



PROTECTING THE RIGHT TO ADEQUATE FOOD AND SAVING LIVES IN THE GAZA STRIP

Briefing note on the Occupied Palestinian Territory

“ *The right to adequate food is realized when every man, woman, and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement.*

General Comment 12: The right to adequate food,
UN Committee on Economic, Social and Cultural Rights, 1999

The intensification of hostilities in the Gaza Strip since October 2023 has resulted in a humanitarian crisis of vast proportions. Beyond the massive loss of lives and livelihoods, the entire population of the Gaza Strip is facing critical to catastrophic levels of acute food insecurity. Food security and nutrition conditions have drastically worsened, to the point where none of the basic requirements for ensuring everyone's right to adequate food are being met, as confirmed by multiple official sources cited in this Brief. The people of the Gaza Strip are facing famine – a risk that grows every day that the current situation of intense hostilities and restricted humanitarian access persists or worsens.

This Brief begins by explaining the concept of food as a human right and the details of the obligations of States in terms of the right to food. It further explains the application of the right to food in armed conflict and occupation, the role of international humanitarian law and the prohibition of the use of starvation as a method of warfare. The Brief then presents data on various dimensions of food insecurity and malnutrition in the Gaza Strip. Where available, evidence on other factors that impede the realization of the right to food are also cited. The Brief examines the current situation in the Gaza Strip in light of the binding obligations imposed on States by existing legal instruments and precedents under international law.

FOOD IS A HUMAN RIGHT

Article 25 of the Universal Declaration of Human Rights (1948) declared the right to food to be a core ingredient of the right to an adequate standard of living.ⁱ

It was further established as a legal obligation in the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR). In Article 11, the Covenant establishes the “right of everyone to an adequate standard of living for himself and his family, including adequate food”, as well as the “fundamental right of everyone to be free from hunger”.^{1, ii}

At the request of Member States, in 1999 the UN Committee on Economic, Social and Cultural Rights in its General Comment No. 12 detailed the authoritative interpretation of the normative content of the right to adequate food.² At paragraph 4, the Committee states:

“ *[T]he right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfillment of other human rights enshrined in the International Bill of Human Rights.*

ⁱ The Declaration also established that “all human beings are born free and equal in dignity and rights” (Article 1) and that “everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind” (Article 2).

ⁱⁱ Several other human rights treaties and instruments recognize the right to adequate food, such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, Art. 12(2)), the Convention on the Rights of the Child (Arts. 24(2)(c) and 27(3)) and the Convention on the Rights of Persons with Disabilities (Arts. 25 (f) and 28 (1)), among others.

In line with Article 2(1) of the Covenant, General Comment No. 12 acknowledges that “the right to adequate food will have to be realized progressively” (Art. 6). This, however, does not mean that States parties need not do anything to move towards realizing that goal. Both the Covenant and General Comments (GC) No. 3 and No. 12 of the Committee clearly define how the notion of *progressive realization* must be understood. Some State obligations are of immediate effect.ⁱⁱⁱ They include the following:

Non-discrimination: States have an obligation to avoid discrimination in access to food and related resources, and to ensure the full exercise and enjoyment of all rights recognized under the Covenant (ICESCR, Art. 2(2) and 3; GC No. 3, para. 9).

Non-retrogression: States cannot allow the existing level of fulfilment of the right to food to deteriorate unless there are strong justifications and only after demonstrating that they had carefully considered all the options and fully used their maximum available resources (GC No. 3, para. 9).

Obligation to take steps: The fundamental obligation of States is to “take steps”, both individually and through international assistance and cooperation, towards the full realization of the rights set forth in the Covenant. This implies that they must make constant efforts to improve the enjoyment of, for instance, the right to food. Such steps should be deliberate, concrete and targeted as clearly as possible (ICESCR, Art. 2(1); GC No. 3, Art. 2; GC No. 12, para. 14 and 16). There is a minimum core obligation upon States to act immediately to alleviate hunger (to ensure a minimum level of ‘essential foodstuffs...’).

Maximum use of available resources: International law further imposes the obligation for States to implement the right to adequate food “to the maximum of [their] available resources” (ICESCR, Art. 2(1); GC No. 3, para. 10 and 13; GC No. 12, para. 17). This places limits on States’ discretion in allocating resources to purposes other than those that would allow progress towards realizing the rights recognized in the Covenant.

Use of all appropriate means: The obligation to pursue the realization of the right to food “by all appropriate means” likewise sets a standard of “appropriateness”, to determine whether a State made sufficient efforts to fulfil the duties set out in the Covenant (ICESCR, Art. 2(1); GC No. 3, para. 4).

Moreover, these international legal instruments spell out *minimum core obligations* that require States to take decisive action with no delays. They refer to the need to ensure the provision of *minimum essential* levels of each of the rights under the Covenant. With respect to the right to food, several clauses in GCs No. 3 and No. 12 are worth quoting at length:

“ A minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights is incumbent upon every State party. Thus, for example, a State party in which any significant number of individuals is deprived of essential foodstuffs, of essential primary health care, of basic shelter and housing, or of the most basic forms of education is, prima facie, failing to discharge its obligations under the Covenant” (GC No. 3, para. 10).

“ States have a core obligation to take the necessary action to mitigate and alleviate hunger ... even in times of natural or other disasters” (GC No. 12, para. 6).

“ Every State is obliged to ensure for everyone under its jurisdiction access to the minimum essential food which is sufficient, nutritionally adequate and safe, to ensure their freedom from hunger” (GC No. 12, para. 14).

“ The Covenant clearly requires that each State party take whatever steps are necessary to ensure that everyone is free from hunger and as soon as possible can enjoy the right to adequate food” (GC No. 12, para. 21).

ⁱⁱⁱ General Comment No. 3 states that “the concept of progressive realization constitutes recognition of the fact that full realization of all economic, social and cultural rights will generally not be able to be achieved in a short period of time... Nevertheless, [the Covenant] imposes an obligation to move as expeditiously and effectively as possible towards that goal” (UN Committee on Economic, Social and Cultural Rights, 1990. General Comment 3. The nature of States parties obligations (Art. 2, par.1), E/1991/23. In: ESCR-Net. New York, USA. [Cited 12 June 2024]. <https://www.escri-net.org/resources/general-comment-3>). See also FAO, 2002. The right to adequate food in emergencies. FAO Legislative Study 77. Rome. <https://www.fao.org/right-to-food/resources/resources-detail/en/c/46223/> and Office of the High Commissioner for Human Rights (OHCHR) & FAO, 2010. The right to adequate food. Fact Sheet No. 34. Geneva, Switzerland, OHCHR. <https://www.ohchr.org/en/publications/fact-sheets/fact-sheet-no-34-right-adequate-food>.

