavities likely caused by blunt trauma”, reflective of severe physical abuse.¹³⁶

72. Israel’s submission of 27 August 2025 is notably silent about the entry of medicines (as distinguished from medical equipment) into the Gaza Strip. It makes no claim to have “facilitated” the entry of medicines, including critically needed and life-saving medicines, because its ban on their entry continued after May 2025. On 24 June 2025, OCHA warned of the “extremely limited availability of medicines and medical supplies across health partners’ warehouses, with most essential items at zero stock. Rotavirus vaccine and diphtheria, tetanus, and pertussis (whooping cough) vaccine are currently out of stock at central cold chain facilities, while stocks of the bivalent oral polio vaccine (bOPV) for children are running out.”¹³⁷

73. On 13 August 2025, OCHA further described the consequences of the “inability to bring in lifesaving medicines and medical supplies” due to Israel’s ongoing blockade of these essential items.¹³⁸ “This has left health facilities currently managed by UNRWA across the Gaza Strip – including four primary health-care centres, two temporary clinics and many medical points (21 as of 10 August) – with dwindling stocks to provide the needed care and treatment for tens of thousands of patients. At present, 59 per cent of essential medicines (56 out of 95 items) are out of stock at these health facilities, including antihypertensive drugs, oral antibiotics for adults, antiparasitic products, and iron supplements for children, while 12 per cent (11 items) are only available to cover one month of needs.”¹³⁹

74. On 15 August 2025, UNRWA reported again on the “devastating consequences” of the shortages of medicines and medical supplies in the Gaza Strip: “Shortages of medicines, fuel and basic infection control materials are having devastating consequences for patient care.

¹³⁵ DCI-Palestine, “17-year-old Palestinian child prisoner starved to death by Israeli prison guards”, 3 April 2025, https://www.dci-palestine.org/17_year_old_palestinian_child_prisoner_starved_to_death_by_israeli_prison_guard.

¹³⁶ *Ibid.*

¹³⁷ OCHA, Gaza Humanitarian Response Update | 8-21 June 2025, 24 June 2024, <https://www.ochaopt.org/content/gaza-humanitarian-response-update-8-21-june-2025>.

¹³⁸ OCHA, Humanitarian Situation Update #313 | Gaza Strip, 13 August 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-313-gaza-strip>.

¹³⁹ *Ibid.*

Non-Communicable Diseases (NCD) patients, including those with diabetes, hypertension and heart disease, are increasingly unable to access their prescribed treatment due to depleted stocks, which will have serious repercussions on their health.”¹⁴⁰ UNRWA warned that: “without adequate medical supplies, primary healthcare response is undermined, leaving thousands of chronic disease patients and those suffering from communicable illnesses without life-saving support and heightening the risk of a large-scale public health crisis.”¹⁴¹

75. There is no independently sourced evidence to substantiate Israel’s claim to have “facilitated” the delivery of medical supplies to medical facilities in the Gaza Strip. Even if, *quod non*, such evidence existed, whatever deliveries Israel “facilitated” were no more than a drop in the bucket, and, after banning medicines and medical equipment for the Gaza Strip for more than six months, they did nothing to relieve the humanitarian crisis caused by Israel’s deliberate denial of urgently-needed medicines and medical equipment to treat the thousands of Palestinian civilians who desperately needed them and by Israel’s decimation of the healthcare system in the Gaza Strip.

H. WATER

76. Israel claims to have “facilitated” the entry into Gaza through the various land crossings of “over 460 tons of water, in addition to two pipelines supplying water directly from Israel.”¹⁴² Even if true, this comes nowhere close to meeting the basic needs of the Palestinian civilian population. The evidence supplied by United Nations agencies highlights the Israeli military’s widespread destruction of water facilities and wells, the mass displacement of the population to places far removed from customary water sources and without adequate access to new sources, restrictions on the delivery of water to the Gaza Strip, and the catastrophic water shortage that has resulted.

77. The water crisis in the Gaza Strip was described by UNICEF on 20 June 2025: “Whilst alarm bells rightly ring on the nutrition situation in Gaza – just yesterday UNICEF reported a 50 per cent increase in children (6 months to 5yrs) admitted for treatment of acute

¹⁴⁰ UNRWA, UNRWA Situation Report #184 on the Humanitarian Crisis in the Gaza Strip and the West Bank, 15 August 2025, <https://www.unrwa.org/resources/reports/unrwa-situation-report-184-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

¹⁴¹ *Ibid.*

¹⁴² Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para.16.

malnutrition from April to May – water cannot be sidelined. And so in the most relatable terms: Gaza is facing what would amount to a man-made drought. Water systems are collapsing. However, because this is man-made, it can be stopped. None of these problems are logistical or technical. They are political. Denial has become policy. If there is political will, the water crisis will be eased overnight – fuel would mean that water flows from hundreds of groundwater wells and restores supply within a day. But time is running out.”¹⁴³

78. A similar message was delivered by OCHA’s Director for the OPT: “There is not enough water to drink in Gaza. Water wells have run out of fuel or are in areas that are dangerous to reach. Broken pipes waste what little water remains. Children are queuing for water trucks that often don’t arrive. Sanitation is worsening and diseases are spreading. Sewerage is overflowing in the streets.”¹⁴⁴

I. FUEL

79. Israel asserts that, at the beginning of July 2025 “in coordination with the UN” it “facilitated” the entry of fuel into the Gaza Strip “for humanitarian purposes”, and that, as of 22 August 2025, “120 tankers of fuel” had been delivered.¹⁴⁵ This is an admission that there were no fuel deliveries between 2 March 2025, when they were banned by Israel, and early July 2025, that is, for four full months. United Nations agencies, with which Israel coordinated the fuel deliveries that began in July, have described them as far too little and far too late to avert a humanitarian disaster, including the shutdown of hospitals, bakeries, communal kitchens and water and sanitation facilities that ran out of fuel needed to continue operating.

80. On 12 July 2025, nine United Nations agencies warned that “the fuel shortage in Gaza has reached critical levels.”¹⁴⁶ A statement issued by OCHA, OHCHR, UNDP, UNFPA, UNICEF, UNOPS, UNRWA, WFP and WHO declared that: “The United Nations agencies and

¹⁴³ Remarks by James Elder, UNICEF Spokesperson at a press briefing at the Palais des Nations in Geneva, “Gaza’s taps running dry: Fuel crisis deepens daily struggle for families”, 20 June 2025, <https://www.unicef.org/press-releases/gazas-taps-running-dry-fuel-crisis-deepens-daily-struggle-families>.

¹⁴⁴ Briefing by Jonathan Whittall, Head of OCHA OPT, to journalists in Deir al Balah, Gaza Strip, 22 June 2025, <https://www.ochaopt.org/content/briefing-jonathan-whittall-head-ocha-opt-journalists-deir-al-balah-gaza-strip>.

¹⁴⁵ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, paras. 16 and 32.

¹⁴⁶ Joint statement by OCHA, OHCHR, UNDP, UNFPA, UNICEF, UNOPS, UNRWA, WFP and WHO on fuel shortage in Gaza, 12 July 2025, <https://www.unrwa.org/newsroom/official-statements/joint-statement-ocha-ohchr-undp-unfpa-unicef-unops-unrwa-wfp-and-who>.

humanitarian partners cannot overstate the urgency of this moment: fuel must be allowed into Gaza in sufficient quantities and consistently to sustain life-saving operations.”¹⁴⁷ The statement explained: “Fuel is the backbone of survival in Gaza. It powers hospitals, water systems, sanitation networks, ambulances, and every aspect of humanitarian operations. Fuel supplies are needed to move the fleet used for transporting essential goods across the Strip and to operate a network of bakeries producing fresh bread for the affected population. Without fuel, these lifelines will vanish for 2.1 million people Without adequate fuel, Gaza faces a collapse of humanitarian efforts. Hospitals are already going dark, maternity, neonatal and intensive care units are failing, and ambulances can no longer move.”¹⁴⁸

81. When Israel finally began to “facilitate” fuel deliveries to the Gaza Strip, on 9 July 2025, the amounts were too small to address the critical fuel shortage. As OCHA reported on 16 July: “Since 9 July 2025, following 130 days of a full blockade on the entry of fuel, Israeli authorities have allowed the entry of two trucks of fuel per day, five days a week, through Kerem Shalom crossing. This amount is a fraction of what is required to run essential life-saving services in Gaza, where every aspect of life depends on fuel, from hospitals to water and sanitation systems, ambulances, humanitarian operations, telecommunications, bakeries and kitchens, and road transport.”¹⁴⁹

82. On 24 July 2025, the Executive Director of UNOPS reported: “We are not just seeing massive starvation, we are also seeing other consequences due to the lack of fuel. Fuel is now the backbone of survival. And the amounts of fuel that we are being allowed to bring are quite small compared with the needs. Let’s put the figures on the table. Before the war, we were used to bringing one million litres of fuel to Gaza. During the ceasefire, we brought even more than one million. Now, we are being allowed only to provide 70,000 litres a day when the needs are on the order of 300,000 just for humanitarian needs. So you can see that we are bringing just one quarter or one fifth of what is needed.”¹⁵⁰

¹⁴⁷ *Ibid.*

¹⁴⁸ *Ibid.*

¹⁴⁹ OCHA, Humanitarian Situation Update #306 | Gaza Strip, 16 July 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-306-gaza-strip>.

