

## NGOs call for a humanitarian reset in Gaza: An NGO submission under NSM20

NGOs urge the Biden-Harris Administration to adjust course on its approach to Gaza given the catastrophic harm to civilians.

Earlier this year, the Biden-Harris Administration created a new policy, [National Security Memorandum 20](#) (NSM20) that included a requirement that all U.S. security partners facilitate humanitarian assistance. Israel provided written assurances it would adhere to this. Despite a [public submission](#) from 37 NGOs across the humanitarian, human rights and civilian protection community that Israel was restricting humanitarian assistance in Gaza, the U.S. government contradicted those findings by concluding Israel was in compliance in its May 10th report.

**Humanitarian organizations' collective experience on the ground demonstrates that access in Gaza remains arbitrarily denied, restricted, and impeded by Israel and conditions have markedly worsened since May.** There is an alarming gap between rhetorical commitments and the realities on the ground, where the humanitarian response is on the verge of collapse and aid workers face extreme levels of risk. As the U.S. government's own USAID Office of the Inspector General (OIG) report recently [concluded](#) in August, "ongoing hostilities, closed routes, and inspection delays at land crossings impeded efforts to deliver aid into Gaza." Humanitarian need is nearly universal in Gaza, yet restrictions on aid and attacks on aid workers and civilians are becoming alarmingly normalized.

The Biden-Harris Administration committed to continuous monitoring of its partners' adherence to NSM20, including Israel's. During the past four months, humanitarian access has been constrained by both arbitrary bureaucratic impediments and the conduct of the conflict:

- **Reduction on aid volume through border crossings into Gaza.** Rafah crossing into southern Gaza has been closed since May 7, leading to a backlog of 1,600 aid trucks stuck in Egypt. Erez West/Zikim/As-Siafa crossing into northern Gaza has been closed since August 2. The Kerem Shalom crossing remains open but the amount of aid moving through the crossing has dropped by 80% from April to July. As the USAID OIG report [concluded](#), "since the outbreak of hostilities in October 2023, numerous and prolonged border closures have significantly affected the flow of humanitarian aid into Gaza."
- **Persistent delays in approvals from Israel for aid items to enter Gaza, sometimes lasting weeks.** Humanitarian items are sometimes rejected for entry as 'dual use' items.
- **Movement restrictions are imposed by Israel on humanitarian organizations inside Gaza, including over 1,000 aid mission requests within Gaza denied, impeded, or withdrawn since May** (at least [175](#) in May, [124](#) in June, [226](#) in July, [299](#) in August, and [196](#) so far in September) and convoys being held at checkpoints - sometimes for hours at a time before being forced to turn back. Insufficient fuel is allowed into Gaza, further limiting the distribution of items across Gaza.
- **Israeli 'evacuation' orders now cover 85% of Gaza - up from 76% at the start of May - effectively declaring most of Gaza a no-go zone for its population.** Yet there is no safe place in Gaza for civilians to flee to. Israel announced [16 new evacuation orders](#) in the first three weeks of August alone – a new order on average every two days.
- **The 'humanitarian zone' is under fire.** Israeli airstrikes are occurring inside and around the small 'humanitarian zone' that was unilaterally-declared by Israel, killing and endangering civilians and severely restricting humanitarian operations. Hundreds of thousands of civilians and many humanitarian organizations are concentrated in this overcrowded space.
- **An additional 60 attacks on health care sites and workers in Gaza** from [April 7](#) to [August 20](#), bringing the total to over 500 attacks since October.

The impact is clear: civilians in Gaza are being deprived of life-saving aid. These actions over the past four months have led to:

- **A [more than 50% drop](#) in humanitarian aid entering Gaza since April.**
- **[300% rise](#) in children diagnosed with acute malnutrition in northern Gaza and a nearly [200% rise](#) in southern Gaza in July compared to May.**
- **The start of a polio outbreak in August** – the first polio outbreak in a quarter century in Gaza and a threat to global efforts to eradicate the disease.
- **96% of the population is acutely food insecure and all of Gaza is at high risk of famine**, according to the [most recent analysis published](#) in June by the Integrated Food Security Phase Classification (IPC).
- **Over 20,000 additional Palestinian casualties, including over 6,000 deaths**, from [early May](#) to [mid-September](#), according to the Ministry of Health in Gaza. On average, over 130 Palestinians have been killed or injured on a daily basis since May.
- **Around 54 additional aid worker deaths** since May, bringing the total to over 300 since last October, per [Aid Worker Security data](#). On average, an aid worker has been killed in Gaza almost every day since October 2023.
- **Fragile progress to restore aid delivery is being reversed in areas under ‘evacuation orders’ as programs suspend, sites shut down, and areas become inaccessible.** Recent orders in late August impacted at least 24 NGOs and forcibly displaced over 260,000 civilians. While some orders have been rescinded, these orders disrupt and halt humanitarian efforts, for example by leading to [10 hospitals and 16 primary health centers](#) becoming inaccessible to civilians in July, a reduction in water production in Deir al Balah by [80%](#), closure of [31](#) temporary learning spaces, the suspension or location of [50](#) kitchens, and the closure of [four UNFPA-supported maternal health service delivery points](#).

The ongoing deterioration and human toll merits a new assessment of Israel’s adherence with U.S. law and policy and international laws and a humanitarian reset in Gaza to fully lift aid restrictions, rather than negotiate for progress at the margins, and use all leverage to secure an immediate ceasefire.

The steps required to scale up aid and alleviate the humanitarian crisis are clear and have been publicly outlined by many of our organizations for months. In the immediate term, we also urge the U.S. government to undertake the following steps that are fully in its control:

- 1) An immediate U.S. government re-assessment of Israel’s adherence to NSM20, culminating in a public report by November 1, 2024.** Given the pace and scale of access constraints and civilian harm, a timely re-assessment is justified. That assessment should draw on independent assessments, including from many of our organizations, such as the over 200 [humanitarian situation updates](#) from UN OCHA and a series of new humanitarian snapshots ([#1](#), [#2](#), [#3](#), [#4](#), [#5](#)) providing first-hand reporting on humanitarian access restrictions from dozens of NGOs on the ground.
- 2) Public reporting on Israel’s commitments to the U.S. government on humanitarian operations and basic service delivery since October 7, 2023**, including but not limited to: the facilitation of humanitarian aid, fuel, and commercial items; changes to dual use restrictions; the humanitarian notification system (‘deconfliction’); and the restoration of basic services (e.g., water, electricity, banking).
- 3) Public reporting of the U.S. governments’ own investigations into reported attacks on humanitarian static facilities, aid workers, distribution points and other humanitarian sites in Gaza since October 7, 2023 where U.S. weapons were more likely than not used.** Many humanitarian organizations, including U.S.-based NGOs and U.S.-implementing partners in Gaza, have not received answers from the U.S. government on the role of U.S. weapons

in attacks on their staff and sites. This reporting should include assessments on the attacks on humanitarians identified in the May 10th NSM20 report.

- 4) **An immediate suspension of offensive U.S. arms sales to Israel at serious risk of being used to violate international humanitarian and human rights law in Gaza.** Humanitarian assistance is not being facilitated in line with Israel's obligations under NSM20, international humanitarian law, and U.S. law.
- 5) **A meeting with President Biden with humanitarian NGOs operating in Gaza** to discuss the needs in Gaza and restrictions on humanitarian access.

The status quo in Gaza is unconscionable for two million civilians who are enduring one of the worst humanitarian catastrophes of this century. We urge the Biden-Harris Administration to update its foreign policy and act on these realities to ensure a scale up in aid, release of the hostages, and an end to this conflict.

#### **Signatories:**

##### ***Humanitarian NGOs:***

- American Friends Service Committee
- Anera
- CARE
- Danish Refugee Council
- The Episcopal Church
- Humanity & Inclusion
- Islamic Relief USA
- MedGlobal
- Mennonite Central Committee U.S.
- Mercy Corps
- Middle East Children's Alliance
- Norwegian Refugee Council (NRC) USA
- Oxfam
- Project HOPE
- Save the Children US

##### ***Human rights, civilian protection, and peacebuilding organizations:***

- Americans for Peace Now
- Amnesty International USA
- Center for International Policy
- Center for Victims of Torture
- Charity & Security Network
- Church World Service
- Center for Civilians in Conflict (CIVIC)
- MADRE
- MPower Change Action Fund
- Nonviolent Peaceforce
- Peace Action
- Peace Direct
- Refugees International
- Win Without War
- Women for Weapons Trade Transparency