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Creating Humanitarian Space in the Era of the Global War on Terrorism: Context of the Gaza Strip

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Abstract
This dissertation analyses how humanitarian space is created in the Gaza Strip in the context of the Global War on Terrorism (GWOT) since Hamas came to power in 2007. By adopting a definition of ‘humanitarian space’ as a political arena, it focuses on the negotiated nature of this space and the role played by States and humanitarian international non-governmental organizations (INGOs) in its creation. In this line, this research explores how States and humanitarian INGOs interpret the context of Gaza, and its consequences for humanitarian action. With the GWOT acting as a framework, the analysis reveals that the strategy of States to defeat Hamas has focused on targeting its welfare system, both by imposing the blockade and by controlling the provision of aid, including that of INGOs. On the other hand, it suggests that INGOs’ interpretation of their role as neutral and apolitical has led them to disregard the very political nature of their activities in Gaza, and to be instrumentalized in the war against Hamas.

Keywords
Counter-terrorism; Gaza Strip; Geopolitics of Aid; Global War on Terrorism; Hamas; Humanitarian Space; Instrumentalization of Aid; NGOs; Palestine; Terrorism
Index

Introduction ........................................................................................................................................... 4
  Limitations ........................................................................................................................................ 6
  Structure .......................................................................................................................................... 7
  Methodology ..................................................................................................................................... 7

Chapter I: Literature Review .................................................................................................................. 8
  Origin of the Concept of Humanitarian Space: a “Depoliticized” Space ........................................ 8
  Current Uses of the Concept of Humanitarian Space ....................................................................... 9
  Humanitarian Space as Agency Space ............................................................................................... 9
  Humanitarian Space as Affected Community Space ........................................................................ 10
  Humanitarian Space as International Humanitarian Law ............................................................... 10
  Humanitarian Space as a Humanitarian (Political) Arena .............................................................. 10
  The Global War on Terror .................................................................................................................. 12
  Defining Terrorism ............................................................................................................................. 13
  Counter-terrorism Measures after 9/11 .............................................................................................. 14
  Multilateral Legal and Political Framework ...................................................................................... 15
  Material Support ................................................................................................................................. 16
  The Fungibility Argument ................................................................................................................... 17
  Sanctions ............................................................................................................................................ 18
  Donor Policies .................................................................................................................................. 19
  Humanitarian Space, the GWOT and Gaza ...................................................................................... 19

Chapter II: Discussion ............................................................................................................................. 21
  Governments’ Interpretation of the Context in Gaza and the Creation of Humanitarian Space ........ 21
  Humanitarian INGOS’ Interpretation of the Context in Gaza and the Creation of Humanitarian Space .......................................................................................................................... 25

Conclusion .............................................................................................................................................. 32

Bibliography .......................................................................................................................................... 33

Annex I: Consequences of Counter-terrorism Measures for Humanitarian Action ...................... 56
Annex II: Humanitarian INGOS Working in the Gaza Strip as of September 2014 ...................... 61
INTRODUCTION

After the terrorist attacks of September 11, the UN Security Council passed resolution 1373 that requires all UN member states to “refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts”, as well as to prohibit their nationals and individuals in their territories from providing such support. It further obliges all UN member states to criminalize support of or participation in terrorist acts (Modirzadeh, Lewis & Bruderlein, 2011, p. 637). As a consequence, in the years following 2001 most states passed a series of laws and measures that aimed to prevent and criminalize support to terrorist organizations.

But designated “terrorist organizations” are key stakeholders in many humanitarian settings. In some cases, they control part of the territory where the affected population resides, and therefore access and implementation of programs are dependent on successful negotiations with these groups. Furthermore, humanitarian organisations\(^1\) may be demanded to pay ‘taxes’, and in some cases they might go as far as tolerating a certain level of aid diversion (Pantuliano, Mackintosh, & Elhawary, 2011, p.6). In these scenarios and as a consequence of counter-terrorist laws and policies, humanitarian NGOs may be subject to their proscription, the freezing of their assets, and the blockade of their financial activities. Members of the organizations might be criminally prosecuted, even if they did not act in support of unlawful actions (Adelsberg, Pitts & Shebaya, 2012-2013).

