

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	631
Land:	Gaza-Vestbredden
Kilde:	Shelter Cluster, Protection Cluster
Titel:	Shelter in Crisis - Joint Advocacy Statement - 24th November 2023
Udgivet:	24. november 2023
Optaget på baggrundsmaterialet:	29. november 2023



SHELTER IN CRISIS

JOINT ADVOCACY STATEMENT – 24TH NOVEMBER 2023

The Shelter Cluster Palestine and the Protection Cluster oPt welcome any cessation in hostilities. However, a few days' pause is inadequate to address the catastrophic impact of attacks on homes and civilian infrastructure in Gaza. The loss of life and destruction of property has been devastating. Residential neighbourhoods, housing and civilian infrastructure must be protected. We urge humanitarian and peace actors to amplify their calls to ensure that the protection and shelter concerns outlined in this note are addressed in a timely and adequate manner and become the start of a process of longer-term recovery.

AN IMMEDIATE FULL CEASEFIRE IS NEEDED

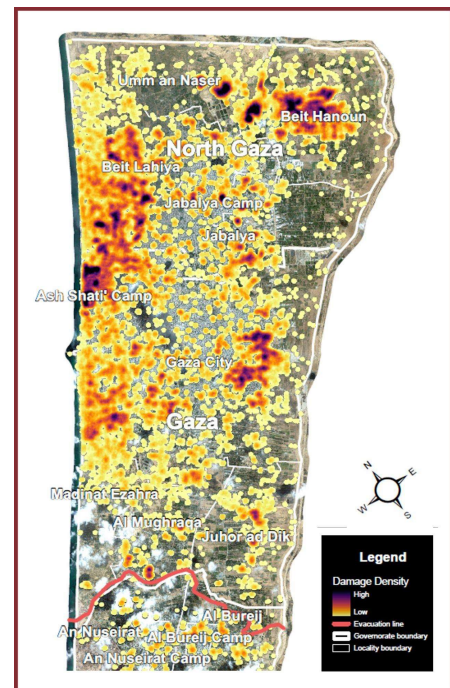
Parties to the conflict must protect the remaining civilian infrastructure in Gaza. Across the Gaza Strip, over 234,000 housing units have been damaged and more than 46,000 homes have been completely destroyed, amounting to over 60% of the total housing stock.

In Gaza City and North Gaza, extensive bombardment has resulted in damage to over 50 per cent of all buildings,¹ alongside widespread damage to roads and essential infrastructure such as power systems and distribution networks, and water storage tanks, pipes, supply networks and drainage channels. The cumulative effect of the strikes prevents access to functional services and infrastructure that severely compromises the ability to meet basic requirements to sustain life.

The pattern of damage and destruction to civilian homes and infrastructure throughout Gaza – and the devastating impact on the civilian population in northern Gaza in particular – is so extensive and widespread that there are, at a minimum, serious concerns regarding possible breaches of international humanitarian law. The last functioning mill and 11 bakeries have reportedly been destroyed, while over 300 schools and 25 hospitals have been damaged or destroyed. Strikes on civilian homes and UN facilities sheltering displaced persons² raise significant questions around the application of the principles of distinction, proportionality, and precautions in attack in Israeli targeting practices. UN facilities are inviolable.

The destruction of shelters, civilian homes, and civilian infrastructure must not extend further south in Gaza. The southern governorates have already been subject to heavy bombardment, leaving people in Gaza nowhere safe to go. With 1.7 million people displaced, orders by Israeli forces for residents north of Wadi Gaza to move south and residents east of Khan Younis to move west is putting extreme and untenable pressure on shelter needs.

The remaining urban areas in southern Gaza must be protected from further damage and explosive ordnance contamination if there is to be any possibility of providing even the most basic shelter assistance to the population. A reported impending expansion of Israel's ground operation into the south, considering the ongoing displacement of more than 70 per cent of Gaza's population and widespread destruction throughout Gaza, would result in a complete catastrophe. Forcing so many people into an ever-diminishing space raises very serious concerns of further grave violations, which may amount to atrocity crimes.