¹⁵⁰ “Lives are on the line”, says UNOPS Chief, *BBC*, 24 July 2025, (0:04-2:12), <https://x.com/UNOPS/status/1948402470079922249>.

83. Moreover, in August 2025, *Médecins Sans Frontières* reported that “Israel’s refusal to allow in fuel and equipment to repair damaged water pipes and desalination plants is making it impossible for people to get enough water, leading to deadly medical consequences.”¹⁵¹

J. SHELTER ITEMS

84. Israel also asserts that it “facilitated” the “provision of over 5,500 tons of shelter materials” to the Gaza Strip, again relying solely on figures provided by COGAT.¹⁵² In fact, the evidence supplied by United Nations entities demonstrates that Israel’s complete ban on the delivery of tents and other “shelter materials” to the Palestinian civilian population - hundreds of thousands of whom have been forcibly displaced to designated areas without any shelter provided for them - extended from 2 March 2025 well into August 2025. Since then, the “shelter materials” that Israel has allowed into the Gaza Strip have fallen drastically short of the civilian population’s minimum requirements as a result of Israel’s destruction or damage of over 90 percent of Palestinian homes and residential buildings since October 2023,¹⁵³ and forced displacement of Palestinian civilians from one place to another across the Gaza Strip.¹⁵⁴

85. On 6 August 2025, OCHA reported: “While more than one million shelter items, including tents, tarps and sealing-off materials, and 2.3 million non-food items (NFIs) have been procured and are now stranded in Jordan and Egypt, Israeli authorities have not allowed the entry of any shelter materials since 2 March 2025 and previous shelter stocks have been fully depleted. As a result, the shelter crisis in Gaza continues to deteriorate, with most families living in severely overcrowded, unsafe, and undignified conditions and some living without any form of shelter.”¹⁵⁵

86. This was confirmed by UNRWA on 15 August 2025: “With shelter supplies banned from entering Gaza for over five months now, tents are deteriorating and unsuitable for summer and the scorching heat as most of the shelters have been used for six months to a year and are

¹⁵¹ MSF, “Israel is intentionally depriving Palestinians of water”, 21 August 2025, <https://www.doctorswithoutborders.org/latest/israel-intentionally-depriving-palestinians-water>.

¹⁵² Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 16(vii).

¹⁵³ MSF, “Destruction of homes leaves Palestinians unable to safely return to Rafah”, 28 January 2025, <https://www.doctorswithoutborders.org/latest/destruction-homes-leaves-palestinians-unable-safely-return-rafah>.

¹⁵⁴ International Rescue Committee, “Crisis in Gaza what to know and how to help”, 26 June 2025, <https://www.rescue.org/crisis-in-gaza>.

¹⁵⁵ OCHA, Humanitarian Situation Update #311 | Gaza Strip, 6 August 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-311-gaza-strip>.

worn out due to prolonged sun exposure and frequent displacement, as reported by the Site management cluster.”¹⁵⁶

87. It was not until 18 August 2025, five days after the Court’s request of 13 August 2025, that Israel first began to allow tents and other shelter items to be delivered to the Gaza Strip by some humanitarian organizations. Although the Humanitarian Country Team called the lifting of the ban a “welcome development”, it was nevertheless “deeply troubling” that: “it comes in connection with a looming offensive. Since early March, no shelter materials – including tents, tarpaulins and mattresses – have been permitted entry, and more than 780,000 new displacements have taken place. Existing shelters have deteriorated or been left behind amid repeated displacement orders, making the need for new shelter beyond urgent.”¹⁵⁷

K. “RECOGNITION” OF ISRAEL’S EFFORTS BY THIRD STATES

88. Israel claims that its “efforts and the recent improvements to the humanitarian situation in Gaza have been recognized by others, including Germany (on 10 July 2025),¹⁵⁸ the European Union (also on 10 July),¹⁵⁹ and the Ambassador of the United States to Israel (on 8 August).¹⁶⁰ Notable from these same “recognitions” – but omitted from Israel’s 27 August 2025 submission - are the German Foreign Minister’s insistence that “Humanitarian organizations must now be granted unrestricted access to people in Gaza”,¹⁶¹ which Israel has not done; and the EU Press Office’s declaration that “aid at scale must be delivered directly to the population”,¹⁶² which Israel has not allowed.

89. Even more notable are the subsequent statements made by Germany, the European Union and the President of the United States. On 31 July 2025, the German Foreign Office posted this on X: “We must find a way out of the current dramatic situation in Gaza. The

¹⁵⁶ UNRWA, UNRWA Situation Report #184 on the Humanitarian Crisis in the Gaza Strip and the West Bank, including East Jerusalem, 15 August 2025, <https://www.unrwa.org/resources/reports/unrwa-situation-report-184-situation-gaza-strip-and-west-bank-including-east-jerusalem>.

¹⁵⁷ “UN and NGOs warn of humanitarian impact of intensified Gaza city offensive and further mass displacement”, 18 August 2025, <https://www.ochaopt.org/content/un-and-ngos-warn-humanitarian-impact-intensified-gaza-city-offensive-and-further-mass-displacement>.

¹⁵⁸ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 18.

¹⁵⁹ *Ibid.*

¹⁶⁰ *Ibid.*

¹⁶¹ German Foreign Office, X, @GermanyDiplo, 10 July 2025, <https://x.com/GermanyDiplo/status/1943370182585463175>.

¹⁶² European Union External Action, Israel/Palestine: Statement by the High Representative/Vice President Kaja Kallas, 10 July 2025, https://www.eeas.europa.eu/eeas/israelpalestine-statement-high-representativevice-president-kaja-kallas_en.

humanitarian catastrophe there is beyond imagining. People are starving every day. We need to improve the situation in Gaza fundamentally.”¹⁶³ On 24 July 2025, the European Union’s Commissioner for Humanitarian Aid and Crisis Management posted: “Gaza’s hunger crisis has reached catastrophic levels. More & more people are facing starvation. This man-made famine must end. A permanent ceasefire is urgently needed. All crossings must be opened, Israeli restrictions lifted, & the UN-led humanitarian response restored now.”¹⁶⁴ And, on 28 July 2025, U.S. President Donald Trump, following a meeting with Prime Minister Netanyahu in Washington, acknowledged that there was starvation in the Gaza Strip: “That’s real starvation stuff. I see it. And you can’t fake that, so we’re going to be even more involved.”¹⁶⁵

90. In taking account of the statements by third States on Israel’s “efforts” in regard to the humanitarian situation in the Gaza Strip, particular attention should be given to the joint statement of 9 August 2025 by the Foreign Minister of Germany and the High Representative of the European Union - as well as the Foreign Ministers of Australia, Austria, Canada, France, Italy, New Zealand, Norway, the United Kingdom - in which the signatories recognized that: “the worst-case scenario of a famine is unfolding in Gaza”,¹⁶⁶ and affirmed that the “The humanitarian situation in Gaza remains catastrophic.”¹⁶⁷ The statement further called “on the Government of Israel to urgently find solutions to amend its recent registration system of international humanitarian organisations, to ensure these vital actors of humanitarian aid can continue their essential work again in line with humanitarian principles to reach the civilians in need in Gaza. Their exclusion would be an egregious signal.”¹⁶⁸

91. On the same date, representatives of 23 States and two international organizations signed a similar statement in Cairo at the Joint Arab-Islamic Extraordinary Summit on Gaza. The signatories were Saudi Arabia, Bahrain, Egypt, Indonesia, Jordan, Nigeria, Palestine, Qatar, Türkiye, Bangladesh, Chad, Djibouti, The Gambia, Kuwait, Libya, Malaysia, Mauritania, Oman, Pakistan, Somalia, Sudan, United Arab Emirates, Yemen, the League of

¹⁶³ German Foreign Office, X, @GermanyDiplo, 31 July 2025, <https://x.com/GermanyDiplo/status/1951007712566976534>.

¹⁶⁴ Hadja Lahbib, X, @hadjalahbib, 24 July 2025, <https://x.com/hadjalahbib/status/1948475707845153171>.

¹⁶⁵ “Trump acknowledges ‘real starvation’ in Gaza, urging Israel to let food in”, *NPR News*, 28 July 2025, <https://www.npr.org/2025/07/28/nx-s1-5482789/trump-acknowledges-real-starvation-in-gaza-urging-israel-to-let-food-in>.