State obligations

Under the International Covenant on Economic, Social and Cultural Rights, States have the legal obligation to guarantee the right to adequate food without discrimination. This means they must:

- ▶ **Respect the right to adequate food:** States have to respect existing access to food and means of obtaining it and must refrain from taking measures that could hinder such access. For instance, States cannot undermine access to food by contaminating or destroying farmland. In armed conflicts, this obligation is further underpinned by international humanitarian law provisions prohibiting the use of starvation of civilians as a method of warfare (FAO, 2002).
- ▶ **Protect the right to adequate food:** States must protect people's right to adequate food, including against violations by third parties. States, for instance, should prevent third parties from destroying sources of food by polluting land, water and air with hazardous industrial or agricultural products, or by destroying agricultural land or fishing ports (OHCHR and FAO, 2010).

- ▶ **Fulfil the right to adequate food:** This incorporates both an obligation to facilitate and an obligation to provide. The obligation to facilitate means the State must proactively engage in activities intended to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security. It also applies in natural and man-made emergencies, for instance with regard to facilitating the transit of humanitarian consignments. In armed conflicts, international humanitarian law explicitly affirms that States have an obligation to grant free passage to humanitarian relief and to facilitate the work of the humanitarian agencies and the distribution of food aid (FAO, 2002).

In turn, the obligation to provide means that whenever individuals or groups are unable, for reasons beyond their control, to enjoy the right to food by the means at their disposal, States have the obligation to fulfil that right directly. This can take place through, for instance, the provision of food or cash assistance for the most deprived and for victims of natural or man-made disasters. Because of their very nature, emergency situations often entail a shift from the obligation to facilitate to the obligation to provide (FAO, 2002).

Source:

FAO. 2002. *The right to adequate food in emergencies*. FAO Legislative Study 77. Rome. <https://www.fao.org/right-to-food/resources/resources-detail/en/c/46223/>

OHCHR (Office of the High Commissioner for Human Rights) & FAO. 2010. *The right to adequate food*. Fact Sheet No. 34. Geneva, Switzerland, OHCHR. <https://www.ohchr.org/en/publications/fact-sheets/fact-sheet-no-34-right-adequate-food>

In other words, there is a distinction to be made between those elements of the right to adequate food that may call for their progressive realization – even if concrete steps must still be taken with immediate effect and to the maximum of available resources – and addressing a condition such as hunger that cannot wait or abide inaction. The Committee's General Comment No. 12 goes even further when it states that:

“Violations of the Covenant occur when a State fails to ensure the satisfaction of, at the very least, the minimum essential level required to be free from hunger” (GC No. 12, para. 17).^{iv}

^{iv} If a State fails to meet this core obligation owing to resource restraints, it must demonstrate that it has made every effort to use all available resources to satisfy it, as a matter of priority. Even if the resources at its disposal are inadequate, the State must still introduce low-cost and targeted interventions to assist those most in need. See Office of the High Commissioner for Human Rights & FAO. 2010. *The right to adequate food*. Fact Sheet No. 34. Geneva, Switzerland, OHCHR. <https://www.ohchr.org/en/publications/fact-sheets/fact-sheet-no-34-right-adequate-food>

Right to food and food security and nutrition: Key concepts

The right to adequate food is anchored in a normative framework built over the span of 75 years through a process of intergovernmental negotiations. It reflects the consensus of the international community on the obligations imposed primarily upon States, and the entitlements pertaining to citizens, to achieve food security and nutrition for all. The core elements of the right to food are as follows.

- ▶ **Availability:** Food has to be available in sufficient quantity and quality to satisfy the dietary needs of individuals everywhere, including in remote regions, for people in detention or situations of conflict. People must, at all times, be able to either feed themselves directly from the fruits of their land and other natural resources or from well-functioning distribution, processing and market systems.
- ▶ **Accessibility:** People must be able to afford food for an adequate diet all year round. At the same time, food environments must be such that they do not erect physical barriers to access, especially for those in situations of vulnerability such as infants and young children, elderly persons, persons living with disability and others facing disadvantage who may need special attention.
- ▶ **Adequacy:** The concept of adequacy is particularly relevant to the right to food. It denotes that food always has to be adequate in terms of its safety, nutritional value, dietary needs and cultural or consumer acceptability. It must be free of adverse substances, contain a mix of nutrients for physical and mental growth, development, maintenance and physical activity to meet human physiological needs at all stages throughout the life cycle, while taking into account perceived non-nutrient-based values attached to food consumption.
- ▶ **Sustainability:** Food has to be available over time, for present as well as future generations, and without interfering with the enjoyment of other human rights. This links, among others, with the human right to access a clean, healthy and sustainable environment, adopted by the UN General Assembly in 2022 (UN, 2022). The right to food requires sustainable food systems to ensure that enough food is produced now and in the future.

Food security, in turn, refers to a “situation that exists when all people, at all times, have physical, social and economic access to sufficient, safe and nutritious food that meets their dietary needs and food preferences for an active and healthy life” (FAO, 2006). While the notion of food security is closely related to the right to food, they are not the same: one denotes legal obligations and entitlements, as well as the means for achievement, the other is the contextual/situational outcome towards which policy, legislation and programmes must strive on fulfilment of the right to food.

Food security comprises four dimensions, which overlap with the core elements of the right to adequate food. In addition to availability and access, the notion of food security entails the following:

- ▶ **Utilization:** Food security and nutrition not only depend on food being available and accessible, but also on care and feeding practices, food preparation, dietary diversity and intrahousehold distribution of food, and access to clean water, sanitation and health care.
- ▶ **Stability:** This refers to the condition in which the whole agrifood system is stable, thus ensuring people are food secure at all times. Food stability requires addressing both short-term climatic, economic, social or political shocks that result in acute food insecurity and medium- to long-term shocks that can lead to chronic food insecurity.

In 2020, the High-Level Panel of Experts of the Committee on World Food Security proposed two new dimensions of food security. One is sustainability, which was already part of the normative construct of the right to adequate food and refers to “the long-term ability of food systems to provide food security and nutrition in a way that does not compromise the economic, social and environmental bases that generate food security and nutrition for future generations” (HLPE, 2020).

The other is agency. This denotes “the capacity of individuals or groups to make their own decisions about what foods they eat; what foods they produce; how that food is produced, processed and distributed within food systems; and their ability to engage in processes that shape food system policies and governance” (HLPE, 2020).

