

Date: April 17, 2025

To:  
Mr. **Benjamin Netanyahu**  
Prime Minister  
By email:  
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To:  
Mr. **Israel Katz**  
Minister of Defense  
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To:  
Mr. **Ghassan Alian**  
Coordinator of Government  
Activities in the Territories  
By email:  
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Dear Sirs,

**Re: Real and Grave Concern Over the Commission of War Crimes and Crimes Against Humanity -  
Demand for Full Opening of Crossings to Gaza and Immediate and Urgent Supply of Humanitarian  
Aid to the Civilian Population in the Gaza Strip**

On behalf of the organizations Gisha - Center for the Freedom of Movement, HaMoked - Center for the Defence of the Individual, Physicians for Human Rights - Israel, and the Association for Civil Rights Israel, I am writing to you **due to grave concern that you are committing war crimes and crimes against humanity, demanding that you reverse your illegal decision to close the crossings to the Gaza Strip and prevent humanitarian aid from reaching the civilian population.** All as follows:

**Background - Implementation of a criminal policy**

1. Since March 2, 2025, Israel has been completely, deliberately, and openly preventing the entry of goods of any kind into the Gaza Strip, including humanitarian aid such as food and water, and electricity intended for the water desalination plant (since March 9, 2025). This block applies to all crossings, land and others, into the Strip, including crossings from Egypt. The implication of these actions is clear: **For seven weeks, Israel has blatantly violated international law by deliberately harming the civilian population, and publicly declared this.** Indeed, we have warned you for a long time that you are committing serious violations of international law, but even in relation to the policy you had established and implemented until now, this signifies a criminal escalation.
2. On March 12, 2025, the state submitted a response in HCJ 2280/24, in which it admitted that it is deliberately preventing the entry of aid and that the reasons for this are "political-security" ones, the aim of which is to serve the negotiations with Hamas by applying pressure. The [Prime Minister of Israel](#) also declared that the prevention of aid is a response to Hamas's conduct in the negotiations. That is, **this is not a military necessity and certainly not a concrete and urgent one.** Although the release of the hostages is a legitimate goal and its importance is paramount, the means employed by the State of Israel to this end must be legitimate and legal. In stark contrast to this, you have chosen means that cannot be justified legally or morally.
3. We emphasize now that the state's rationale for preventing humanitarian aid goes beyond the framework permitted by law. While international law recognizes extreme situations in which the transfer of humanitarian aid may not be possible, a complete ban on aid, especially for such an extended period, and for political motives, is categorically forbidden.
4. Although you have [claimed](#) that: "There is enough food for a very long period – if Hamas would only give it to civilians," this claim has no basis, given, among other things, the fact that during the proceedings in HCJ 2280/24, you admitted in court that you have no substantive information about the extent of aid needed in Gaza. This proceeding also revealed that the military's assessments regarding population distribution in the area and the aid available for

its survival are unreliable. It is no coincidence that immediately after the publication of your assessment, the UN spokesperson [referred](#) to it, calling it "ridiculous."

5. Indeed, the State of Israel is trying to convince the entire world that there are sufficient stockpiles of humanitarian aid in the Gaza Strip. These claims are baseless. Firstly, this does not align with your position as presented throughout the proceedings in HCJ 2280/24, according to which the state is not obligated to form a factual basis regarding the amount of aid needed in Gaza, because it does not limit the amount of aid. It is therefore most perplexing how and on what basis you now claim to have information about the state of humanitarian aid and what is required to enable the survival of the civilian population. Secondly, as is detailed below, aid organizations working in the field reject Israel's claims and warn of severe harm to the protected population. Thirdly, the State of Israel does not know what amount of aid is needed in Gaza and, as indicated by "mistakes" it has made in the past, it does not know how to monitor the situation on the ground and certainly cannot know whether all residents have access to aid, what kind of aid, and in what quantities (Justice Amit also referred to the inherent difficulty in data collection (para. 55 of the judgment in HCJ 2280/24).
6. We preface by saying that [recent](#) news [reports](#) have been published regarding plans to open the crossings and allow humanitarian aid. Future plans do not remedy the serious crime of closing the crossings and stopping aid; on the contrary, they indicate the existence of intent and awareness. It should also be emphasized that declarations are not enough. **The entry of aid – which, even before the closure of the crossings, including during the ceasefire, was not at the minimum level required for the civilian population – must be renewed immediately, unconditionally, and without any obstacles, and it should never have been stopped in the first place.**