¹⁶⁶ Joint Statement on Gaza, Foreign Ministers of Australia, Austria, Canada, France, Germany, Italy, New Zealand, Norway, the United Kingdom, and the High Representative of the European Union, 9 August 2025, <https://www.auswaertiges-amt.de/en/newsroom/news/2729822-2729822>.

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*

Arab States and the Organization of Islamic Cooperation.¹⁶⁹ The signatories declared “course of action by Israel constitutes a continuation of its grave violations, including killing and starvation, attempts at forced displacement and annexation of Palestinian land, settler terrorism, which are crimes that may amount to crimes against humanity.”¹⁷⁰ The signatories called for: “The immediate and comprehensive cessation of the Israeli aggression against the Gaza Strip, and an end to the ongoing violations committed by the occupying forces against civilians and civilian infrastructure in the Gaza Strip, the West Bank, and East Jerusalem.”¹⁷¹ And they “demand[ed] that Israel, as the occupying power, immediately and unconditionally allow the entry of humanitarian assistance at scale into the Gaza Strip — including food, medicine, and fuel — and ensure the freedom of operation of relief agencies and international humanitarian organizations, in accordance with international humanitarian law and its applicable principles.”¹⁷²

92. On 11 August, a Joint Statement was issued by 28 aid partners on Gaza, and signed by the Foreign Ministers of Andorra, Australia, Belgium, Canada, Cyprus, Denmark, Estonia, Finland, France, Greece, Iceland, Ireland, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom. It called urgent attention to the fact that: “The humanitarian suffering in Gaza has reached unimaginable levels. Famine is unfolding before our eyes. Urgent action is needed now to halt and reverse starvation.”¹⁷³ The signatories warned that: “due to restrictive new registration requirements, essential international NGOs may be forced to leave the OPT imminently which would worsen the humanitarian situation still further.”¹⁷⁴ They called on “the government of Israel to provide authorisation for all international NGO aid shipments and to unblock essential humanitarian actors from operating. Immediate, permanent and concrete steps must be taken to facilitate safe, large-scale access for the UN, international NGOs and humanitarian partners. All crossings and routes must be used to allow a flood of aid into Gaza, including food, nutrition supplies, shelter, fuel, clean water,

¹⁶⁹ Joint Statement by the Ministerial Committee Assigned by the Joint Arab-Islamic Extraordinary Summit on Gaza, 9 August 2025, <https://x.com/KSAmofaEN/status/1954132157548339402>.

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*

¹⁷² *Ibid.*

¹⁷³ Joint statement on behalf of 27 partners on aid to Gaza and restrictions facing NGOs, 11 August 2025, https://ec.europa.eu/commission/presscorner/detail/en/statement_25_1959.

¹⁷⁴ *Ibid.*

medicine and medical equipment. Lethal force must not be used at distribution sites, and civilians, humanitarians and medical workers must be protected.”¹⁷⁵

93. In the face of these demands by more than 50 States, it is remarkable that Israel would dare to claim that its “recent improvements to the humanitarian situation in Gaza have been recognized by others.”¹⁷⁶

L. ISRAEL’S RELATIONSHIP WITH THE UNITED NATIONS

94. Israel describes a complicated relationship with the United Nations. On the one hand, it extolls its own efforts to cooperate with the UN, asserting that COGAT has been meeting regularly to coordinate activities with UNICEF, UNOPS, WHO, WFP and other UN agencies,¹⁷⁷ and that “the vast majority of coordination requests made to COGAT by aid organizations, including hundreds by the UN, have been approved.”¹⁷⁸ Yet, on the other hand, it faults the UN for its “reluctance to work with Israel to expand and improve various humanitarian operations”,¹⁷⁹ and it levels unsupported charges against the UN: “Remarkably, while the UN readily accepted Hamas escorts for its aid convoys, it refused similar arrangements with Israel”,¹⁸⁰ citing no source for this accusation. Israel further criticizes the UN for having “obstructed the efficient flow of nearly 950 aid trucks into the Gaza Strip”,¹⁸¹ citing only the Israeli Foreign Ministry’s social media account on X, and for having “declined to collaborate with the Gaza Humanitarian Foundation.”¹⁸² (with good reason, and to the UN’s credit, as demonstrated above at paragraphs 47-55).

95. The best source of evidence of Israel’s alleged cooperation with the United Nations, or its failure to cooperate, is the submission by the United Nations on 27 August 2025. The State of Palestine calls particular attention to sections II and VII of that submission which address Israel’s “Restrictions on movements of humanitarian organizations into and within the

¹⁷⁵ *Ibid.*

¹⁷⁶ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 18.

¹⁷⁷ *Ibid.*, para. 31.

¹⁷⁸ *Ibid.*, para. 36.

¹⁷⁹ *Ibid.*, para. 12.

¹⁸⁰ *Ibid.*

¹⁸¹ *Ibid.*

¹⁸² *Ibid.*

Gaza Strip” (section II, paragraphs 7-16), and “Other factors impeding the activities of humanitarian organizations” (section VII, paragraphs 35-40).

96. Among other significant developments reported in its submission, the United Nations calls attention (at paragraphs 36-38)¹⁸³ to the implementation of Israel’s Law to Cease UNRWA’s Operations, adopted in late 2024, and how Israel has used it to impair the Agency’s operational capacity by, *inter alia*: not allowing the entry of UNRWA’s international staff into the Occupied Palestinian Territory, including the Gaza Strip; preventing UNRWA from bringing any humanitarian aid into the Gaza Strip; and detaining members of its national staff.¹⁸⁴ As reported by the United Nations: “The whereabouts and fate of all detained UNRWA personnel remain unknown. Despite repeated requests for information and access to all of the UNRWA personnel detained by the Israeli military in the Gaza Strip, no information has been provided by the Israeli authorities regarding the circumstances of their detention, including since 7 May 2025....As at August 2025, at least 12 UNWRA personnel remain in Israeli detention.”¹⁸⁵

97. As of 3 September 2025, OCHA reported that Israel had killed at least 520 aid workers – mostly UNRWA staff –in Gaza since October 2023,¹⁸⁶ making it “the deadliest place for humanitarians.”¹⁸⁷ As stated by the Under-Secretary-General for Humanitarian Affairs: “This is more than a statistical spike It is a stain – the normalization of violence against this community. Each attack on a colleague is an attack on all of us”¹⁸⁸

M. ISRAEL’S “COORDINATION AND COOPERATION” WITH NONGOVERNMENTAL ORGANIZATIONS

98. According to Israel, “close coordination and cooperation are also conducted by Israel with various NGOs on a regular basis”, including specifically the International Committee of

¹⁸³ Explanation submitted on behalf of the Secretary-General of the United Nations in response to the request by the International Court of Justice of 13 August 2025, 27 August 2025, paras. 7-16.

¹⁸⁴ *Ibid.*, paras. 36-38.

¹⁸⁵ *Ibid.*, para. 38.

¹⁸⁶ OCHA, “Today’s top news: World Humanitarian Day, Occupied Palestinian Territory”, 19 August 2025, <https://www.unocha.org/news/todays-top-news-world-humanitarian-day-occupied-palestinian-territory>. See also Reported impact snapshot | Gaza Strip, 3 September 2025, <https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-3-september-2025>.

¹⁸⁷ *Ibid.*

¹⁸⁸ *Ibid.*

the Red Cross (ICRC) and Médecins Sans Frontières (MSF).¹⁸⁹ This assertion is contradicted by the United Nations in its submission of 27 August 2025, which addresses Israel’s lack of cooperation with the NGOs engaged in providing humanitarian assistance to the Palestinian civilian population in the Gaza Strip in the same sections (II and VII) in which it describes Israel’s obstruction of the UN’s humanitarian work in Gaza.¹⁹⁰ The State of Palestine again refers the Court to the United Nations’ discussion of these matters.

99. Since Israel has expressly identified the ICRC and MSF as organizations with which it has engaged in “close coordination and cooperation ... on a regular basis”,¹⁹¹ it is helpful to consider what those organizations have reported about Israel’s restrictions on the activities of humanitarian organizations in the Gaza Strip, including its restrictions on their delivery of humanitarian assistance to the Palestinian civilian population.

100. The ICRC’s assessment of the humanitarian situation in the Gaza Strip was expressed by its President on 25 July 2025: “Children are dying because they do not have enough to eat. Families are being forced to flee again and again in search of safety that does not exist. The ICRC has more than 350 staff on the ground in Gaza, many of whom are also struggling to find enough food and clean water. This tragedy must end now – immediately and decisively. Every political hesitation, every attempt at justification of the horrors being committed under international watch will forever be judged as a collective failure to preserve humanity in war.”¹⁹²

101. For MSF, in a statement issued on 25 July 2025: “Israeli authorities’ deliberate use of starvation as a weapon in Gaza has reached unprecedented levels, with patients and healthcare workers themselves now fighting to survive.”¹⁹³

102. On 13 August, 108 NGOs reported on Israel’s lack of cooperation with their efforts to deliver urgently needed humanitarian supplies to the civilian population in the Gaza Strip:

¹⁸⁹ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 34.