Source:

FAO. 2006. *Food security*. Policy Brief, Issue 2. Rome.

https://www.fao.org/fileadmin/templates/faoitally/documents/pdf/pdf_Food_Security_Cocept_Note.pdf

HLPE (High Level Panel of Experts). 2020. *Food security and nutrition: building a global narrative towards 2030*. A report by the High Level Panel of Experts on Food Security and Nutrition of the Committee on World Food Security, Rome.

www.fao.org/3/ca9731en/ca9731en.pdf

UN. 2022. UN General Assembly declares access to clean and healthy environment a universal human right, In: *United Nations – UN News*. New York, USA. [Cited 10 June 2024]. <https://news.un.org/en/story/2022/07/1123482>.

THE RIGHT TO FOOD IN ARMED CONFLICT AND OCCUPATION

Human rights obligations are defined and guaranteed by international customary law and human rights treaties, which create binding obligations on their Member States to give effect to these rights.^v Subject to some limitation and derogation clauses, international human rights law applies in times of both peace and war.^{vi} The ICESCR does not contain any explicit derogation clause. As regards the right to be free from hunger, the right to adequate food is directly related to the right to life, and cannot be derogated. As a fundamental human right, the right to food applies even in emergencies.^{vii}

The scope of application of human rights law is not confined to a State's territorial limits, but also covers the exercise of its jurisdiction or effective control even outside of the State's sovereign territory. In an advisory opinion of 2004, the International Court of Justice (ICJ) stated that:

“ *The International Covenant on Economic, Social and Cultural Rights ... guarantees rights which are essentially territorial. However, it is not to be excluded that it applies both to territories over which a State party has sovereignty and to those over which that State exercises territorial jurisdiction*” (ICJ 2004, para. 112).³

This opinion by the ICJ is in line with General Comment No. 8 of the UN Committee on Economic, Social and Cultural Rights, according to which:

“ *When an external party takes upon itself even partial responsibility for the situation within a country ... it also unavoidably assumes a responsibility to do all within its power to protect the economic, social, and cultural rights of the affected population*” (GC No. 8, para. 13).⁴

The 2011 Maastricht Principles provide guidance to further clarify the scope of a State's extraterritorial obligations. They are defined as encompassing “obligations relating to the acts and omissions of a State, within or beyond its territory, that have effects on the enjoyment of human rights outside of that State's territory” (Principle 8).⁵

On the matter of the scope of jurisdiction of States' obligations, Principle 9 holds that:

“ *A State has obligations to respect, protect and fulfil economic, social and cultural rights in any of the following: a) situations over which it exercises authority or effective control, whether or not such control is exercised in accordance with international law; b) situations over which State acts or omissions bring about foreseeable effects on the enjoyment of economic, social and cultural rights, whether within or outside its territory; c) situations in which the State ... is in a position to exercise decisive influence or to take measures to realize economic, social, and cultural rights extraterritorially, in accordance with international law.*”⁵

Along the same lines, in relation to belligerent or other occupation, Principle 18 holds that any State that “exercises effective control over territory outside its national territory must respect, protect and fulfil the economic, social and cultural rights of persons within that territory.”⁵

In fulfilling their obligations under international law, States are encouraged to seek international assistance and cooperation as a means of achieving the full realization of human rights, as stipulated in paragraphs 2(1), 11(1) and 11(2) of the ICESCR. Notably, the fundamental right to be free from hunger and the right to an adequate standard of living including adequate food are the only economic, social or cultural rights in which the ICESCR explicitly prescribes international cooperation as being essential to achieving them.⁶

^v As of June 2024, 171 States have ratified the ICESCR and are bound by its provisions. In addition, more than 45 countries have recognized the right to adequate food in their constitutions and many more have enacted legislation to implement their international human rights obligations at domestic level.

^{vi} Derogation clauses permit States to suspend some rights in narrowly determined situations, particularly situations of public emergency. However, all these treaties list rights that cannot be derogated even in emergency situations (Art. 4(2) of the International Covenant on Civil and Political Rights). The right to life is one such right that cannot be derogated.

^{vii} Even though human rights treaties have not been ratified by all States, it is widely accepted that some fundamental human rights, such as the right to food, are recognized in whole or in part under customary international law. As such, they are binding for all States, irrespective of whether they have ratified human rights treaties (FAO. 2002. The right to adequate food in emergencies. FAO Legislative Study 77. Rome. <https://www.fao.org/right-to-food/resources/resources-detail/en/c/46223/>).

In General Comment No. 12, the UN Committee on Economic, Social and Cultural Rights elaborated further on this point. In particular:

- “ States parties should recognize the essential role of international cooperation and ... take steps to respect the enjoyment of the right to food in other countries, to protect that right, to facilitate access to food and to provide the necessary aid when required” (GC No. 12, para. 36).
- “ States parties should refrain at all times from food embargoes or similar measures which endanger conditions for food production and access to food in other countries. Food should never be used as an instrument of political and economic pressure” (GC No. 12, para. 37).
- “ States have a joint and individual responsibility ... to cooperate in providing disaster relief and humanitarian assistance in times of emergency, including assistance to refugees and internally displaced persons” (GC No. 12, Art. 38).

Finally, paragraph 19 of the Committee’s General Comment No. 12 establishes that:

- “ Violations of the right to food can occur through the direct action of States or other entities insufficiently regulated by States. These include: denial of access to food to particular individuals or groups [or] the prevention of access to humanitarian food aid in internal conflicts or other emergency situations” (GC No. 12, para. 19).

In armed conflicts, the protections granted by human rights law are supplemented by international humanitarian law. These mainly consist of the four 1949 Geneva Conventions and the two Additional Protocols of 1977.^{7,8}

International humanitarian law is instrumental to realizing the right to adequate food in conflict situations by prescribing certain conduct, such as facilitating access by humanitarian agencies so that those not taking part in hostilities will not be denied food or access to food, while prohibiting other behaviours, such as the use of starvation as a method of warfare.^{viii} Serious violations of these norms are crimes punishable under international law.⁹

The Geneva Conventions and their Additional Protocols form the core of international humanitarian law, which regulates the conduct of armed conflict and seeks to limit its effects. They protect people not taking part in hostilities and those who are no longer doing so.

Humanitarian law provides that:

- “ To the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food... of the population; it should, in particular, bring in the necessary foodstuffs... if the resources of the occupied territory are inadequate” (Fourth Geneva Convention, Article 55).

With respect to the delivery of food and food-related aid and other basic necessities, the Fourth Geneva Convention states:

- “ If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal. Such schemes, which may be undertaken either by States or by impartial humanitarian organizations such as the International Committee of the Red Cross, shall consist, in particular, of the provision of consignments of foodstuffs, medical supplies and clothing” (Fourth Geneva Convention, Article 59).^{ix}

^{viii} In Articles 33 and 50, the Fourth Geneva Convention also explicitly prohibits inflicting collective punishment and reprisals “against protected persons and their property ... on account of the acts of individuals for which they cannot be regarded as jointly and severally responsible.”