Damage affected areas north of Wadi Gaza
as of 17th November
Image produced with the support of IMPACT

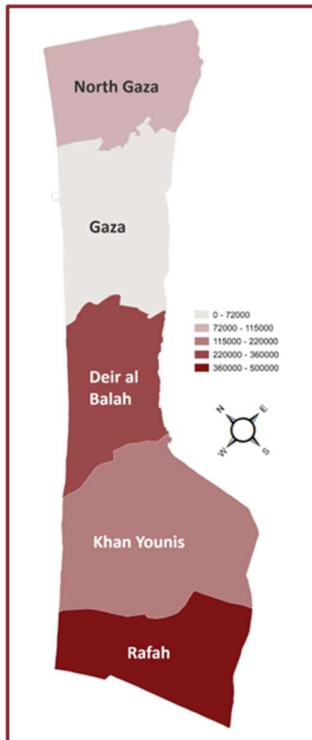
¹ Based on satellite imagery analysis

² www.unrwa.org/newsroom/official-statements/gaza-strip-unrwa-schools-sheltering-displaced-people-constantly-hit



PEOPLE MUST BE PROTECTED WHEREVER THEY ARE

The current conditions for those who are displaced are untenable and must be alleviated. Without the assurance of safety for people to be able to return to their homes, the protection risks of remaining in overcrowded and unsanitary conditions in displacement increase exponentially as time goes on.



Distribution of IDPs in collective centres across the Gaza Strip as of 19th November

UNRWA facilities are sheltering over one million in 156 locations across the Gaza strip. Many of these shelters are hosting more than four times their acceptable occupancy capacity. The extreme levels of overcrowding, alongside the restrictions on fuel and entry of essential humanitarian supplies, have given rise to dire conditions. The risks are manifold and include spread of disease due to the unsanitary conditions; social tensions giving rise to violence and unrest; unimaginable levels of distress, including among children; lack of any privacy or ability to retain dignity; and particular risk to women and girls of gender-based violence. With many UNRWA shelters simply unable to absorb any more people, newly arriving IDPs are sleeping in the streets, adjacent yards and alongside the boundary walls of these facilities in the hope it provides some level of security or access to any aid distributions.

Informal collective shelters in 124 public schools and hospitals are housing around 191,000 IDPs that are unsuitable for meeting people's basic needs during displacement. In addition, venues that were not designed to be slept in overnight, let alone for protracted periods, are being used as shelters, including wedding halls, offices, and community centres. Humanitarian assistance that could support adaptation (blankets, mattresses, hygiene kits, and plastic sheeting, tarpaulin or tents) has not been adequately supplied due to shortages within Gaza, lack of security, lack of fuel for vehicles, and periodic communications blackouts. In addition, Israel has required all assistance to enter through Rafah (a crossing with very limited capacity) and has placed restrictions on the type and quantity of materials able to enter.

Host community arrangements are also reported to be experiencing massive overcrowding. A single family home is now housing multiple large households, with many people sleeping outside in courtyards for lack of internal space. Those who are sheltering in homes, either their own, or being hosted, are terrified of coming under fire as housing units have been so widely impacted by ground operations and aerial strikes, including in southern areas. More than a third of the reported casualties³ have occurred in central and southern Gaza (Deir al Balah, Khan Younis, and Rafah), even as and after people were ordered by Israeli Forces to move south of Wadi Gaza.

People remaining in place – the estimated half a million people who have remained north of Wadi Gaza face severe protection risks. Many of those who have not been able to leave are among the most vulnerable, including those with family members who have disabilities or are medically unstable, older people and those with young children, that without support are unable to make the journey on foot to southern areas. These individuals may be residing in damaged homes that are not safe, but they have no alternative. Given that northern governorates remain almost completely cut off, with very limited humanitarian access, it is extremely difficult for humanitarians to identify them, assess the needs, and establish safe distribution plans at the community level that would provide assistance, including shelter support and protection services.

Protection partners report heightened concern for vulnerable groups who are struggling with the impossible shelter options. People with disabilities including mobility restrictions; pregnant, postpartum and lactating women; those recovering from injuries and surgery; people with compromised immune systems and many others face even greater challenges. Inadequate living conditions leave vulnerable people exposed to the weather and with insufficient and inadequate toilets and bathing facilities, no space for meal preparation, and a complete lack of privacy. Providing meaningful shelter assistance for these individuals and their families will require coordinated responses across clusters and flexible modes of support.