¹⁹⁰ Explanation submitted on behalf of the Secretary-General of the United Nations in response to the request by the International Court of Justice of 13 August 2025, 27 August 2025, Sections II and VI.

¹⁹¹ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 34.

¹⁹² ICRC, “Israel and the occupied territories: ICRC president calls for urgent collective action by states to end abhorrent suffering in Gaza”, 25 July 2025, <https://www.icrc.org/en/statement/israel-and-occupied-territories-icrc-president-calls-urgent-collective-action-states-end-suffering>.

¹⁹³ MSF, “MSF finds one in four young children and pregnant women malnourished at Gaza facilities”, 25 July 2025, <https://www.msf.org/msf-finds-1-4-young-children-and-pregnant-women-malnourished-gaza-facilities>.

“Instead of clearing the growing backlog of goods, Israeli authorities have rejected requests from dozens of NGOs to bring in lifesaving goods, citing that these organizations are ‘not authorized to deliver aid.’ In July alone, over 60 requests were denied under this justification. These restrictions are part of a broader strategy that includes the so-called ‘GHF’ scheme – a militarized distribution mechanism promoted as a humanitarian solution. In reality, it is a deadly tool of control, with at least 859 Palestinians killed around ‘GHF’ sites since it began operating. Both the ‘GHF’ scheme and the INGO registration process aim to block impartial aid, exclude Palestinian actors, and replace trusted humanitarian organizations with mechanisms that serve political and military objectives.”¹⁹⁴

103. Plainly, the hundreds of NGOs that have been operating in the Gaza Strip do not agree that Israel has been acting in “close coordination and cooperation” with them.

N. “ISRAEL VALUES THE WORK OF JOURNALISTS”

104. Israel cites Prime Minister Netanyahu’s statement of 25 August 2025 as evidence that “Israel values the work of journalists.”¹⁹⁵ If so, Israel has a perverse way of demonstrating it. No international news media have been allowed by Israel into the Gaza Strip for the past two years, since the genocidal war began in October 2023. Only those who were present in Gaza at the time, all of whom are Palestinians, have managed, with great difficulty, to report to the outside world on Israel’s systematic efforts to afflict the Palestinian civilian population with starvation, denial of medicines and other essential supplies, mass displacement to inhospitable and overcrowded locations far from their homes, and massive destruction of infrastructure, agriculture, public services, schools, hospitals, mosques, cultural centers, factories and farms, converting the Gaza Strip into an immense and uninhabitable pile of rubble. Many of the Palestinian journalists have paid for their coverage of Israel’s atrocities with their lives – not accidentally, nor by having the ill fortune to be in the wrong place at the wrong time, but by Israel’s deliberate targeting of journalists to silence them and keep the world from learning the scope and scale of its genocidal practices against the Palestinian people.

¹⁹⁴ Joint statement by Non- Governmental Organizations, Gaza joint statement: Israel threatens to ban major aid organisations as starvation deepens, 13 August 2025, <https://www.nrc.no/news/2025/august/gaza-israel-threatens-to-ban-major-aid-organizations-as-starvation-deepens>.

¹⁹⁵ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 30.

105. The Committee to Protect Journalists (CPJ) concluded: “Israel is engaging in the deadliest and most deliberate effort to kill and silence journalists that CPJ has ever documented. Palestinian journalists are being threatened, directly targeted, and murdered by Israeli forces, and are arbitrarily detained and tortured in retaliation for their work. Israel has systematically destroyed media infrastructure in Gaza, and tightened censorship throughout the West Bank and Israel. Inside Gaza, journalists report harassment and intimidation by Hamas. By silencing the press, Israel is silencing those who document and bear witness to what human rights groups say is a genocide. CPJ calls on the international community to: take immediate action to end the unlawful attacks on journalists; grant international media independent access to Gaza to be able to investigate and report what is happening without fear of censorship or assassination; and hold Israel to account.”¹⁹⁶

106. Notwithstanding this criticism, Israel has continued its efforts to silence and eliminate journalists in the Gaza Strip through the present. On 25 August 2025, Israel carried out a “double tap” strike on Nasser Hospital, the only partially functioning medical facility in Southern Gaza, crowded with over 1,000 patients.¹⁹⁷ The first attack killed Reuters journalist, Mustafa ‘Attiyah al-Masri, and wounded many others; nine minutes later, the second attack targeted those going to their aid, killing four other journalists, a trainee doctor, a civil defense worker and 16 other civilians.¹⁹⁸ Over 30 other Palestinians were wounded, including three medics injured alongside critically-ill patients who were being treated at the hospital.¹⁹⁹ While Israeli Prime Minister Netanyahu sought to describe the multiple strikes on the hospital as a “tragic mishap”,²⁰⁰ the Israeli military has defended the attack, claiming that it had targeted a camera at the hospital “positioned by Hamas” and had killed “six terrorists.”²⁰¹ The camera in question was live-streaming for Reuters at the time of the attack.²⁰²

¹⁹⁶ Committee to Protect Journalists, Israel-Gaza War, <https://cpj.org/full-coverage-israel-gaza-war/>.

¹⁹⁷ Al Mezan Center for Human Rights, “Israel Kills Five Journalists, a Rescuer, a Medical Student, and Patients in Nasser Hospital Massacre”, 25 August 2025, <https://www.mezan.org/en/post/46755/Israel-Kills-Five-Journalists,-a-Rescuer,-a-Medical-Student,-and-Patients-in-Nasser-Hospital-Massacre>.

¹⁹⁸ PCHR, “Compounded Crime: Naser Hospital Transformed into Killing Field as IOF Target Patients, Journalists, and Rescuers All At Once”, 25 August 2025, <https://pchrgaza.org/compounded-crime-naser-hospital-transformed-into-killing-field-as-iof-target-patients-journalists-and-rescuers-all-at-once/>.

¹⁹⁹ OCHA, Humanitarian Situation Update #317 | Gaza Strip, 28 August 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-317-gaza-strip>.

²⁰⁰ UN News, “Killing of journalists in Gaza hospital attack ‘should shock the world’: UN rights office”, 26 August 2025, <https://news.un.org/en/story/2025/08/1165719>.

²⁰¹ Israel Foreign Ministry, X, @IsraelMFA, 26 August 2025, <https://x.com/IsraelMFA/status/1960411975361466401>.

²⁰² “Gaza’s Nasser Hospital: Camera IDF Thought Used by Hamas Belonged to Reuters Reporter”, *Haaretz*, 6 September 2025, <https://www.haaretz.com/israel-news/2025-09-06/ty-article/premium/gazas-nasser->

107. According to Reporters Without Borders, in a statement issued on 1 September 2025: “At the rate journalists are being killed in Gaza by the Israeli army, there will soon be no one left to keep you informed. This isn’t just a war against Gaza, it’s a war against journalism. Journalists are being targeted, killed and defamed. Without them, who will alert us to the famine? Who will expose war crimes? Who will show us the genocides? Ten years after the unanimous adoption of United Nations Security Council Resolution 2222, the whole world is witnessing the erosion of guarantees of international law for the protection of journalists.”²⁰³

108. The evidence shows that Israel “values” journalists in the Gaza Strip – only when they are silent or dead. It tolerates no independent or objective reporting of the facts regarding the humanitarian catastrophe it has deliberately, and as a matter of policy, imposed on the Palestinian civilian population, including the ongoing denial of food and other essential items necessary for their survival.

O. “SYSTEMATIC DIVERSION OF HUMANITARIAN AID”

109. Israel contends that: “Substantial evidence exists of Hamas’s systematic diversion of humanitarian aid intended for civilians.”²⁰⁴ Yet, it provides none of that alleged evidence. Its only two external sources are an alleged internal Hamas communication dated 9 January 2025 – nearly two months before Israel prohibited the supply of food and other humanitarian assistance to the Gaza Strip on 2 March 2025 and four months before the beginning of the period for which the Court requested information; and a statement by the President of the State of Palestine, Mahmoud Abbas, on 2 May 2025. Neither document constitutes proof of a “systematic diversion of aid intended for civilians” in the Gaza Strip. President Abbas’ statement, for example, begins as follows: “The Presidency strongly condemned Israel’s ongoing aggression and escalating crimes against the Palestinian people across all areas, particularly in the Gaza Strip, as well as its continued policy of siege and starvation”, referring to Israel’s complete blockade of all forms of humanitarian assistance to the Gaza Strip, which was then in full force and effect.²⁰⁵ In regard to the diversion of humanitarian aid, President

hospital-camera-idf-thought-used-by-hamas-belonged-to-reuters-reporter/00000199-2011-d1da-a3df-b51156fd0000.