^{ix} That same article states that “All Contracting Parties shall permit the free passage of these consignments and shall guarantee their protection”, before adding that “A Power granting free passage to consignments on their way to territory occupied by an adverse Party to the conflict shall, however, have the right to search the consignments, to regulate their passage according to prescribed times and routes, and to be reasonably satisfied through the Protecting Power that these consignments are to be used for the relief of the needy population and are not to be used for the benefit of the Occupying Power.”

Starvation and famine

In the Commentary of 1987 to Additional Protocol I to the 1949 Geneva Conventions (ICRC, n.d.a), “starvation” was defined as “the action of subjecting people to famine, i.e., extreme and general scarcity of food.” The Commentary stressed that “[t]he prohibition on using starvation against civilians is a rule from which no derogation may be made” and further clarified that the object of Article 14 of the Conventions, on the Protection of objects indispensable to the survival of the civilian population, is “to prohibit the deliberate provocation of such a situation and to preserve the means of subsistence of the civilian population, in order to give effect to the protection to which it is entitled” (ICRC, n.d.b).

The Integrated Food Security Phase Classification (IPC) Global Initiative defines “famine” as the situation in which very high levels of household acute food insecurity (i.e. households experience an extreme lack of food and/or cannot meet other basic needs even after full employment of coping strategies) are accompanied by extreme critical levels of acute malnutrition and mortality (IPC, 2024a and 2024b).

The IPC Global Initiative analysis of the situation in the Gaza Strip, conducted in December 2023 (IPC, 2023), determined that there was a “risk of famine” within the projection period of December 2023 to February 2024, and that the risk would increase for each day that the intense conflict and restricted humanitarian access persisted or worsened.

The second review published in March 2024 confirmed that famine was projected and imminent in the North Gaza and Gaza Governorates, and that the risk of famine persisted in all other governorates of the Gaza Strip (IPC, 2024a).

In the most recent analysis, released in June 2024, (IPC, 2024b), despite increases in the amount of food and non-food commodities allowed into the northern governorates and a scaled up nutrition, water sanitation and hygiene (WASH) and health sectors response, the situation in Gaza remains catastrophic with a high and sustained risk of famine across the whole Gaza Strip. The prolonged nature of the crisis means that this risk remains at least as high as at any time during the past few months.

Source:

ICRC. n.d.a. Commentary of 1987 to the II Additional Protocol to the Geneva Conventions of 1949, relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977. Commentary of 1987. In: *ICRC – International Humanitarian Law Databases*. Geneva, Switzerland. [Cited 1 June 10, 2024].

<https://ihl-databases.icrc.org/en/ihl-treaties/apii-1977/article-14/commentary/1987>

ICRC. 2020. n.d.b. *Article 14 – Protection of objects indispensable to the survival of the civilian population*. In: *ICRC – International Humanitarian Law Databases*. Geneva, Switzerland. [Cited 1 June 10, 2024].

<https://ihl-databases.icrc.org/en/ihl-treaties/apii-1977/article-14?activeTab=undefined>

IPC (Integrated Food Security Phase Classification). Gaza Strip: Acute food insecurity situation for 24 November – 7 December 2023 and Projection for 8 December 2023–7 February 2024. In: *IPC – IPC Analysis Portal*. Rome. [Cited 10 June 2024].

<https://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1156749/>

IPC. 2024a. *The Gaza Strip: IPC acute food insecurity analysis, 15 February–15 July 2024*. IPC Global Initiative – Special Brief. Rome.

https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf

IPC. 2024b. *Gaza Strip: IPC acute food insecurity special snapshot: 15 February–15 July 2024*. Rome.

https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Snapshot.pdf

Article 23 of the Fourth Geneva Convention expands on the special consideration that ought to be extended to certain groups on account of their age or any sex-related condition associated with their lifecycle. The article states that, in protecting civilians in times of war, all the relevant parties:

“ ... shall allow the free passage of all consignments of ... essential foodstuffs, clothing and tonics intended for children under fifteen, expectant mothers and maternity cases” (Fourth Geneva Convention, Article 23).

Apart from facilitating the free passage of goods intended to relieve the situation of civilians trapped in a belligerent situation, the Additional Protocols to the Geneva Conventions expressly prohibit “the starvation of civilians as a method of combat”,^x adding that a party to the conflict cannot:

“ attack, destroy, remove or render useless ... objects indispensable to the survival of the civilian population such as foodstuffs, agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works” (Additional Protocols I, Art. 54(1), and II, Art. 54(1) and 54(4)).

International humanitarian law provisions that are relevant to the right to freedom from hunger, such as the prohibition of starving civilians as a method of warfare, are also widely recognized as part of international customary law.^{xi}

In May 2018, the UN Security Council unanimously adopted Resolution 2417 on the link between armed conflict and food insecurity.¹⁰ The Resolution calls upon all States to uphold international humanitarian law regarding the protection of civilians and reaffirms that States bear the primary responsibility to protect the population throughout their whole territory. It condemns the starving of civilians as a method of warfare and the unlawful denial of humanitarian access to civilian populations in need of urgent food, nutrition and livelihood assistance.^{11, xii} Finally, the Resolution calls on all parties to armed conflict to grant relief supply and access by ensuring safe and unimpeded access of humanitarian personnel to civilians.

x The use of starvation of civilians as a method of warfare in international armed conflicts, “including wilfully impeding relief supplies as provided for under the Geneva Conventions” and “wilfully causing great suffering... not justified by military necessity and carried out unlawfully and wantonly”, constitutes war crimes and grave breaches of international humanitarian law (ICC Statute, Art. 8(2) and Fourth Geneva Convention, Art. 147). Deliberate starvation, whether in war or peace, may also constitute genocide or a crime against humanity under international criminal law (ICC Statute, Art. 7(1)(b) and 7(2)(b)). In 2019, the International Criminal Court amended Article 8 of the Rome Statute to include “[i]ntentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies” as a war crime in armed conflicts (International Criminal Court. 2019. *Resolution on amendments to article 8 of the Rome Statute of the International Criminal Court*. ICC-ASP/18/Res.5. The Hague, The Kingdom of the Netherlands. https://asp.icc-cpi.int/sites/asp/files/asp_docs/ASP18/ICC-ASP-18-Res5-ENG.pdf).

xi For instance, Rules 53 and 54 of the Customary International Humanitarian Law ban the use of starvation as a method of warfare as well as perpetrating attacks against objects indispensable to the survival of the civilian population, respectively. See also FAO. 2002. *The right to adequate food in emergencies*. FAO Legislative Study 77. Rome. <https://www.fao.org/right-to-food/resources/resources-detail/en/c/46223/>.

xii UN Security Council Resolution 2417 stresses that “objects necessary for food production and distribution, such as farms, markets, water systems, mills, food processing and storage sites” must not be attacked and that “objects that are indispensable to the survival of the civilian population, such as foodstuffs, crops, livestock, agricultural assets... and irrigation works” must not be destroyed, targeted or rendered useless.

