# Legal Analysis of Israel’s Gaza Aid Halt

written by Arsen Ostrovsky | 03.03.2025

An international law summary regarding Prime Minister Netanyahu’s announcement that “the entry of all goods and supplies to the Gaza Strip will be halted.”

***In short, Israel’s actions in halting aid are entirely just and legitimate under international law.***

Israel is not obliged to provide aid to an enemy in time of war, especially when it has been shown to be used for military purposes.

Under customary international law, Israel’s obligations are limited to not unreasonably hampering or preventing the entry of aid by third parties … unless there are valid reasons for doing so.

In the present circumstances, Article 23 of the 4th Geneva Convention is the only applicable provision that governs Israel’s obligation to allow free passage of humanitarian supplies.

However, Art. 23 is extremely limited in both scope and application and only obliges Israel to allow the free passage of supplies to a limited category of persons, including medical supplies necessary for the purposes of religious worship or food for children under the age of 15. HOWEVER, this is provided there are no serious reasons to believe these supplies are being diverted from their destination or used for military purposes.

Both the U.S. Defense Department Law of War Manual and the UK Joint Service Manual of the Law of Armed Conflict reiterate and mirror Art. 23 of 4th Geneva Convention.

In this regard, there has been ample evidence that since the beginning of the Oct 7th war initiated by Hamas, and including following the commencement of Phase 1 of the hostage – ceasefire deal, Hamas has continued to both syphon / divert aid, and usurp it for military purposes and to maintain the ongoing captivity of hostages.

Notwithstanding Israel is at war in Gaza, it is not occupying Gaza, so we can dismiss this claim altogether and the responsibilities that entails, not least given Hamas still remains the de-facto rulers in the Gaza Strip.

Israel is also entirely permitted to halt the supply of aid into Gaza, provided that doing so is not intended to starve the local civilian population (see Geneva Conventions, U.S. Defense Department Law of War Manual, UK Joint Service Manual of the Law of Armed Conflict, The Hague Convention IV, plus Customary Int'l Law). In this regard, it is important to underscore that there is no starvation in Gaza. Since commencement of Phase 1 of the hostage – ceasefire deal on Jan 19th, over 25,000 trucks have entered Gaza (about 600 per day), carrying a total of 57,000 tons of food. This is at a greater level to pre-war aid deliveries. Meantime, water continues to be provided through Israeli pipelines as well. It is estimated, that based on current provisions, there is at least 4 months adequate supply of aid in Gaza.

In summary, Israel's actions in halting aid are entirely just and legitimate under international law.

Those who seek a resumption of further aid into Gaza, would be well advised to direct their outrage and pressure on Hamas (and their sponsor Qatar) to accept the Witkoff framework for the continuation of a temporary ceasefire during the Ramadan and Passover period, and to demand the immediate and unequivocal release of all the remaining hostages being held captive in Gaza.