²⁰³ RSF and Avaaz launch international media operation: “At the rate journalists are being killed in Gaza by the Israeli army, there will soon be no one left to keep you informed”, 1 September 2025, <https://rsf.org/en/rsf-and-avaaz-launch-international-media-operation-rate-journalists-are-being-killed-gaza-israeli>.

²⁰⁴ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, para. 20.

²⁰⁵ “Presidency condemns escalating Israeli aggression and looting of aid in Gaza”, *Wafa News*, 2 May 2025, <https://english.wafa.ps/Pages/Details/156988>.

Abbas expressed “categorical rejection and firm condemnation of the looting and theft carried out by criminal gangs targeting warehouses and storage facilities of humanitarian aid designated for the people of Gaza”, holding “ Hamas-affiliated gangs primarily responsible.”²⁰⁶

110. Neither of the two documents mentioned by Israel nor its references to information allegedly collected by its own military and intelligence services,²⁰⁷ evidence a “systematic diversion of humanitarian aid” by Hamas or any other entity. The issue here is not whether Hamas or gangs associated with it have ever diverted or looted humanitarian assistance intended for the Palestinian civilian population, but whether the diversions were “systematic”, such as to justify Israel’s dismantlement of the food distribution system managed by the United Nations, and its replacement with the so-called Gaza Humanitarian Foundation, as Israel did at the end of May 2025. What the evidence unmistakably points to is Israel’s deliberate exaggeration of the looting of humanitarian supplies as a pretext for excluding the United Nations agencies, particularly UNRWA, and NGOs that had successfully distributed life-sustaining quantities of food and other essential supplies throughout the Gaza Strip during the six-week ceasefire that Israel ended on 2 March 2025, and for seizing control of aid distribution through the GHF to assure that, as Finance Minister Smotrich declared the entry of the “minimum necessary ... supply of food and medicines” which will ensure “that the world does not stop us and accuse us of war crimes.”²⁰⁸

111. On 28 May 2025, OCHA’s Director for the OPT expressly addressed the allegation of diversion: “Israel has publicly claimed that the UN and NGO aid is being diverted by Hamas. But this doesn’t hold up to scrutiny. We do not have evidence that aid coordinated through credible humanitarian channels has been diverted. The real theft of aid since the beginning of the war has been carried out by criminal gangs, under the watch of Israeli forces, and they were allowed to operate in proximity to the Kerem Shalom crossing point into Gaza.”²⁰⁹ The Commissioner-General of UNRWA made a similar statement on 25 July 2025: “When

²⁰⁶ *Ibid.*

²⁰⁷ Response of the State of Israel to the Court’s request dated 13 August 2025, 27 August 2025, footnotes 23-32.

²⁰⁸ “Backing off threat to quit coalition, Smotrich says entry of ‘minimum’ aid in Gaza won’t reach Hamas”, *The Times of Israel*, 19 May 2025, https://www.timesofisrael.com/liveblog_entry/backing-off-threat-to-quit-coalition-smotrich-says-entry-of-minimum-aid-in-gaza-wont-reach-hamas/.

²⁰⁹ OCHA, Briefing to journalists by Jonathan Whittall, Head of OCHA OPT, 28 May 2025, <https://www.ochaopt.org/content/briefing-journalists-jonathan-whittall-head-ocha-opt>

bureaucratic hurdles are lifted, the humanitarian community has demonstrated it can deliver assistance at scale, in a dignified way, without diversion.”²¹⁰

112. The following day, the Commissioner-General cited a report by the United States Agency for International Development which concluded that no significant quantities of humanitarian assistance for Gaza funded by the United States government and delivered by partner organizations had been diverted to Hamas.²¹¹ According to Reuters, USAID “examined 156 incidents of theft loss of U.S.-funded supplies reported by U.S. aid partner organizations between October 2023 and this May [2025]. It found ‘no reports alleging Hamas’ benefitted from U.S.-funded supplies.”²¹²

113. On 30 July 2025, the Executive Director of UNOPS dispelled the idea that any entity had significantly diverted humanitarian assistance in the Gaza Strip: “The UN has managed to bring the aid directly to the people. That’s the advantage of using UN and its capillary and granular capacity to provide aid. And we also put in place a system, a monitoring, tracking system to ensure transparency and accountability. If you go to the website, you will see the number of trucks, the number of consignments, the number of consignments that were approved and rejected. And this was recognized both by Palestinians and by Israelis. So there was no reason to replace a system that was functioning, that was transparent, with all accountability, by an opaque, militarized, privatized system that just generated chaos. So, the idea of diversion of aid, it doesn’t match the facts that UN was providing.”²¹³

114. The evidence completely refutes Israel’s claim of “systematic diversion of humanitarian aid.” It exposes this as a pretext for Israeli’s takeover of the food distribution system managed by the United Nations and replacement of it with “an opaque, militarized, privatized system that just generated chaos”,²¹⁴ and that lured Palestinians desperate for food

²¹⁰ UNRWA Commissioner-General, “A constructed and deliberate mass starvation”, 25 July 2025, <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-gaza-constructed-and-deliberate-mass-starvation>.

²¹¹ UNRWA Commissioner-General, Philippe Lazzarini, “Airdrops will not reverse the deepening starvation”, 26 July 2025, <https://www.unrwa.org/newsroom/official-statements/unrwa-commissioner-general-gaza-airdrops-will-not-reverse-deepening>.

²¹² “Exclusive: USAID analysis found no evidence of massive Hamas theft of Gaza aid”, *Reuters*, 25 July 2025, <https://www.reuters.com/world/middle-east/usaid-analysis-found-no-evidence-massive-hamas-theft-gaza-aid-2025-07-25/>.

²¹³ “This is avoidable catastrophe”, UNOPS Chief, *DW News*, (4:40-6:00), <https://x.com/UNOPS/status/1950632112165400801>.

²¹⁴ *Ibid.*

to the south, clearing more than 85% of the Gaza Strip for entrenchment of Israel’s military occupation and for settlement by Israeli, and preparing the Palestinians for forced transfer to another country, as Finance Minister Smotrich brazenly revealed.²¹⁵

115. Israel invokes Security Council resolution 2720 of 22 December 2023 for having “acknowledged” the “diversion of aid from its intended recipients, preventing it from reaching the civilian population.”²¹⁶ To be sure, the resolution demands humanitarian assistance reaches the civilian population of the Gaza Strip “without diversion and by the most direct routes”, but it says nothing about “systematic diversion” of aid by any party or entity.²¹⁷ The context is important. In the full paragraph the Security Council: “Demands that the parties to the conflict allow and facilitate the use of all available routes to and throughout the entire Gaza Strip, including border crossings, including full and prompt implementation of the announced opening of the Karem Abu Salem/Kerem Shalom Border Crossing, for the provision of humanitarian assistance in order to ensure that humanitarian personnel and humanitarian assistance, including fuel, food, and medical supplies and emergency shelter assistance, reaches the civilian population in need throughout the Gaza Strip without diversion and through the most direct routes, as well as for material and equipment to repair and ensure the functioning of critical infrastructure and to provide essential services, without prejudice to the obligations of the parties to the conflict under international humanitarian law, and stresses the importance of respecting and protecting border crossings and maritime infrastructure used for the delivery of humanitarian assistance at scale.” It is telling that Israel chooses to ignore everything in this paragraph demanded by the Security Council, including especially its own obligations with respect to the provision of humanitarian assistance to the Gaza Strip, and focuses only on one word: “diversion”. There could be no better example of “grasping at straws.”²¹⁸

116. There is much else in resolution 2720, ignored by Israel, that addresses the humanitarian situation in the Gaza Strip, and spells out Israel’s obligations, as occupying power, to comply with international humanitarian law: “including with regard to the conduct of hostilities and the protection of civilians and civilian objects, humanitarian access, and the protection of humanitarian personnel and their freedom of movement, and the duty, as

²¹⁵ See above, para. 31.

²¹⁶ United Nations, Security Council, Resolution 2720, 22 December 2023.

²¹⁷ *Ibid.*

²¹⁸ *Ibid.*

applicable, of ensuring the food and medical supplies, among others, of the population”;²¹⁹ and it “*recalls* that civilian and humanitarian facilities, including hospitals, medical facilities, schools, places of worship, and facilities of the UN, as well as humanitarian personnel, and medical personnel, and their means of transport, must be respected and protected, according to international humanitarian law, and *affirms* that nothing in this resolution absolves the parties of these obligations.”²²⁰

117. Resolution 2720 also states that the Security Council: “*Reiterates* its unwavering commitment to the vision of the two-State solution where two democratic States, Israel and Palestine, live side by side in peace within secure and recognized borders, consistent with international law and relevant UN resolutions, and *in this regard stresses* the importance of unifying the Gaza Strip with the West Bank under the Palestinian Authority.”²²¹

118. Having invoked the authority of the Security Council’s resolution, Israel is not free to pick and choose which of the obligations it finds to its liking – and defy all the rest, and to continue to do so without any accountability.