The Right to Food Guidelines in emergency situations

The *Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security*, or Right to Food Guidelines (FAO, 2004), were negotiated by Member States over a period of two years and adopted by the FAO Council in November 2004. They reaffirm States' obligations under international humanitarian law and reiterate provisions of Additional Protocol I to the 1949 Geneva Conventions. In the case of natural or man-made disasters:

15.3 States and relevant non-State actors should ensure, in accordance with international law, safe and unimpeded access to the populations in need, ... and by humanitarian agencies involved in the distribution of international food assistance.

16.1 Food should never be used as a means of political and economic pressure.

16.2 [W]ith respect to the humanitarian needs of the civilian population [and] their access to food in situations of armed conflict and occupation:

"[t]he starvation of civilians as a method of warfare is prohibited,"

"[i]t is prohibited to attack, destroy, remove or render useless objects indispensable to the survival of the civilian population, such as foodstuffs,

agricultural areas for the production of foodstuffs, crops, livestock, drinking water installations and supplies and irrigation works," and "these objects shall not be made the object of reprisals."

16.3 In situations of occupation, international humanitarian law provides ... that to the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; that it should, in particular, bring in the necessary foodstuffs ... if the resources of the Occupied Territory are inadequate; and that if the whole or part of the population of an Occupied Territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal.

16.5 States should make every effort to ensure that refugees and internally displaced persons have access at all times to adequate food.

16.6 In the case of natural or human-made disasters, States should provide food assistance to those in need, may request international assistance if their own resources do not suffice, and should facilitate safe and unimpeded access for international assistance in accordance with international law and universally recognized humanitarian principles.

Source:

FAO. n.d.a. 2005. *Voluntary Guidelines to support the progressive realization of the right to adequate food in the context of national food security*. Rome. www.fao.org/3/a-y7937e.pdf

ACUTE HUNGER AND FOOD INSECURITY IN THE GAZA STRIP

Successive Integrated Food Security Phase Classification (IPC) reports have documented the extremely high levels of acute food insecurity in the Gaza Strip.^{12,13} The latest IPC report, released in June 2024, concluded that between May 1 and June 15, 95 percent of the population in the Gaza Strip, representing 2.15 million people, faced high levels of acute food insecurity (IPC Phase 3 – Crisis

or above). Of these, 29 percent faced emergency acute food insecurity (IPC Phase 4 – Emergency), while 15 percent, nearly 343 000 people, experienced catastrophic levels of acute food insecurity (IPC Phase 5 – Catastrophe/ Famine).¹⁴

The report projected that, between June 16 and September 30, 2024, it is likely that 96 percent of the population will experience high levels of acute food insecurity (IPC Phase 3), with 33 percent of the population facing emergency acute food insecurity (IPC Phase 4), and 22 percent, nearly 495 000 people, facing catastrophic food insecurity (IPC Phase 5).¹⁴

IPC Phase 1 None/Minimal	IPC Phase 2 Stressed	IPC Phase 3 Crisis	IPC Phase 4 Emergency	IPC Phase 5 Catastrophe/Famine
Households are able to meet essential food and non-food needs without engaging in atypical and unsustainable strategies to access food and income.	Households have minimally adequate food consumption but are unable to afford some essential non-food expenditures without engaging in stresscoping strategies.	Households either: <ul style="list-style-type: none"> • have food consumption gaps that are reflected by high or above-usual acute malnutrition; or • are marginally able to meet minimum food needs but only by depleting essential livelihood assets or through crisis-coping strategies. 	Households either: <ul style="list-style-type: none"> • have large food consumption gaps that are reflected in very high acute malnutrition and excess mortality; or • are able to mitigate large food consumption gaps but only by employing emergency livelihood strategies and asset liquidation. 	Households experience an extreme lack of food and/or cannot meet other basic needs even after full employment of coping strategies. Starvation, death, destitution and extremely critical acute malnutrition levels are evident. For Famine Classification, area needs to have extremely critical levels of acute malnutrition and mortality.

Table 1. Acute Food Insecurity Phase: name and description

Source:

Integrated Food Security Phase Classification. 2024. *The Gaza Strip: IPC acute food insecurity analysis., 15 February–15 July 2024.* IPC Global Initiative – Special Brief. Rome.

https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf

FOOD AVAILABILITY

While before the current hostilities the Gaza Strip was widely dependent on imports for basic staples such as wheat, flour and animal feeds, it produced a substantial part of its requirements for red meat and fish and was self-sufficient in most vegetables, selected fruits, olive oil, fresh milk, poultry and eggs – all fundamental elements of a healthy, diverse diet.^{15,16}

The further blockade imposed on the Gaza Strip since October 2023, along with the sustained bombardment and ground operations and the restrictions on the delivery of emergency relief, have resulted in dwindling food stocks and widespread food scarcity. Military operations have caused extensive damage to farmland and infrastructure such as greenhouses, wells, farms, bakeries and warehouses.^{11, 13, 17, 18, 19, 20} Food processing facilities have been destroyed.²¹ An acute shortage of fodder and water has led to massive numbers of livestock deaths, while croplands have suffered heavy damage or become inaccessible.^{xiii} The lack of fuel for irrigation affected the vital winter planting season, posing further threats to future harvests and food production.¹⁹

The number of trucks carrying food entering the Gaza Strip every day has reduced drastically compared with before October 2023.¹³ Constraints on humanitarian action throughout the Gaza Strip include direct strikes on humanitarian convoys with explosive weapons, detention of humanitarian staff, road closures, checkpoints and related blockages or delays on main transportation corridors. Swarming of humanitarian convoys increased.¹³

Physical access constraints further limit the movement of humanitarian and commercial traffic; as of May 29, 2024, an estimated 65 percent of the total road network has been damaged (including destroyed and affected roads), across the Gaza Strip.²² An estimated 37.5 million tonnes of conflict-generated debris is present throughout the Gaza Strip, with 3.2 million tonnes attributed to damaged roads. The United Nations Mine Action Service (UNMAS) reports that much of this debris contains unexploded ordnance, as at least 10 percent of fired ammunition fails to detonate. According to UNMAS, it could take up to 14 years to clear all explosive threats in the Gaza Strip.²³ The depletion of food stocks combined with inadequate food aid and alternative food sources worsen an already critical situation, pushing large numbers of people into starvation.¹³