Whether remaining in the north, displaced to the south, sheltering in a school or hosting people in a family home – all civilians must be protected. Issuing evacuation orders and/or designating “safe areas” or a “safe zone” does not absolve Israel of its ongoing obligations to protect civilians and meet their essential needs, including for shelter, wherever they are located.⁴ Furthermore, the delivery of assistance must be facilitated to all civilians wherever they are within the Gaza Strip.

³ Based on the casualty figures reported by the Ministry of Health up to 11 November. Since 11 November, following the collapse of services and communications at hospitals in the north, MoH in Gaza has not updated cumulative casualty figures.

⁴ <https://interagencystandingcommittee.org/about-inter-agency-standing-committee/humanitarian-chiefs-will-not-take-part-unilateral-proposals-create-safe-zones>



Shelter Cluster Palestine
ShelterCluster.org
Coordinating Humanitarian Shelter



THE SIEGE MUST BE LIFTED

The current dire conditions can be partially alleviated with the full reinstatement of vital supplies essential to the survival of the population from Israel, including water. Increased access to carry out damage assessments and facilitation of people to return to their homes through the provision of emergency shelter assistance could further improve conditions. For sufficient assistance to arrive in time to protect those who remain displaced against winter conditions, restrictions on the quantity and type of shelter materials that can enter must be eased. This would enable the provision of emergency shelter, allow damaged properties to be made safe for habitation and facilitate improved hosting conditions.

Israel must immediately re-open additional crossing(s), including Kerem Shalom/Kerem Abu Salem, and allow the entry of necessary supplies to meet the huge needs of the Gazan population. The opening of crossings to commercial goods is essential to allow for entry at scale and distribution throughout Gaza, to ensure that adequate quality shelter materials and non-food items can reach civilians. This is especially the case in northern Gaza where severe damage has been reported and no aid has been distributed for close to three weeks. Sufficient fuel including for heavy machinery is also imperative to ensure timely rubble removal.

Past escalations in Gaza have been followed by Israeli policies to impede the delivery of construction materials through banning some essential supplies and creating lengthy, cumbersome and costly bureaucratic processes for other materials that delayed repair and reconstruction. This must not be repeated.

Humanitarian mine action is both humanitarian assistance itself and a critical enabler to many aspects of the humanitarian response. Israel must facilitate the entry of technical resources and expertise for surveying and clearance so this work can be scaled up as conditions permit and facilitate access to habitable housing.

INTERNATIONAL LAW MUST BE UPHELD

Civilian objects, including homes and shelters, are protected from attack under international humanitarian law unless used as a military objective. **Constant care must be taken to spare the civilian population and civilian objects.** After weeks of bombardment and shelling by Israeli Forces in Gaza, the indiscriminate effects of high impact explosive weapons in densely populated areas is clear. **Israel must immediately end the use of such methods and means of warfare, and the attacks must be investigated.**

There are **grave concerns that Israel's evacuation orders** issued to Palestinians in northern Gaza and eastern Khan Younis **could amount to forcible transfer, which is prohibited under international law.** Further displacement as a result of evacuation orders must be avoided and civilians protected wherever they are. As the Occupying Power, **Israel is also obliged to ensure the provision of the civilian population's shelter, medical, and other supplies essential to life.** International human rights law also requires Israel not to deprive Palestinians in Gaza of their means of, and ability to access, shelter.

The Israeli imposed 'total siege' and severe restrictions on the entry of life-saving goods into Gaza has deprived the civilian population of goods essential for its survival, **amounts to collective punishment, and is illegal under international humanitarian law.** All parties must facilitate rapid and unimpeded humanitarian assistance and access. Restrictions on the entry of humanitarian assistance, including shelter items and life-saving fuel, must be lifted. Adequate shelter is essential for the survival of the civilian population. **Israel must facilitate the entry of materials that are indispensable for the urgent repair and restoration of damaged shelters.**

Member states must do everything in their power to ensure Israel complies with its obligations under international law and prevent further war crimes in Gaza.



Over
1.7m
IDPs



Over 1
million IDPs
at UNRWA
schools



More than
194,000 IDPs
in public
buildings



About
550,000 IDPs
with host
families