119. In sum, there is nothing in Israel’s submission of 27 August 2025 – other than pure assertion unsupported by evidence – that factually and credibly contradicts the detailed and evidence-based descriptions of the humanitarian situation in the Gaza Strip since 7 May 2025 that were presented by the State of Palestine and the United Nations 12 days ago in response to the Court’s request of 13 August 2025. The State of Palestine stands on its submission of 27 August 2025, and on this response to Israel’s submission.

²¹⁹ *Ibid.*

²²⁰ *Ibid.*

²²¹ *Ibid.*

III. Israel’s Campaign of Destruction and Denial of Sustenance to the Palestinian Population in the Gaza Strip Is Mirrored in the West Bank, including East Jerusalem

120. The submissions by the State of Palestine and the United Nations on 27 August 2025 described the situation in the Gaza Strip since 7 May 2025 caused by Israel’s denial of food, water, medicines, fuel and other essentials of life for the Palestinian civilian population. It is important to underscore, however, that similar Israeli policies and practices have been occurring in the West Bank, including East Jerusalem, during the relevant period and for the same overall objective: to forcibly displace the Palestinian people from their homeland by making the conditions of Palestinian life there unbearable in furtherance of Israel’s goal of rendering the independence of the State of Palestine impossible, annexing the entire Palestinian territory, and declaring Israeli sovereignty over it.

121. Israel’s policies and practices in the West Bank, including East Jerusalem, thus mirror its patterns of conduct in the Gaza Strip, including the repeated targeting and killing of Palestinian civilians, including children, the widespread destruction of Palestinian homes and infrastructure, the forced displacement of the Palestinian civilian population, and repeated attacks on medical facilities, schools, infrastructure and agricultural land by Israeli occupation soldiers and settler militias.²²²

122. Israel is currently engaged in an extensive military aggression dubbed “Operation Iron Wall” against refugee camps across the northern West Bank. The Jenin, Tulkarm and Nur el Shams refugee camps have been declared by Israel to be closed military areas, and their 32,000 residents have been forcibly displaced from their homes.²²³ Video footage depicts extensive home demolitions and damage to civilian property in the camps, including roads ripped up, and buildings, infrastructure, water and electricity lines destroyed.²²⁴ The Israeli military stationed in the camps actively prevents residents from accessing the camps or their

²²² OCHA, Humanitarian Situation Update #320 | West Bank, 4 September 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-320-west-bank>.

²²³ Ramiz Alakbarov, Deputy Special Coordinator for the Middle East Peace Process, Brief to the Security Council on the Situation in the Middle East, including the Palestinian Question, 27 August 2025, <https://unsco.unmissions.org/security-council-briefing-situation-middle-east-including-palestinian-question-delivered-deputy-0>. See also UNRWA, UNRWA Situation Report #183 on the Humanitarian Crisis in the Gaza Strip and the West Bank, including East Jerusalem, 8 August 2025, <https://www.unrwa.org/resources/reports/unrwa-situation-report-183-situation-gaza-strip-and-west-bank-including-east-jerusalem>; OCHA, Humanitarian Situation Update #293 | West Bank, 29 May 2025, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-293-west-bank>.

²²⁴ “Why Israel is demolishing refugee camps in occupied West Bank at record scale”, *Aljazeera*, 7 July 2025, <https://www.youtube.com/watch?v=2aGrvL01nEc>.

homes, with Israeli soldiers shooting at civilians who attempt to return, including to collect belongings.²²⁵

123. Israel's Defense Minister, Israel Katz, has stated that Israel will apply the "lesson" of "repeated raids in Gaza" to the Jenin refugee camp. Finance Minister Bezalel Smotrich has declared that "Tulkarem and Jenin will look like Jabalia and Shujayea. Nablus and Ramallah will resemble Rafah and Khan Younis", comparing refugee camps in the West Bank to areas in Gaza that Israel has already devastated and destroyed. He warned that the West Bank camps "will also be turned into uninhabitable ruins, and their residents will be forced to migrate and seek a new life in other countries."²²⁶

124. To these ends, between 7 October 2023 and 25 August 2025 alone, Israeli soldiers and settlers killed 987 Palestinians – including 210 children – across the occupied West Bank, including East Jerusalem,²²⁷ in over 1,000 separate attacks,²²⁸ and injured many more.²²⁹ Israel has also forcibly demolished over 272 Palestinian homes, displacing 873 Palestinians.²³⁰ Many of the attacks and demolitions have targeted agricultural communities, land and related structures,²³¹ including the violent bulldozing and uprooting of olive trees and the stabbing and killing of livestock.²³²

125. The Deputy Special Coordinator for the Middle East Peace Process reported that:

These attacks have increasingly led to forced displacement. Frequently, settlers then move into areas that were fully displaced and establish outposts, often with the acquiescence of Israeli authorities. This leads to further settlement expansion and

²²⁵ "Israel's destructive West Bank military operation fuels mass forced displacement of Palestinians", Amnesty International, 5 June 2025, <https://www.amnesty.org/en/latest/news/2025/06/israels-destructive-west-bank-military-operation-fuels-mass-forced-displacement-of-palestinians/>.

²²⁶ "Minister says Israel applying 'lessons' from Gaza in West Bank operation", *Aljazeera*, 23 January 2025, <https://www.aljazeera.com/news/2025/1/23/minister-says-israel-applying-lessons-from-gaza-in-west-bank-operation>. See also "Mapping Israel's military campaign in the occupied West Bank", *Aljazeera*, 27 May 2025, <https://www.aljazeera.com/news/2025/5/27/mapping-israels-military-campaign-in-the-occupied-west-bank>. See also "Far-right Israeli minister calls for Gaza-like military operation in occupied West Bank", *Middle East Eye*, 29 May 2025, <https://www.middleeasteye.net/live-blog/live-blog-update/far-right-israeli-minister-calls-gaza-military-operation-occupied-west>.

²²⁷ OCHA, OCHA Humanitarian Situation Update #316 | West Bank, 21 August 2025, <https://www.un.org/unispal/document/sitrep-westbanl-21aug25/>.

²²⁸ *Ibid.*

²²⁹ *Ibid.*

²³⁰ OCHA, Humanitarian Situation Update #318 | West Bank, 28 August 2025, <https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-318-west-bank>.

²³¹ *Ibid.*

²³² *Ibid.*

consolidation of Israeli control. Corresponding Government decisions are fast-tracking settlement expansion, including in the most highly strategic areas.²³³

126. The Deputy underscored, “[t]hese moves align with broader efforts to entrench control over the West Bank”, as reflected in the July 2025 decision by the Israeli Knesset to call “for the application of Israeli sovereignty across all settlements in the occupied West Bank”.²³⁴

127. On 20 August 2025, the Israeli High Planning Committee revived a plan for significant settlement construction in the so-called “E1” area in the West Bank, including East Jerusalem. The plan proposes the continued destruction and forcible displacement of the Palestinian Bedouin communities, and the parallel construction of thousands of Israeli settlement housing and commercial units, creating a contiguous built-up area between the so-called Israeli settlement of Ma’ale Adumim in the West Bank and Jerusalem, to be surrounded by the Wall, illegally constructed by Israel in the OPT.²³⁵ As noted by the Deputy Special Coordinator for the Middle East Peace Process:

If implemented, the move would effectively sever the connection between the northern and southern West Bank. As such, it would undermine the possibility of a viable and contiguous Palestinian State.²³⁶

128. Finance Minister Smotrich – himself a settler – has called for the annexation of 82 percent of the West Bank in order to establish for Israel “the maximum area of Israeli control for the minimum number of Arab residents.”²³⁷ The plan would serve to annex the majority of the West Bank into Israel, encircling Palestinian ‘bantustans’ in Hebron, Jenin, Jericho, Nablus, Ramallah, and Tulkarem. The Minister has stated that: “It is time to apply Israeli sovereignty in Judea and Samaria [the West Bank] and remove once and for all the idea of dividing our

²³³ Ramiz Alakbarov, Deputy Special Coordinator for the Middle East Peace Process, Brief to the Security Council on the Situation in the Middle East, including the Palestinian Question, 27 August 2025, <https://unsco.unmissions.org/security-council-briefing-situation-middle-east-including-palestinian-question-delivered-deputy-0>.

²³⁴ *Ibid.*

²³⁵ *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, Advisory Opinion, I.C.J. Reports 2004*, p. 136.

²³⁶ Ramiz Alakbarov, Deputy Special Coordinator for the Middle East Peace Process, Brief to the Security Council on the Situation in the Middle East, including the Palestinian Question, 27 August 2025, <https://unsco.unmissions.org/security-council-briefing-situation-middle-east-including-palestinian-question-delivered-deputy-0>.