^{xiii} About 70 percent of livestock and other animals have been lost since October 2023. More than 57 percent of all croplands have been damaged, including orchards and irrigated and rainfed land. See Integrated Food Security Phase Classification. 2024. *Famine Review Committee: Gaza Strip, June 2024.* Conclusions and Recommendations. Rome.

https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf

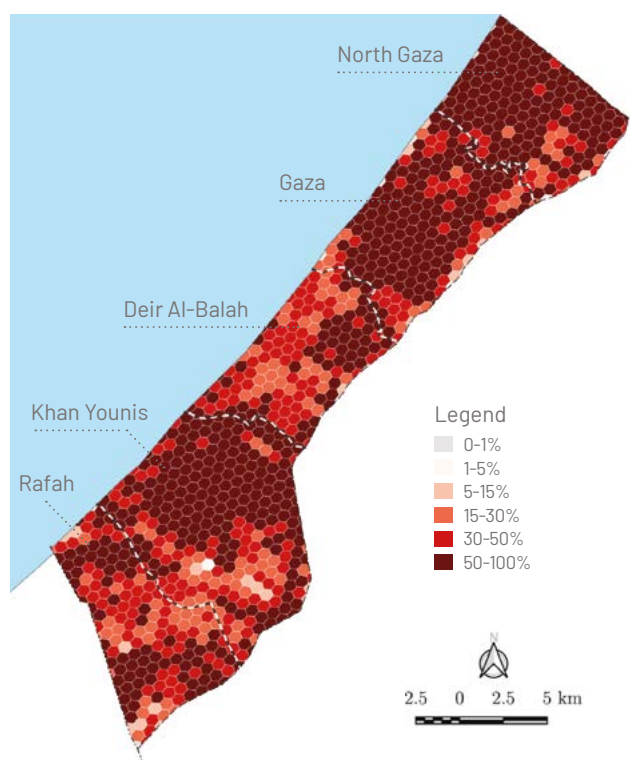


Figure 1. Proportional damage to cropland due to the conflict in the Gaza Strip as of 20 May 2024

Source:

FAO. 2024. *Damage to cropland due to the conflict in the Gaza Strip as of 20 May 2024.* Rome. <https://openknowledge.fao.org/items/2312c311-a373-4408-b549-75ff42cf7118>

The boundaries and names shown and the designations used on this/these map(s) do not imply the expression of any opinion whatsoever on the part of FAO concerning the legal status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers and boundaries. Dashed lines on maps represent approximate border lines for which there may not yet be full agreement.

FOOD ACCESS

Physical and economic access to food, essential preconditions for realizing the right to food, have been severely impaired by the hostilities, the massive displacement of people this has caused, the restrictions on imports and limited supply of humanitarian food assistance, and the destruction of civilian infrastructure, including markets and bakeries. Formal markets have collapsed, while urban agriculture is limited to semi-urban areas heavily affected by ground operations.^{13, 21} Prices of essential foods (flour, iodized salt, basic staples, potatoes) have increased with significant fluctuation when aid or commercial imports become available at scale.^{19, 21, 24, 25, xiv}

At the same time, the conflict has severely disrupted the labour market and livelihoods across the Strip, leading to the disruption of agricultural and livestock production and fishing, with only small-scale activities continuing when the security situation allows, despite the scarcity of inputs.¹²

Existing food stocks are largely depleted, mostly confined to those available within households, informal markets, some functioning shops and in damaged buildings. The main sources of food are social networks and humanitarian assistance, which itself has been several disrupted.^{13, 21, 22, 24} Even as commercial imports increased in March and April 2024, liquidity constraints may have limited access for more vulnerable households.²⁵ As market functionality declines and limited stocks become unaffordable, virtually all households skip meals every day.¹³ The flow of humanitarian assistance has been severely disrupted, with uneven distribution across regions and vulnerable populations within regions, raising serious protection risks to access food.^{13, 25}

The Gaza Strip's fisheries sector

Fishing is an important source of dietary diversity in the Gaza Strip. The escalation of hostilities since October 2023 has wrought further devastation to the local fisheries. Satellite imagery shows the destruction of many fishing ports (Save the Children, 2024). Fishermen report that naval patrols and restrictions on fishing areas put them under constant threat of gunfire, even within the permitted fishing limits. About 70 percent of the Gaza Strip's fishing fleet has been decimated, exacerbating the already severe food crisis affecting the Strip (Food Security Cluster, 2024).

Source:

Save the Children. n.d.a. 2005. 2024. Joint Statement on Conflict-Induced Hunger in Gaza. In: *Save the Children*. London. [Cited 11 June 2024]. <https://www.savethechildren.net/news/joint-statement-conflict-induced-hunger-gaza>

Food Security Cluster. 2024. *Palestine food security sector, Gaza update #13, 19 January 2024.* Rome. https://fscluster.org/sites/default/files/documents/GAZA_UPDATE_%2313_0.pdf

xiv Annual food inflation in Gaza rose from 3 percent in September 2023, one month before the conflict started, to reach 118 percent in January 2024.

FOOD ADEQUACY AND CONSUMPTION

In terms of quantity, food consumption gaps have been alarmingly high, especially in the Gaza Strip's northern governorates, where almost 88 percent of the households interviewed between December 2023 and February 2024 had a poor food consumption score, 92 percent experienced severe or very severe levels of hunger, and nearly two-thirds reported spending entire days and nights without eating at least ten times in the four weeks prior to the survey.¹³ Nearly all households resorted to extreme coping strategies on a daily basis to deal with the lack of food or money to buy food.^{26,xv}

While food consumption outcome indicators improved in all areas in March and April, the most recent data from late May and early June 2024 indicates a reversal and a general deterioration in food consumption. This pattern underscores the highly volatile nature of the food security situation and the ongoing high risk of serious deterioration of food consumption in the near future. Moreover, despite the improvements in food consumption, approximately 85 percent of respondents in the Northern governorates still declare facing safety risks to access food, 57 percent pick up trash to sell, 56 percent exchange clothing for food, 50 percent have looted food from debris, 26 percent beg and 17 percent pick up food waste – with similar percentages in the other governorates.²⁵

Aside from the limited quantity of food available for consumption, the quality of diets has shown rapid and severe deterioration. Consumption is heavily concentrated on one food group, cereals and

tubers. Intake of protein-rich foods like meat and dairy products is negligible, as is the consumption of staples and vegetables.²⁷ In April 2024, across the Gaza Strip, 93 percent of children 6–23 months and 96 percent of pregnant and breastfeeding women consumed only two food groups or less in the preceding 24 hours.²⁵ Due to the lack of food availability, some households consume wild or raw inedible food to cope with hunger.¹³

The high food insecurity present throughout the Gaza Strip is contributing to rising levels of malnutrition. Inadequate emergency food supplies and collapsed public services, along with overcrowding in shelters with poor water, sanitation and hygiene conditions, are heightening the risk of infectious disease outbreaks and non-trauma-related mortality.^{13, 22} The increased nutritional vulnerability of children, pregnant and breastfeeding women and elderly persons in particular requires urgent attention.^{12, 13, 28,xvi}

FOOD UTILIZATION, STABILITY AND SUSTAINABILITY

The scenario that has unfolded since October 2023 suggests that the conditions are not being met to ensure that adequate food is available and accessible not only to present but also future generations. Sustainability is essential to realization of the right to food for the long-term food security and nutrition needs of all.