#### **Evidence of a policy of complete disregard for human life in the Gaza Strip**

7. A [joint statement](#) by directors of international organizations which have been operating in the Gaza Strip for years was published on April 7, 2025. Since the beginning of the war, these organizations have been making extraordinary efforts to provide humanitarian aid to the civilian population in the Gaza Strip and ensure its ability to survive. Nevertheless, the humanitarian response in Gaza operates with great difficulty, primarily due to the enormous and unprecedented efforts to thwart it made by the State of Israel. The statement reads:

“For over a month, no commercial or humanitarian supplies have entered Gaza. More than 2.1 million people are trapped, bombed and starved again, while, at crossing points, food, medicine, fuel and shelter supplies are piling up, and vital equipment is stuck. Over 1,000 children have reportedly been killed or injured in just the first week after the breakdown of the ceasefire, the highest one-week death toll among children in Gaza in the past year. **Just a few days ago, the 25 bakeries supported by the World Food Programme during the ceasefire had to close due to flour and cooking gas shortages. The partially functional health system is overwhelmed. Essential medical and trauma supplies are rapidly running out, threatening to reverse hard-won progress in keeping the health system operational.** The latest ceasefire allowed us to achieve in 60 days what bombs, obstruction and

lootings prevented us from doing in 470 days of war: Life-saving supplies reaching nearly every part of Gaza.

While this offered a short respite, **assertions that there is now enough food to feed all Palestinians in Gaza are far from the reality on the ground, and commodities are running extremely low. We are witnessing acts of war in Gaza that show an utter disregard for human life.** New Israeli displacement orders have forced hundreds of thousands of Palestinians to flee yet again, with no safe place to go.

No one is safe. At least 408 humanitarian workers, including over 280 from UNRWA, have been killed since October 2023. With the tightened Israeli blockade on Gaza now in its second month, we appeal to world leaders to act – firmly, urgently and decisively – to ensure the basic principles of international humanitarian law are upheld.

**Protect civilians. Facilitate aid. Release hostages. Renew a ceasefire.”**

8. Most of the signatories to the statement are those whom the State of Israel often presents as its close partners: Tom Fletcher, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator; Catherine Russell, Executive Director, UNICEF; Jorge Moreira da Silva, Executive Director, UNOPS; Philippe Lazzarini, Commissioner-General, UNRWA; Cindy McCain, Executive Director, World Food Programme; Dr. Tedros Adhanom Ghebreyesus, Director-General, World Health Organization; Amy Pope, Director-General, International Organization for Migration. Tom Fletcher also [published](#): "We are being deliberately blocked from saving lives in Gaza, and so civilians are dying."
9. Strong criticism against the policy that Israel has established regarding the entry of humanitarian aid and its supply into Gaza is far from new. Throughout the war, international aid agencies have warned about the disastrous consequences of Israeli policy for the protected population in Gaza. These warnings were made in a situation where the entry of aid to Gaza was permitted, albeit in a limited and inadequate manner. Today, the situation is immeasurably worse.
10. Israeli propaganda cannot change the facts on the ground: **The situation in the Gaza Strip is deteriorating and the humanitarian shortage is harming the protected civilian population; hundreds of thousands are affected, including children and infants; and the collapsing healthcare system cannot provide medical services to the numerous wounded and sick.**

**Israel's decision to prevent food, water, electricity, and humanitarian aid enforced living conditions on the population that could lead to its physical destruction**

11. **The current humanitarian situation in the Gaza Strip is the worst since the beginning of the war, and due to the shortages, thousands of children are suffering from severe malnutrition.** In March [alone](#), out of 91,769 children examined, 3,696 children were hospitalized due to severe malnutrition. These figures indicate a sharp increase compared to February, when 2,027 children were hospitalized out of a total of 83,823 examined.