²³⁷ “Smotrich proposes annexing 82% of West Bank in bid to prevent Palestinian state”, *The Times of Israel*, 3 September 2025, <https://www.timesofisrael.com/smotrich-proposes-annexing-82-of-west-bank-in-bid-to-prevent-palestinian-state/>.

small land and establishing a terrorist state in its heart.” He has threatened to “destroy” the Palestinian Authority if it rejects Israel’s annexation plans, stating that Israel “will destroy them like we are doing to Hamas.”²³⁸

129. All of this is taking place in the context of what this Court has already determined – 591 days ago – to be a real and imminent risk of irreparable prejudice to the plausible right of the Palestinian people in the Gaza Strip not to be subjected to acts of genocide by Israel.²³⁹ Furthermore, it is being brought about by an occupying Power whose very presence in the OPT this Court has also already determined – 416 days ago – to be unlawful for being in violation of the prohibition on the acquisition of territory by force and the Palestinian people’s right to self-determination.²⁴⁰

130. Moreover, Israel’s treatment of Palestinians it illegally holds incarcerated in its detention facilities and military camps is also starkly reflective of Israel’s broader policies of collective punishment, starvation and deprivation of the essentials of life for the civilian population in the Gaza Strip.

131. According to Israel Prison Service (IPS) data, as of September 2025, 11,040 of the over 18,500²⁴¹ Palestinians, including children, arrested by Israel in the West Bank since October 2023 remain in Israeli custody. They include 1,540 Palestinians who have been sentenced to a term of imprisonment, 3,351 Palestinians held on remand, 3,577 administrative detainees held without charge or trial, and 2,662 Palestinians held as “unlawful combatants.”²⁴² These figures do not include the thousands of men, women and children unlawfully transferred from Gaza since 7 October 2023, and abducted into Israeli detention facilities, without charge or trace.²⁴³

²³⁸ *Ibid.* See also Quds News Network, X, @QudsNen, 4 September 2025, <https://x.com/QudsNen/status/1963393629042741471>.

²³⁹ *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel), Provisional Measures, Order of 26 January 2024, I.C.J. Reports 2024*, p. 28, para. 74.

²⁴⁰ *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem*, Advisory Opinion of 19 July 2024, paras. 179 and 243.

²⁴¹ “Palestinian Prisoners’ Institutions Monthly Report: Arrests of Palestinians in Occupied West Bank & Jerusalem in July 2025”, Addameer, 10 August 2025, <https://addameer.ps/news/5607>. See also “11,040 ‘Security’ Inmates Are Held In Prisons Inside Israel”, Hamoked, <https://hamoked.org/prisoners-charts.php>.

²⁴² See Addameer Statistics, <https://addameer.ps/statistics>.

²⁴³ OCHA, Humanitarian Situation Update #319 | Gaza Strip, 4 September 2025, <https://www.ochaopt.org/content/humanitarian-situation-update-319-gaza-strip>.

132. Israel has denied the ICRC access to all Palestinian prisoners and detainees since 7 October 2023.²⁴⁴ Meanwhile, Israel is systematically and intentionally subjecting those Palestinian detainees to ill-treatment, torture, sexual abuse, deliberate medical neglect, and starvation, in overcrowded, dirty detention facilities that are breeding grounds for infectious diseases.²⁴⁵ Released Palestinian detainees are visibly severely emaciated, and scarred by scabies and other rashes and infections. They report being subjected, in particular, to sleep and food deprivation, beatings, sexual violence, and lack of access to hygiene facilities.²⁴⁶

133. The starvation of Palestinian detainees and abductees – like the starvation of Palestinians in Gaza and the collective punishment of the entire Palestinian civilian population under Israel’s illegal occupation – is a matter of deliberate Israeli policy. It is implemented under the direction and control of the Israeli Minister of National Security, Itamar Ben Gvir, who oversees the IPS. Successive amendments made by the IPS to the rules and regulations governing Palestinian detainees since October 2023 have served to deprive Palestinian detainees of basic necessities. Notably, pursuant to the new “food reduction policy”, the IPS has “withheld adequate nutrition for Palestinian security detainees”, as demonstrated by the Association for Civil Rights in Israel (ACRI) in proceedings brought against the IPS, in an attempt to compel the Israeli government to provide Palestinian detainees with sufficient and adequate sustenance.²⁴⁷ ACRI reports that Palestinian “prisoners have shed an extraordinary amount of weight under the policy – up to 40 kg – a loss which amounts to evidence of starvation.”²⁴⁸

²⁴⁴ ICRC, “Information for people affected by the conflict in Gaza and the West Bank”, 16 December 2024, <https://www.icrc.org/en/document/information-people-affected-conflict-occupied-territories>. See also “Hammas says open to ICRC delivering food to Israeli captives in Gaza”, *Aljazeera*, 4 August 2025, <https://www.aljazeera.com/news/2025/8/4/hamas-says-open-to-icrc-delivering-food-to-israeli-captives-in-gaza>: “On its website, the ICRC says that ‘securing access requires the cooperation of all parties involved’. The ICRC also says on its website that it ‘has not been able to visit any Palestinian detainees held in Israeli places of detention since 7 October 2023.’” See also “High Court orders gov’t to justify ban on Red Cross visits for Palestinian prisoners”, *The Times of Israel*, 27 August 2025, <https://www.timesofisrael.com/high-court-orders-govt-to-justify-ban-on-red-cross-visits-for-palestinian-prisoners/>.

²⁴⁵ “Welcome to Hell: The Israeli Prison System as Network of Torture Camps”, B’Tselem, August 2024, https://www.btselem.org/sites/default/files/publications/202408_welcome_to_hell_eng.pdf.

²⁴⁶ *Ibid.*

²⁴⁷ “Insisting on Prisoners’ Right to Food”, New Israel Fund, 24 July 2025, <https://www.nif.org/stories/human-rights-democracy/insisting-on-prisoners-right-to-food/>. See also “End the Policy of Starving Security Prisoners”, The Association for Civil Rights in Israel, 30 June 2024, <https://www.english.acri.org.il/post/end-the-policy-of-starving-security-prisoners>.

²⁴⁸ “Podcasting from the West Bank with ‘This American Life’”, New Israel Fund, 4 September 2025, <https://www.nif.org/stories/human-rights-democracy/podcasting-from-the-west-bank-with-this-american-life/>.

134. As Mexico’s representative at the oral hearings explained: “Starvation is starvation is starvation”, and it is a “war crime”, whether it is imposed by Israel in the Gaza Strip, in the West Bank, including East Jerusalem or in its detention centers and prisons unlawfully holding captives Palestinian detainees.²⁴⁹

IV. Conclusion: The Continued Relevance of the Legal Framework Presented in the Written and Oral Statements in these Proceedings

135. The State of Palestine takes note of the submission of 27 August 2025 on behalf of the United Nations Secretary-General affirming the continued relevance of the legal framework presented in the written and oral statements in these advisory proceedings.²⁵⁰ The State of Palestine agrees with views expressed by the Secretary-General in paragraphs 41-47 of that submission,²⁵¹ and reiterates by way of conclusion to the present submission the relevant legal framework applicable to the question referred to the Court as set out in its written and oral submissions, and as summarized further below.

136. First, Israel’s obligations as an occupying Power and as a member of the United Nations in relation to the presence and activities of the United Nations, other international organizations and third States in and in relation to the entire OPT – not only the Gaza Strip but also the West Bank, including East Jerusalem - are abundantly clear. However, based on the evidence before the Court, including from the most authoritative UN agencies and other knowledgeable, independent and impartial sources, it is beyond doubt that Israel is in flagrant, continued and serious breach of these obligations, and that its breaches attract the full scope of responsibility under general principles of international law.

137. Second, Israel is obligated to withdraw as rapidly as possible (and in any case no later than 18 September 2025) from the OPT, including East Jerusalem, and to cease all military operations in and in relation to that territory, whether by land, sea or air.²⁵² As affirmed by the Court, Israel has no sovereignty and may not exercise sovereign powers in or in relation to the

²⁴⁹ *Obligations of Israel in Relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in Relation to the Occupied Palestinian Territory*, Oral Statement by the United Mexican States, CR 2025/9, 1 May 2025, p. 30, para. 25.

²⁵⁰ Explanation submitted on behalf of the Secretary-General of the United Nations in response to the request by the International Court of Justice of 13 August 2025, 27 August 2025.

²⁵¹ *Ibid.*, paras. 41-47.

²⁵² *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem*, Advisory Opinion of 19 July 2024. See also General Assembly, Resolution ES-10/24, 19 September 2024, paras. 2 and 3.

OPT. Israel has no legal authority to prevent, hinder or interfere with the provision of urgently needed supplies, basic goods or services, or humanitarian or development assistance for the benefit of the Palestinian civilian population. Any such prevention, hindrance or interference by Israel violates the Palestinian people's inalienable right to self-determination including their right to their independence in the State of Palestine over the entirety of the OPT. Moreover, Israel is also obliged to cease interfering and obstructing the fulfilment by the United Nations, other international organizations and other States of their obligations to support and facilitate the realization of the Palestinian people's right of self-determination.