The damage to the Gaza Strip's food system will have long-lasting effects and negatively affect food supply sustainability for years. This too relates to the

xv World Food Programme's reduced Coping Strategy Index (rCSI) is an indicator used to compare the hardship faced by households due to a shortage of food. The index measures the frequency and severity of household food consumption behaviours such as relying on less-preferred and less-expensive foods, borrowing food from relatives or friends, reducing portion sizes, limiting the number of daily meals or restricting adults' consumption to allow children to eat. Capturing such behaviours shows how households deal with sudden food shortfalls to meet their short-term needs, thereby providing a proxy indicator for food access. For details, see World Food Programme. n.d. reduced Coping Strategy Index. In: WFP – VAM Resource Centre. Rome. [Cited 11 June 2024]. <https://resources.vam.wfp.org/data-analysis/quantitative/food-security/reduced-coping-strategies-index>

xvi The Global Nutrition Cluster documents the deteriorating nutrition situation during the first 120 days of the conflict resulting from a sharp escalation in the drivers of malnutrition: food insecurity, lack of dietary diversity, deteriorating infant and young-child feeding practices, lack of access to safe water and sanitation, and widespread disease along with a collapsed health system (Global Nutrition Cluster. 2024. Nutrition vulnerability and situation analysis: Gaza. New York, USA. <https://www.nutritioncluster.net/resources/nutrition-vulnerability-and-situation-analysis-gaza>).

The Gaza Strip's water crisis

In the year 2000, 98 percent of the residents of the Gaza Strip had access to safe drinking water through its public water network. By 2014, the figure was down to 10 percent (UNHCHR, 2021). Because overpumping has damaged the Gaza Strip's coastal aquifer, the United Nations warned in 2017 that "Gaza's only water source will be depleted, and irreversibly—so by 2020, unless immediate remedial action is taken" (United Nations country team in the Occupied Palestinian Territory, 2017). The best long-term solution lies in building a new desalination plant, but the Gaza Strip has neither the electricity nor the money to do so. Before the current conflict, around half of Gaza's electricity came from Israel, but supplies were cut off in October 2023 (Glausiusz and Nature Magazine, 2024).

The Gaza Strip's dwindling supply of safe drinking water is exacerbated by contamination of its aquifers. One of the biggest concerns is that seawater used to flood the network of tunnels built by Hamas beneath the Strip will contaminate an important coastal aquifer that lies between the Gaza Strip, Egypt and Israel and supplies nearly 80 percent of the Gaza Strip's water. Flooding the tunnels with seawater could have a devastating effect on the Gaza Strip's already scarce freshwater supplies, with severe consequences on all aspects of life, including agriculture, soil and infrastructure (Glausiusz and Nature Magazine, 2024).

Risks are further compounded by the contamination of soil, underground water sources and crops due to the presence of residual remnants and chemicals from explosive ordnances (Food Security Cluster, 2024; Rinat,

2018; UNEP, 2024). This all adds to the mounting, life-threatening public-health crisis in the Gaza Strip.

Extreme concentration of displaced populations into areas with significantly reduced water, sanitation, hygiene (WASH), health and other essential infrastructure increases the risk of disease outbreaks, which would have catastrophic effects on the nutritional and health status of large segments of the population (IPC, 2024).

Projections of related excess deaths over the six-month period from February to August 2024 under three different scenarios (cessation of hostilities, continuation of the conditions experienced from October 2023 to January 2024 or further intensification of military operations) suggest that excess deaths could range from 6 550 under the ceasefire scenario up to 74 290 under the escalation scenario, even in the absence of epidemics (Jamaluddine *et al.*, 2024).

Infectious diseases would be the main cause of excess deaths, even in the case of a ceasefire. This is mainly due to the time it would take to improve water, sanitation and shelter conditions, reduce malnutrition and restore functioning health services after hostilities cease and humanitarian access increases. The breakdown of water and sanitation services combines with other risk factors to give a projected high risk of excess mortality from endemic diseases, particularly COVID-19, influenza and pneumococcal disease. They are projected to be the leading causes of infectious disease deaths, much like in the pre-war period (Jamaluddine *et al.*, 2024).

Source:

Food Security Cluster. 2024. *Palestine food security sector, Gaza update #12, 5 January 2024.* Rome. https://fscluster.org/sites/default/files/documents/GAZA_UPDATE_%2312.pdf

Glausiusz, J. & Nature Magazine. 2024. As Israel Floods Gaza's Tunnels with Seawater, Scientists Worry about Aquifer Contamination. In: *Scientific American*. New York, USA. <https://www.scientificamerican.com/article/as-israel-floods-gazas-tunnels-with-seawater-scientists-worry-about-aquifer-contamination/>

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Jamaluddine, Z., Chen, Z., Abukmail, H., Aly, S., Elnakib, S., Barnsley, G., Majorin, F. et al. 2024. *Crisis in Gaza: Scenario-based health impact projections. Report One: 7 February to 6 August 2024.* London, London School of Hygiene and Tropical Medicine, Baltimore, USA, Johns Hopkins University. https://gaza-projections.org/gaza_projections_report.pdf

Rinat, Z. 2018. Ninety-seven percent of Gaza drinking water contaminated by sewage, salt, expert warns. In: *Haaretz*. Tel Aviv, Israel. [Cited 11 June 2024]. <https://www.haaretz.com/middle-east-news/palestinians/2018-01-21/ty-article/.premium/expert-warns-97-of-gaza-drinking-water-contaminated-by-sewage-salt/0000017f-dbb0-db22-a17f-ffb15dad0000>

UNHCHR (United Nations High Commissioner for Human Rights). 2021. *The allocation of water resources in the Occupied Palestinian Territory, including East Jerusalem.* Report of the UN High Commissioner for Human Rights. A/HRC/48/43. New York, USA. <https://reliefweb.int/report/occupied-palestinian-territory/allocation-water-resources-occupied-palestinian-territory>