12. [UNICEF](#) warned that due to the halt in aid entry, a spike in malnutrition, diseases, and other preventable conditions is expected, and the risk of preventable child mortality is increasing. In central and southern Gaza, ready-to-use supplementary food for infants, essential for their proper development due to the widespread shortage of regular food, has run out. UNICEF warned that without access to infant formula, families may be forced to use substitutes mixed with contaminated water, exacerbating health risks. Shortages of food and clean water also affect breastfeeding and infant health. The organization's regional director said that thousands of pallets of life-saving aid are waiting to be collected outside Gaza and demanded that Israel allow them to enter immediately, not as an act of charity but as per its obligation under international law.
13. [Humanitarian aid](#) is the main food source for 80% of households in all provinces of the Gaza Strip. According to the latest market monitoring [data](#) and food security analyses in April, food consumption in Gaza has deteriorated sharply due to the closure of crossings and block on food and other vital aid, undermining the improvement achieved during the ceasefire. Due to Israel's [restrictions](#) on the movement of aid organizations on the ground, there are no clear assessments of the number of people in different areas of Gaza. Preliminary information based on field visits recently conducted by aid agencies in Gaza, including in the center, east, and southwest of Gaza City, indicates that despite efforts to increase the response provided to the civilian population, access to essential services is becoming more difficult in the absence of supplies.
14. As of April 3, 2025, all 25 bakeries operated with WFP support were [closed](#) due to lack of cooking gas and flour. This is despite WFP immediately [clarifying](#) after Israel closed the crossings that for many families, unhindered access to humanitarian aid is "the only means of survival." WFP stated that the sudden stoppage of food aid is exacerbating the sharp rise in food prices in markets. According to a market survey conducted by WFP in the first half of March, commercial food prices had already risen sharply. The prices of certain vegetables and fruits increased by 200% compared to the days before the crossings were closed; traders began hoarding goods due to uncertainty about when new supplies would arrive, and stores cannot replenish their stock. The closure of the crossings further worsened the severe energy crisis in Gaza, with diesel prices rising by 105% and cooking gas prices by 200% compared to their prices in February. All this at a time when residents' purchasing power is already extremely limited and there is an acute shortage of liquid cash.
15. An [analysis](#) conducted by the Nutrition Cluster found that between 10% and 20% of the 4,500 pregnant and nursing women examined suffer from malnutrition. The closure of 21 outpatient malnutrition treatment sites due to security conditions or evacuation orders has hampered life-saving treatment for more than 350 children suffering from severe malnutrition, and severely limited the ability to identify and treat new cases.
16. The Water, Sanitation, and Hygiene Cluster (WASH) [updated](#) that significant reduction in water supply through pipelines from Israel, combined with the lack of electricity, fuel, and spare parts, severely affects the civilian population and exposes it to life-threatening conditions. Only one of the three water pipelines from Mekorot [company] in Israel to Gaza is functioning (the Bani Suheila connection in Khan Younis). Due to the power outage, the water output of the central desalination facility in southern Gaza has decreased by approximately 85% since the beginning of March. The pipeline in Deir al-Balah (Bani Saeed) has not been functioning since January 2025, after it was damaged, and until now Israel has prevented safe access for work crews to repair the damage located in a "no-go zone." The third pipeline to northern

Gaza (al-Muntar) has not functioned since April 3, 2025. The consequences are disastrous as this line previously supplied half of the water quantity in the Gaza and North Gaza Governorates.

17. According to UNICEF's [assessment](#), as a result of the severe shortage of drinking water, for about one million people in Gaza, including 400,000 children, the **amount** of available water has decreased from 16 liters per person per day during the ceasefire to just six liters. The organization warned of disease outbreaks, especially among children, as the shortage will force families to use water that is not suitable for drinking.
18. Over 90% of households [report](#) water shortages. Families are forced to make impossible choices such as drinking less water and consuming dangerous water in the struggle to survive. The ongoing collapse of WASH infrastructure deepens the harm to residents and worsens health risks resulting from waterborne diseases.

#### **Ongoing collapse of the healthcare system**

19. On World Health Day, the WHO [voiced](#) sharp criticism of the criminal decision of the State of Israel to completely prevent humanitarian aid from entering the Gaza Strip. According to the organization, the decision has deepened the hunger and malnutrition crisis; left families without clean water, shelter, and proper medical care; and increased the risk of disease and death. WHO estimates that about 55,000 pregnant women live in Gaza, and a third of them have high-risk pregnancies. About 130 babies are born every day, 27% of them by cesarean section. About 20% of newborns are premature, underweight, or born with complications, requiring complex treatment that is rapidly diminishing.
20. It was also [reported](#) that the collapsing healthcare system is flooded with wounded casualties, including children. Evacuation orders and military attacks on medical institutions further limit access to medical care and endanger the continued operation of hospitals and clinics. Due to Israel's decision, the World Health Organization cannot provide vital assistance for maternal and child health, including equipment for cesarean sections, anesthesia and pain management for childbirth, intravenous fluids, antibiotics, and surgical sutures. All these are in severe shortage. Vital equipment and medications, such as portable incubators, ventilators for the neonatal unit, ultrasound machines, and oxygen pumps, as well as 180,000 doses of routine childhood vaccinations (enough to fully protect 60,000 children under the age of two), have not received approval to enter. As a result, sick infants and young children are not receiving the life-saving treatment they urgently need.
21. At a press conference marking World Health Day held in the Strip by the Gaza [Ministry of Health](#), the ministry reported that, while medical teams and ambulance crews continue to work in life-threatening conditions to save victims, 37% of medications and 59% of medical equipment have completely run out. Among these are medications for operating rooms, intensive care, and emergency departments, 54% of cancer treatment medications, 40% of primary care medications, and 51% of maternal and child health medications.
22. A cruel picture emerges from the [description](#) of a surgeon at Al-Ahli Hospital: Doctors are working beyond their capacity, and patients, especially children and women, continue to arrive and are forced to lie on the floor or outside. He added that surgeries are performed in non-sterile conditions due to a shortage of operating room equipment such as gloves and gowns. Surgery under such conditions, especially in cases of open wounds and bone injuries, increases the risk of infections and potential future amputations. Due to the shortage of medical