138. Third, while Israel remains unlawfully present in the OPT, it is bound to adhere to its obligations under international humanitarian law, including the law of belligerent occupation.²⁵³ This includes respect for its obligations under the 1949 Geneva Convention Relative to the Protection of Civilian Persons in Time of War ('Fourth Geneva Convention'),²⁵⁴ *inter alia* to ensure food and medical supplies of the protected population (Article 55), to ensure and maintain medical and hospital establishments and services, and public health and hygiene (Article 56), to agree to relief schemes on behalf of the protected population and to facilitate them by all means at its disposal (Article 59), and to facilitate rapid distribution of relief consignments (Article 61). It also includes the obligation to refrain from using "starvation of civilians as a method of warfare", prohibited under the 1977 Protocol I Additional to the 1949 Geneva Conventions (Article 54(1))²⁵⁵ and the 1998 Rome Statute of the International Criminal Court (Article 8(2)(b)(xxv)).²⁵⁶

139. Fourth, until its illegal presence in the OPT is brought to an end, Israel, as an occupying power, remains bound by international human rights law as reflected in both custom and treaties to which it is party in and in relation to the OPT and to the Palestinian people under its unlawful occupation.²⁵⁷ By its ongoing prevention, hindrance and interference with the provision to the Palestinian civilian population of essential humanitarian goods, supplies and services, and humanitarian and development assistance from the United Nations, other

²⁵³ *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem*, Advisory Opinion of 19 July 2024, paras. 96 and 107.

²⁵⁴ Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (GCIV), *United Nations Treaty Series (UNTS)*, Vol. 75, p. 287.

²⁵⁵ Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflict, *UNTS*, Vol. 1125, p. 3

²⁵⁶ Rome Statute of the International Criminal Court of 17 July 1998, *UNTS*, vol. 2187, p. 3.

²⁵⁷ *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem*, Advisory Opinion of 19 July 2024, para. 100.

international organizations and third States, Israel has breached and continues to breach its obligations under international human rights law.

140. Fifth, as a member of the United Nations, Israel is also required *inter alia* to respect its obligations under the UN Charter, the 1946 Convention on the Privileges and Immunities of the United Nations and the 1973 Convention on the Prevention and Punishment of Crimes against Internationally Protected Personnel, including Diplomatic Agents. This includes the duty to cooperate in good faith with the United Nations,²⁵⁸ its organs, entities and experts, to respect their mandates, to accord and respect privileges and immunities to the Organization's personnel, property and premises,²⁵⁹ and to ensure their protection,²⁶⁰ in and in relation to the OPT, including in the provision of urgently needed supplies, basic goods and services, and humanitarian and development assistance to the Palestinian civilian population. This further includes the obligation to respect the privileges and immunities of UNRWA, as a subsidiary organ of the General Assembly and the backbone of humanitarian operations in the Occupied Palestinian Territory, including East Jerusalem, and to immediately cease attacks on its premises and personnel.²⁶¹

141. Sixth, Israel is further obligated to adhere to its obligations under the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, including to refrain from acts of genocide against the Palestinian people. In this respect, and as ordered by the Court, Israel must *inter alia* take all necessary and effective measures to ensure, without delay, in full cooperation with the United Nations, the unhindered provision at scale by all concerned of urgently needed basic services and humanitarian assistance, including food, water, electricity, fuel, shelter, clothing, hygiene and sanitation requirements, as well as medical supplies and medical care to the Palestinian people throughout the Gaza Strip and the rest of the OPT.²⁶²

²⁵⁸ United Nations Charter, Article 2(2).

²⁵⁹ *Ibid.*, Article 105. See also Convention on the Privileges and Immunities of the United Nations of 13 February 1946, *UNTS*, Vol. 1, p. 15.

²⁶⁰ Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents of 14 December 1973, *UNTS*, Vol. 1035, p. 167.

²⁶¹ United Nations Charter, Article 105; Convention on the Privileges and Immunities of the United Nations of 13 February 1946. See also *Obligations of Israel in Relation to the Presence and Activities of the United Nations, Other International Organizations and Third States in and in Relation to the Occupied Palestinian Territory*, Written Statement of the State of Palestine, 28 February 2025, paras. 4.1-6.42.

²⁶² *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, Provisional Measures, Order of 26 January 2024, *I.C.J. Reports 2024*, p. 31, para.

142. Seventh, third States and international organizations, including the United Nations and its agencies and bodies, are under an obligation not to recognize as legal the situation arising from the unlawful presence of Israel in the OPT.²⁶³ They are also under an obligation to distinguish in their dealings with Israel between the territory of Israel and the OPT.²⁶⁴ They are further under an obligation to cooperate to bring to an end any impediment to the realization of the right of the Palestinian people to self-determination, including Israel's unlawful presence in the OPT.²⁶⁵ And, in particular, they are under an obligation not to recognize as lawful nor render aid or assistance to Israel's unlawful prevention, hindrance and interference with the provision to the Palestinian civilian population of essential humanitarian goods, supplies and services, and humanitarian and development assistance, and they are under an obligation to cooperate to bring these unlawful practices to an end as rapidly as possible.²⁶⁶ In line with the Court's determination in *Namibia*, the duties of third States and international organizations not to recognize, nor to render aid or assistance in the maintenance of, Israel's illegal actions in the OPT must not deprive the Palestinian people "of any advantages derived from international cooperation", including humanitarian coordination with the United Nations lawfully present in the OPT at the invitation of the State of Palestine.²⁶⁷ Based on the evidence presented in this submission, the so-called "Gaza Humanitarian Foundation" does not fall into this category.

143. Eighth, third States that are parties to the Fourth Geneva Convention are under an obligation pursuant to common Article 1 "to respect and to ensure respect" for the Conventions "in all circumstances",²⁶⁸ including those pertaining to the provision to the Palestinian population in the OPT of essential humanitarian goods, supplies and services. Such States parties to the Fourth Geneva Convention are also obligated to prosecute or extradite those persons for whom there are reasonable grounds to believe have committed or ordered to be committed grave breaches of the Convention.²⁶⁹

86(4). See also *Provisional Measures, Order of 28 March 2024*, I.C.J. Reports 2024, p. 527, para. 51(2)(a); *Provisional Measures, Order of 24 May 2024*, I.C.J. Reports 2024, p. 666, para. 57(2)(b).

²⁶³ *Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, Including East Jerusalem*, Advisory Opinion of 19 July 2024, paras. 273-283.

²⁶⁴ *Ibid.*, para. 278.

²⁶⁵ *Ibid.*, para. 279.

²⁶⁶ *Ibid.*, para. 281.

²⁶⁷ *Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding Security Council Resolution 276 (1970)*, Advisory Opinion, I.C.J. Reports 1971, pp. 54 and 56, paras. 119 and 125.

²⁶⁸ Geneva Convention Relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (GCIV), UNTS, Vol. 75, p. 287, Article 1.

²⁶⁹ *Ibid.*, Articles 146, 147 and 148.

144. Ninth, third States that are parties to the 1948 Genocide Convention are required to employ all means reasonably available to them to prevent, so far as possible, acts of genocide by Israel, its officials and agents, including those committed in relation to the prevention, hindrance or interference with the provision of supplies essential to the survival of the Palestinian civilian population, as well as in relation to the transfer of arms to Israel that could be used to prevent, hinder or interfere with the provisions of such essential supplies to the Palestinian civilian population.²⁷⁰

145. Tenth and finally, given the extreme urgency of the situation on the ground in the OPT, particularly in the Gaza Strip, including the present Israeli assault on Gaza City, where one million Palestinians are attempting to seek shelter are at threat of further forcible transfer, the State of Palestine urges the Court to remind third States, in particular, of the above binding obligations to ensure respect for the Four Geneva Conventions and their Additional Protocols, and to employ all means reasonably available to them to prevent genocide.

146. It could not be clearer that Israel's claims to this Court that it is committed to comply with international law in the Gaza Strip, as well as in the West Bank, including East Jerusalem, or in relation to the Palestinian people generally, are demonstratively false.

147. In light of the extreme urgency of the situation and the risk of yet further extreme deterioration and harm to the Palestinian people, the State of Palestine respectfully calls on this Court to issue its Advisory Opinion, clarifying the obligations on Israel — and on third States and institutions — without further delay.

²⁷⁰ Convention on the Prevention and Punishment of the Crime of Genocide of 9 December 1948, Article 1. See also *Application of the Convention in the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, *Judgement*, *I.C.J. Reports 2007*, p. 43, e.g., p. 113, para. 166 and pp. 221-222, para. 431.

148. The State of Palestine is grateful for the opportunity to make this submission.

The Hague, 8 September 2025

A handwritten signature in blue ink, appearing to read 'Ammar Hijazi', with a horizontal line drawn across the bottom of the signature.

Ammar Hijazi
Ambassador-Permanent Representative of the State of Palestine to
International Organizations in The Kingdom of The Netherlands