



Suleiman built a small one-room shelter for his family using the rubble of his house, which was bombed in August 2014. 'This was the only solution for us. Life is getting even more unbearable. We are hoping for one thing: reconstruction. But honestly, I don't know if I should keep hoping or not.' Photo: Anas al Baba/Oxfam

CHARTING A NEW COURSE

Overcoming the stalemate in Gaza

In 2014, after unprecedented destruction and suffering in Gaza, international donors pledged \$3.5bn and a change in approach. Six months later, reconstruction and recovery have barely begun, there has been no accountability for violations of international law, and Gaza remains cut off from the West Bank.

This paper outlines an achievable course of action to address the root causes of the recurrent conflict and put international engagement with Gaza on the right course.



This report was initiated by members of the Association of International Development Agencies (AIDA). Signatories to this report include AIDA members and members of other regional coordination networks.

REPORT SIGNATORIES

ActionAid	Médecins du Monde Switzerland
Alianza por la Solidaridad	Medical Aid for Palestinians (MAP – UK)
American Friends Service Committee (AFSC)	Medico international
Asamblea de Cooperación por la Paz (ACPP)	Medico international schweiz
CARE International	Medicos del Mundo MDM-Spain
The Carter Center	Mennonite Central Committee
CCFD-Terre Solidaire	Norwegian Church Aid (NCA)
CCP Japan	Norwegian People's Aid (NPA)
Christian Aid	Norwegian Refugee Council (NRC)
Church of Sweden	Overseas
Cooperazione per lo Sviluppo dei Paesi Emergenti (COSPE)	Oxfam
Council for Arab-British Understanding	Première Urgence – Aide Médicale Internationale
DanChurchAid (DCA)	Quaker Council for European Affairs
Diakonia	Rebuilding Alliance
GVC	Save the Children
Handicap International	Secours Catholique - Caritas France
Heinrich Böll Foundation	Secours Islamique France
HelpAge International	Swedish Development Partner (SOIR)
Horyzon - Swiss Youth Development Organization	The Swedish Organisation for Individual Relief (IM)
Japan International Volunteer Center (JVC)	Terre des Hommes Foundation
KinderUSA	Terre des Hommes Italy
The Kvinna till Kvinna Foundation	United Civilians for Peace, Netherlands
The Lutheran World Federation	
Médecins du Monde France	

SUMMARY

Operation Protective Edge – the codename used by Israel for the 51 day military operation¹ and the associated conflict between Israel, Hamas and other Palestinian armed groups – has inflicted unprecedented destruction and human suffering in Gaza.² This was the third such major military operation in six years, further complicating recovery for a civilian population sealed off by a blockade and separated economically, socially and politically from Palestinians in the West Bank. Shortly after Israel and Palestinian armed groups agreed to a temporary ceasefire, donors from around the world gathered in Cairo to pledge \$3.5bn for the reconstruction of Gaza. Six months later, there has been no accountability to address violations of international law, only 26.8 percent of the money has been released, reconstruction and recovery have barely begun, and people in Gaza remain in dire straits.

This paper outlines an achievable course of action that, if implemented, could make significant progress in addressing the root causes of the recurrent conflict and towards the realization of a just, durable peace that would benefit Israelis and Palestinians alike. By directly addressing the different actors that have distinct responsibilities towards Gaza – from Israel and the international community to the Palestinian Authority and Hamas – the signatories to this report outline what each party can and must do to end the conflict and ensure Palestinians in Gaza can realize their rights. It is time for these actors to work together effectively to change the course for Gaza before it is too late.

The main recommendations of this report are:

Ending the cycle of violence

All parties should immediately resume negotiations for a long-term ceasefire that addresses the need for sustainable reconstruction, tackles the root causes of the conflict and can deliver long-lasting security for both Israelis and Palestinians. Negotiations should include all concerned parties, particularly women, in keeping with UN Security Council Resolution 1325.

Both the **Government of Israel and Palestinian armed groups, including Hamas**, must abide by international humanitarian and human rights law in the conduct of hostilities.

The international community must demand an end to violations of international law, and push for greater accountability of all parties, including guarantees of non-repetition.³

Committing to principled assistance, reconstruction and recovery

States should comply with their third state responsibilities not to aid or assist rights violations with respect to companies that contribute to such violations. This should include, where appropriate, adopting clear guidance to national companies, including state-owned companies, and pension and investment funds, to ensure that they undertake adequate due diligence and to ensure they do not support companies whose actions support violations of international law.⁴

Palestinian political actors must prioritize reconstruction as a humanitarian imperative. **International donors** should work with the Palestinian **Government of National Consensus** to take a holistic approach to reconstruction in Gaza, initially through the development of ministerial action plans for early recovery efforts, adequate and sustainable housing, and large-scale infrastructure.

Egypt should also fulfil its third state obligations under international humanitarian law to facilitate the provision of humanitarian assistance.⁵

Donors should make good on the pledges made at the Cairo Conference and move forward with reconstruction and recovery projects for Gaza. Given the devastation of the economy in Gaza, **donor funding** should wholly subsidize construction materials, prioritizing the most vulnerable.

As an immediate measure, funding and technical support should be made available to enable people to buy the necessary materials and labour to complete housing repairs.

Making the necessary shift: Ending the blockade and the separation between Gaza and the West Bank

Israel must lift the blockade and open all crossings into and out of Gaza; priority should be given for the unimpeded entry and exit of goods, as a necessary prerequisite to meet humanitarian needs and to ensure sustainable economic recovery and development.

Israel must allow free movement of Palestinians across the occupied Palestinian territory, in line with their obligations as an occupying power, with individual restrictions on movement placed only in exceptional cases of legitimate security concern, as defined by international humanitarian law.

The international community, **in particular the Quartet of the US, the EU, Russia and the UN**, should propose a time-bound plan to support an end to the blockade, which can be implemented and monitored through relevant UN mechanisms.

The international community should promptly develop a common response to the government of Israel if immediate progress is not made to lift the blockade.

NOTES

¹ Israel officially launched Operation Protective Edge on 8 July 2014. The operation ended on 26 August 2014 through an open-ended, temporary ceasefire on 26 August 2014.

² Stephane Dujarric, Spokesman For Secretary-General Ban Ki-moon, 'Highlights of the Noon Briefing', 2 September 2014, <http://www.un.org/sg/spokesperson/highlights/index.asp?HighD=9/2/2014> See also OCHA 'Occupied Palestinian Territory: Gaza Emergency Situation Report', 4 September 2014, p.1, https://www.ochaopt.org/documents/ocha_opt_sitrep_04_09_2014.pdf

³ Articles 30–37 of the International Law Commission Draft Article on Responsibility of States for Internationally Wrongful Acts, 2001. http://legal.un.org/ilc/texts/instruments/english/commentaries/9_6_2001.pdf, read with Common Article 1 of the Geneva Conventions, <https://www.icrc.org/en/war-and-law/treaties-customary-law/geneva-conventions> Elaborated at p. 12 below, "Accountability For IHL Violations"

⁴ Guidelines on Business and Human rights, <http://www.ohchr.org/Documents/Issues/Business/OPTStatement6June2014.pdf>

⁵ Article 59- 63 GC4, Article 70 Additional Protocol 1

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For further information on the issues raised in this paper please e-mail director@aidajerusalem.org

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