resources, surgeries take longer than required, and often procedures for simple fracture repairs are not properly conducted and as such can lead to permanent disability.

23. The shortage of sanitary equipment is also worsening. The WASH Cluster [reports](#) that more than 250 health centers are waiting for essential supplies that would enable prevention and control of infections, but these are being held outside the Gaza Strip. The supplies are essential for protecting patients and medical staff, especially in light of the acute shortage of sanitation services (WASH) in medical centers.
24. All this, at a time when Israel continues to extensively attack all parts of the Strip. Multiple-casualty attacks and complex injuries occur on a daily basis, requiring a response that even a fully functioning and equipped healthcare system would not be able to provide. At the same time, the sanitary and hygienic situation in Gaza continues to deteriorate against the backdrop of lack of access to clean water, and the risk of disease transmission increases as a result of the overcrowding of the civilian population due to the publication of evacuation and displacement orders in expanding areas. The result of all this is the elimination of the healthcare system's effective coping ability, which leads to the death of wounded and sick people whose lives could have been saved given access to proper medical treatment.
25. **From all the above, it is apparent that due to Israel's policy, there is an acute shortage of humanitarian aid in the Gaza Strip, which severely harms protected residents, including particularly vulnerable populations such as infants and children, the wounded and the sick.**

**Israel's decision to obstruct aid and access to basic means of survival violates its obligations and cannot withstand judicial or moral review**

26. The position of the organizations addressing you regarding Israel's obligations toward the residents of Gaza is well known to you and was extensively detailed during the proceedings of HCJ 2280/24. Although the petition was rejected, the current situation, as determined by the court, is fundamentally different. Thus, your new policy was not examined and did not receive consideration within the framework of the judgment and is subject to future judicial review.
27. There is no doubt that direct harm is being inflicted on the civilian population, from whom Israel has been preventing access to basic needs for many weeks. This is the result of a deliberate decision to deny them essential means of survival for improper reasons that have no basis in law.
28. However, within the framework of our current appeal, there is no need to address the full range of Israel's obligations under international law, since the closure of crossings and prevention of humanitarian aid entry is absolutely prohibited under the laws of war, which the state has not denied apply to it, and additional provisions in international law, also contradicting the High Court's rulings and principles of administrative law. Regarding the source of obligations, in HCJ 2280/24 Justice Amit reiterated the ruling whereby:

"In addition to the relevant obligations under international public law, IDF forces are subject at all times and wherever they go to the provisions of Israeli law, and in particular to the rulings of this court and to the principles of administrative law, from which derives, inter alia, the obligation of state authorities to act 'with fairness (substantive and procedural), reasonableness, and proportionality'" (para. 45 of the judgment).

29. Indeed, the judgment determined that under the laws of war (Article 23 of the Fourth Geneva Convention and Article 70 of the First Additional Protocol), the State of Israel is obligated to allow and facilitate the passage of humanitarian aid to residents, alongside its right to establish technical arrangements and supervise the entry of goods in order to prevent their reaching terrorist organizations (para. 18 of Justice Amit's judgment). The judgment also determined that Israel has additional obligations toward the civilian population in the Gaza Strip in accordance with the Al-Bassiouni ruling:

"In the reality after the disengagement, the State of Israel continues to bear certain obligations, which stem mainly from the state of warfare with Hamas; from Israel's degree of control over the border crossings between it and the Strip; and from 'the situation created between the State of Israel and the territory of the Gaza Strip after years of Israeli military rule in the area' – a situation that led to the creation of dependence on Israel in certain aspects."