Counter-terrorism laws and measures have received some attention from scholars and think-tanks doing research in the field of humanitarian action\(^2\). Such research has accomplished the important task of listing the direct consequences of counter-terrorism in the operations of humanitarian agencies and their principles. But this agency centered analyses disregards the intrinsically political nature of the space where operations occur and it does not reflect on the underlying factors of the process of forming this “humanitarian space”. In fact, there is a

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\(^1\) In this paper, “humanitarian organizations” are defined as those providing assistance and/or conducting protection programs on an impartial basis in response to human needs, resulting from complex political emergencies and natural hazards (ReliefWeb, 2008).

\(^2\) For a brief summary and analyses of the results of research conducted on the consequences of counter-terrorism measures for humanitarian action, see Annex I.
problem as we lack sufficient understanding about how humanitarian space is created in the context of the GWOT\(^3\).

To move forward in this reflection, it is necessary to understand that, as developed in Chapter I, humanitarian space is a complex concept that can be understood in a variety of ways: as agency space, as affected community space, as International Humanitarian Law or as a political arena (Collison & Elhawary, 2012; Hilhorst & Jansen, 2010). The prevalent acceptation in the analysis of counter-terrorism and humanitarian action is the one of agency space, which assumes that humanitarian space is a depoliticized and exclusive space for humanitarian agencies. But to understand how humanitarian space is created, it is necessary to move away from this acceptation towards a more dynamic one, that not only recognizes that humanitarian space is eminently political, but also takes this fact as the basis of the definition. Therefore, in its dissertation humanitarian space will be understood as “an arena where actors negotiate\(^4\) the outcomes of aid (…). The realities and outcomes of aid depend on how actors along and around the aid chain - donor representatives, headquarters, field staff, aid recipients and surrounding actors - interpret the context, the needs, their own role and each other” (Hilhorst & Jansen, 2010, p. 1120).

The purpose of this dissertation is to analyze how humanitarian space is created in the context of the GWOT in the Gaza Strip (“Gaza”). Humanitarian organizations are often driven by the humanitarian imperative, frequently underestimating the political repercussions of aid operations. But working under current counter-terrorism laws and measures undermines basic humanitarian principles and can lead to instrumentalization of humanitarian action (Delaunay, Romero & Vonckx, 2014).

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\(^3\) Although the War on Terror was first declared by former US president George W. Bush on a televised statement after the 9/11 attacks, the concept quickly acquired a broader meaning. Hence, the GWOT has come to denote all military, political and economic measures taken by States to fight the phenomenon of “terrorism” worldwide (Boyer, 2004).

Although Chapter I discusses the concept of terrorism, this dissertation does not adopt a single use of the concept and therefore a definition is not pertinent. What is important in the proposed approach is the political act of listing a certain organization as “terrorist” and the consequences for humanitarian action of such a designation.

\(^4\) Negotiation is here understood as an ongoing process, with both formal and informal moments, that occurs deliberately or without intention as an unavoidable result of the different actors’ conduct on a specific issue (in this case, humanitarian action) regarding which there is a certain level of disagreement (definition based on elements of Hilhorst & Jansen, 2010).
The case study has been chosen because in Gaza, where Hamas has been in control since 2007, the challenge of providing humanitarian relief while abiding by counter-terrorism laws and donors’ policies is at its highest. This is because Hamas has been designated a terrorist group by key donors, and also because having won the elections in 2006 the group has demonstrated a certain degree of legitimacy within the population of Gaza, which makes them an even more important interlocutor for humanitarian action. On the other hand, Israel has imposed a blockade on Gaza since 2007\(^5\), which not only has severely deteriorated the capacity of the population to meet their basic needs, but has also jeopardized the efforts of humanitarian organizations to provide humanitarian assistance (“Gaza Blockade: no Signs of Loosening”, 2014). Although counter-terrorism measures combined with the situation in Gaza seem to create an impossible scenario for humanitarian relief, as of September 2014 at least 69\(^6\) local and international organizations were providing assistance to around two million people (OCHA, 2014).

To answer the principal question of how humanitarian space is created in the context of the GWOT in Gaza, two questions must be answered:

1. How do governments involved in the GWOT interpret the context\(^7\) in Gaza and how does this influence the creation of humanitarian space?
2. How do humanitarian INGOs interpret the context of Gaza and how does this influence the creation of humanitarian space?