United Nations country team in the Occupied Palestinian Territory. 2017. *Gaza Ten Years Later.* New York, USA. <https://unsco.unmissions.org/gaza-ten-years-later-report-july-2017>

United Nations Environment Programme. 2024. *Environmental impact of the conflict in Gaza: Preliminary assessment of environmental impacts.* Nairobi. <https://wedocs.unep.org/20.500.11822/45739>

destruction of farmland and essential infrastructure and widespread contamination of agricultural lands from unexploded ordnances. This contamination poses serious risks to farmers and health hazards for humans and livestock and compromises food safety, productivity and agriculture's sustainability in the Gaza Strip.²⁹

Short-term food security requires the proper *utilization* of food. This depends, among other things, on the availability of clean and safe drinking water, food storage, processing and preparation in compliance with safety standards and cultural values, sanitation and health care. However, access to clean water for washing or cooking is highly limited in the Gaza Strip: at less than two litres per person per day, it falls well short of the amount considered necessary for survival (see also "[The Gaza Strip's water crisis](#)", p. 13).^{13, 26} Because of the destruction of water treatment plants and drinking water installations, most of the water that is being consumed is deemed unfit for human consumption. Cooking fuel of any type is beyond the reach of most people. Between November 2023 and March 2024, on average only 30 to 40 percent of the pre-escalation amount of cooking gas entered the Gaza Strip each day. As a result, three out of four households in the Gaza Strip are resorting to burning firewood, wood residue, animal and even human waste as their main source of fuel to cook food.^{13, 19, 25, 26, 28}

The population with special food needs, including infants under two years old and individuals requiring special medical diets, are particularly impacted by the lack of access to the food they require, resulting from the collapse of the supply chain for these food items and the widespread destruction of health facilities and hospitals.

Likewise, access to adequate food has been anything but stable since hostilities intensified in October 2023. The Gaza Strip's entire food system has broken down. Most bakeries are not functioning due to lack of fuel, shortages of flour and widespread infrastructure damage. The food processing sector faces challenges to replace equipment parts. Shops and processing facilities still standing lack electricity for normal functioning due to shortage of fuel and damage to solar panels, so perishable goods cannot

be refrigerated and cannot be restocked.²⁹

While commercial imports increased in March and April 2024, it was at the expense of humanitarian shipments. Humanitarian relief remains sorely limited because of the challenges in reaching isolated populations, limited availability of fuel for operations and the continued number of areas with active fighting.²⁵ In the short term, food instability is leading to staggering levels of acute food insecurity. The longer this situation persists, the greater are the odds it will result in very high levels of chronic food insecurity and even deaths from starvation, disease and malnutrition.

The Gaza Strip is facing an unprecedented humanitarian crisis, with the majority of its population facing hunger and starvation due to the destruction of agrifood systems and water supplies, along with blockades and limitations on humanitarian aid. The intentional denial of access to food and/or the prevention of access to humanitarian food aid would violate international law.

As emphatically stressed by the Famine Review Committee, **waiting for a retrospective famine classification before acting is indefensible.**¹³

The Famine Review Committee concluded that "the speed of deterioration observed in previous months, compounded by the increased vulnerability of the population after more than eight months of inadequate dietary intake, WASH, and health conditions, increase the probability that famine could occur during the projection period. Given the unpredictability of the ongoing conflict and humanitarian access challenges, any significant change may lead to a very rapid deterioration into Famine."

"The situation in Gaza is catastrophic, there is a high and sustained risk of Famine across the whole Gaza Strip. It is important to note that the probable improvement in nutrition status noted in April and May should not allow room for complacency about a reduced risk of Famine in the coming weeks and months. If anything, the prolonged nature of the crisis means that the risk of Famine remains at least as high as at any time during the last 9 months".²⁵

RECOMMENDED ACTIONS

To address the right to food and the urgent need to avert famine, the international community must ensure the immediate implementation of a ceasefire by all sides and the following recommendations:

1. All parties in the conflict should be urged to comply fully with their obligations under international law to **ensure the protection of the right to adequate food** for all affected individuals in the Gaza Strip.
2. Pressure should be applied on the parties in conflict to uphold their obligations under international humanitarian law, including **refraining from using starvation as a tactic of war**. The parties should refrain from assaulting or attacking food, agriculture and agrifood systems infrastructure and facilities, such as warehouses, bakeries, water infrastructure, food processing facilities, food retailers, livestock and agricultural land.
3. **Safe and unimpeded access for humanitarian aid and assistance to the Gaza Strip must be facilitated**, including the opening of all access points, allowing food and other aid to reach affected populations, particularly those in situations of vulnerability (such as women, children, persons with disabilities and the elderly).
4. The **safe movement of humanitarian personnel must be guaranteed**, along with establishing reliable telecommunication networks to coordinate response efforts effectively.
5. The international community should reinforce its efforts to ensure **immediate access to food by the population in the Gaza Strip** by allocating sufficient financial resources, including resuming or increasing their financial commitments to United Nations Relief and Works Agency for Palestine Refugees in the Near East, to ensure that humanitarian aid agencies can provide the required food aid to the population in need.
6. The immediate delivery of **acute malnutrition treatment services** across the Gaza Strip must be ensured, including ready-to-use formula for non-breastfed infants, access to safe drinking water and complimentary foods and micronutrient supplements for young children, pregnant and lactating women, the chronically ill and the elderly.
7. The **commercial trade of food and the domestic production** of fresh, perishable nutritious food in the Gaza Strip must be resumed as soon as possible.
8. The right to food must be fulfilled through continuous **monitoring of the access to essential food, water and medicine**, the functionality and accessibility of services, the entry of commodities into the Gaza Strip via commercial trucks or aid deliveries, population displacements and conditions in shelters, disease outbreaks and morbidity rates, and levels of acute malnutrition and mortality, distinguishing between trauma and non-trauma causes.
9. Immediate investment is crucial to ensure the protection of remaining livestock and farms and the rapid **recovery of the damaged agriculture and food system infrastructure** caused by the conflict. The international community should prioritize swift restoration efforts aimed at minimizing post-conflict scenarios of food insecurity, including implementing programmes to enable all individuals in the Gaza Strip to exercise their right to adequate food.
10. Considering the United Nations Security Council commitments under Resolution 2417, as well as other relevant UN Security Council Resolutions (UNSC, 2021),³⁰ the Security Council may consider putting in motion an **independent and impartial investigation** to assess the extent to which the right to food has been violated by all parties to the conflict and those providing support to such parties.

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Contact

Rural Transformation and Gender Equality Division (ESP) – Economic and Social Development Stream

ESP-Director@fao.org

<https://www.fao.org/economic/social-policies-rural-institutions>

Food and Agriculture Organization of the United Nations

Rome, Italy

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