30. The starting point of the judgment is the state's claim that it implements a principled policy "not to impose restrictions on the amount of aid entering Gaza" (para. 70). The court adopted the declaration that the State of Israel allows "aid organizations and the international community to bring significant humanitarian aid into the Gaza Strip, all while the intense fighting continues" (para. 74). Today, there is no room for doubt that the state has been implementing a deliberate policy for many weeks that is not limited to direct or indirect limitations on aid, but completely prevents any type of aid intended to enter the Gaza Strip.
31. **Thus, despite the State of Israel declaring that its principled policy is to allow the passage of humanitarian aid without restrictions, and on this basis, among other things, the court approved the legality of its policy, the state did not hesitate to intensify the harm to the protected residents and completely deny them aid for many weeks. In our view, the new policy raises concerns about the use of food and humanitarian aid as a weapon of war that could amount to the crime of starvation, including the crime of genocide. We will again remind you of the provisions of the law.**

#### **The State of Israel is using humanitarian aid as a weapon of war**

32. A party to a conflict is not permitted to use food deprivation as a weapon of war. Article 54 of the First Additional Protocol to the Geneva Conventions, which forms part of customary international law, establishes a prohibition on starving the civilian population and on harming objects essential to its survival:

1. Starvation of civilians as a method of warfare is prohibited.
2. "It is prohibited to attack, destroy, remove, or render useless objects indispensable to the survival of the civilian population..."

33. This prohibition is also established in Article 14 of the Second Additional Protocol to the Geneva Conventions, which applies in non-international armed conflicts, and thus established in Rule 53 of the Customary Rules:

"The use of starvation of the civilian population as a method of warfare is prohibited."

34. The commentary on Article 54(1) of the First Additional Protocol indicates that the use of starvation as a means of warfare means:



"to provoke it deliberately, causing the population to suffer hunger, particularly by depriving it of its sources of food or of supplies. It is clear that activities conducted for this purpose would be incompatible with the general principle of protecting the population..."

35. Article 8(2)(b)(xxv) of the Rome Statute establishes that the intentional use of starvation of the civilian population as a method of warfare by means of depriving them of objects indispensable to their survival, including preventing the entry of humanitarian supplies as required by the Fourth Geneva Convention, constitutes a **war crime**.
36. The consequence of preventing humanitarian aid could also be considered a crime of genocide under the Convention on the Prevention and Punishment of the Crime of Genocide. Such a crime is defined under Article 2(c) of the Convention as:

"Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part..."

As you know, the provisional measures issued by the International Court of Justice in The Hague in South Africa's case against Israel under the Genocide Convention focus on the restrictions Israel has imposed on humanitarian aid. The deliberate prevention of aid entry of any kind, including water, food, and fuel for weeks, may prove that the intent required by the Convention to harm the protected population is present.

37. Beyond what is necessary, it should be noted that the laws of siege also prohibit harm to uninvolved residents. Indeed, a party to a conflict is entitled to formulate certain arrangements for the passage of aid and its supervision. However, in no way can the closing of crossings in an absolute manner and for an extended period be justified on the grounds that it was intended for this purpose. As you well know, even before the closure of the crossings, the position of international organizations operating in the field was that the State of Israel was violating the provisions of the law. But today, even according to the position adopted by the court, there is no longer any room for doubt or different interpretations: The policy that Israel has been pursuing since the beginning of March constitutes a blatant and most severe violation of the law and, as mentioned, raises a real concern that these are violations that may amount to the commission of the crime of starvation and the crime of genocide.

## **Conclusion**

38. The basic needs of the civilian population in the Gaza Strip and the vital aid it requires are being denied to it due to a political, deliberate, and conscious decision by the Government of Israel. The government has declared that this is a "political-security" decision, but these considerations do not fall within the exceptions to the obligation to allow rapid and unimpeded aid to the civilian population. Even if, for the sake of discussion only, this argument were accepted, there is no doubt that preventing aid from reaching the civilian population in a continuous manner is extremely disproportionate and therefore illegal.
39. In light of all the above, **we demand that the State of Israel immediately open the crossings to the Gaza Strip and keep them open in a continuous and consistent manner to allow the entry of aid. In addition, despite the High Court ruling, we maintain our demand that the State of Israel act immediately with all means at its disposal to provide for all the vital needs of the civilian population in the Gaza Strip.**



Sincerely,

Signed

Sigi Ben Ari, Advocate

Signed

Osnat Cohen Lifshitz, Advocate