**Limitations**

It must be said that there are some clear limitations to this paper. First of all, not all the actors in the aid chain will be considered, since such an attempt exceeds the scope of this work. Second, part of this dissertation attempts to describe how States and humanitarian INGOs “interpret” the context of Gaza. However, interpretations are subjective, and therefore they are extremely difficult to elucidate. In response to this challenge, this dissertation offers an analyses of

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\(^5\) It is important to mention that Egypt has played an important role in the blockade of Gaza, considering that although the opening of the Rafah crossing that connects Egypt with Gaza has greatly oscillated since 2006, from 2013 when islamist president Mohamed Mursi was overturned by the army, the crossing has been closed or severely restricted most of the time (“Gaza Crossings: movement of people and goods”, n. d.).

\(^6\) Among these, 28 are international humanitarian non-governmental organizations.

\(^7\) In this dissertation, “context” will be used broadly to include political, security and humanitarian elements. Depending on each actor’s agenda, some of the elements may prevail over others.
behaviors and public statements, from which it deduces the interpretation that these actors make on the context of Gaza. Third, both “States” and “humanitarian INGOs” are complex ideas, composed by individual and diverse entities. However, for the propose of this dissertation, working at the level of general interpretations shared by most of the individual actors will suffix. Last, this is a very delicate topic for humanitarian INGOs, for which safeguarding the continuity of their operations is the highest priority. Therefore, the information used to analyze their interpretation of the context in Gaza is based mainly on public statements. Additionally, research papers done on this subject that were based on interviews with humanitarian INGOs were used as a secondary source of information.

**Structure**

In terms of structure, the first chapter (“Literature Review”) discusses the concept of Humanitarian Space (its evolution and uses), and develops further its acceptation as a political arena. It also reviews the idea of the GWOT (specifically explaining the governmental counter-terrorism measures that have direct repercussions for humanitarian action). Building upon the previous chapter, chapter II (“Discussion”) examines the interpretation of the context of Gaza made by governments and humanitarian INGOs and its effects in the resulting humanitarian space. The main findings of the dissertation are highlighted in the conclusion. Finally, the two annexes to this dissertation give account of what researchers have found to be the consequences of counter-terrorism measures in humanitarian action worldwide (Annex I) and of information gathered about humanitarian INGOs currently operating in Gaza (Annex II).

**Methodology**

This dissertation is based on a literature review (of books, academic papers and reports, using print versions as well as online publications) on the concepts of humanitarian space and the GWOT (and how the latter affects the former), and on public statements and information of the interpretation made by governments and humanitarian INGOs of the context of Gaza.

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8 All the organizations listed in the Annex II have been contacted by e-mail to gather additional information for this paper (Médecins Sans Frontières being the only exception, since information available to the public was deemed sufficient). Some of these organizations agreed to answer a few questions, that were used to verify the ideas expressed in this paper. However, all the organizations requested not to be quoted due to the high degree of sensitivity of the issue being studied.
Specifically, 28 INGOs have been analyzed. The selection has been made among a list of organizations operating in Gaza as of September 2014 (OCHA, 2014). Information confidentially provided by humanitarian INGOs via e-mail has also been used to verify the findings of this paper.

CHAPTER I: LITERATURE REVIEW

Origin of the Concept of Humanitarian Space: a “Depoliticized” Space

The concept of “humanitarian space” was first used to in connection with the restrictions inflicted on the operating environment of humanitarian organizations working in the extremely politicized conditions of Cold War related conflicts in Central America in the late 80s’ and early 90s’. Although there are various claims about who first coined the term, most authors recognize that its broader use started in the 1990s when former president of Médecins Sans Frontières (MSF) Rony Brauman used the phrase “espace humanitaire” to allude to an environment where humanitarian organizations could provide humanitarian assistance disassociated from political agendas. By late 1990s the term was largely used by humanitarian organizations (Hubert & Brassard-Bordreau, 2010). This early use of the concept is similar to what today is the most common acceptance of the term: as a synonym of “operating environment” or “agency space”, distinct and separate from any political aspects or influence.

Although the concept itself is not limited to situations of armed conflict, its most common usage is directly linked to “the changing nature of armed conflict and the geopolitical shifts” (Hubert & Brassard-Bordreau, 2010). Since the politicization of the Cold War led to the inception of the concept, it should be of no surprise that the term is gaining momentum again (now in the context

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9 For an overview of the organizations considered in this research, please see Annex II. It is necessary to make several clarifications regarding how the selection has been made. First, the qualification has been made based on the publicly (often on Internet) stated aim and the activities of each organization. In this sense, not all of the considered organizations denominate themselves literally as “humanitarian”, but if they provide humanitarian assistance in this context, they have been included. Second, organizations that have a dual identity in terms of humanitarian and development aid have been included. This is due to the fact that because of the nature of the situation in Gaza, the majority of the activities include a humanitarian component. Forth, local NGOs (18) have not been included. Fifth, private companies and UN agencies have been excluded. Last, organizations that were listed more than once by OCHA because different chapters of the organization have operations in Gaza, are only considered once.

10 For a review of the history of the concept, see: Abild (2010, p. 69).
of the GWOT) as scholars and practitioners debate on whether the ability of humanitarian agencies to provide humanitarian aid is decreasing (phenomenon often referred to as “shrinking of humanitarian space”) as a consequence of trends such as the cooptation of humanitarian operations within counter-insurgency campaigns, integrated UN missions and the overlap with development aid (Collison & Elhaway, 2012, p.3). In this regard, it is commonplace among humanitarian actors to call for greater respect of the humanitarian principles (Collison & Elhaway, 2012, p.1) to safeguard humanitarian space.

Current Uses of the Concept of Humanitarian Space
Needless to say, there is no agreement on a definition of humanitarian space, and each humanitarian agency adopts a definition that is in line with its identity. In their thorough study of humanitarian space, Collinson and Elhawary (2012) identify four uses of the concept. According to them, humanitarian space can be understood as agency space, as affected community space, as international humanitarian law and (what they propose) as a “complex political, military and legal arena”. In this paper, the concept of humanitarian space is understood according to this last meaning.

Humanitarian Space as Agency Space
Also referred to as “actor centered approach” (Mills, 2013, p. 607). The humanitarian agency is the core of this definition. In this sense, humanitarian space would refer to the agency’s capability to respond to humanitarian needs in accordance with the humanitarian principles. That being said, there are differences among agencies regarding their particular understanding of humanitarian space. MSF, for example, emphasizes on the suffering and needs of people, and neutrality therefore not being the highest priority. The United Nations has a more instrumental view; the UN Office of the Coordination of Humanitarian Affairs (OCHA) refers to humanitarian space as an “operating environment” for relief organizations and recognizes that the “perception of adherence to the key operating principles of neutrality and impartiality (…) represents the critical means by which the prime objective of ensuring that suffering must be met wherever it is found, can be achieved” (OCHA, 2004, p. 14). But as a state-based international

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11 For a complete review of humanitarian space in IHL, see Beuchamp (2012).
organization, OCHA’s definition purposely excludes the principle of independence as a precondition for creating and maintaining humanitarian space. The idea of humanitarian space as “agency space” has been criticized as it puts the emphasis on “agencies’ ability to access communities in need” instead of “communities’ ability to access relief” (Abild, 2010, p. 74).

**Humanitarian Space as Affected Community Space**

Also referred to as “people centered approach” (Mills, 2013, p. 607), the affected community is at the center of this definition, although humanitarian agencies remain essential. UNHCR (Tennat, Doyle, & Mazou, 2010, p.4) and Oxfam’s definitions (Oxfam International, 2005, p. 2) fall under this category.

**Humanitarian Space as International Humanitarian Law**

For the International Committee of the Red Cross (ICRC), humanitarian space is rooted in International Humanitarian Law (IHL) (Grombach, 2005), it is primarily a responsibility of States and it is directly linked to the humanitarian principles (Thurer, 2007). Although IHL provides only for “impartial humanitarian space”, the ICRC has been mandated as a neutral and independent organization. Therefore, in their view humanitarian space refers to a “space for neutral and independent humanitarian action must be preserved at all times, within a larger and more diverse humanitarian space” (Grombach, 2005). Although useful to advocate in favor of populations affected by armed conflict, the legal understanding of humanitarian space is a partial one since it does not encompass the dynamic process of creation and preservation of humanitarian space in specific cases.

**Humanitarian Space as a Humanitarian (Political) Arena**

All the above described uses of the term, despite their differences, continue the tradition of understanding humanitarian space as an apolitical and distinct space for principled humanitarian action. However, it has been argued that this use is “aspirational” in character and contrary to empirical evidence that demonstrates that these spaces are highly politicized (Hilhorst & Jansen, 2010).

The term “humanitarian”, in this view, does not denote ownership (implicitly, the idea of humanitarian space as agency space denotes an exclusive sphere of action belonging to
“humanitarian agencies”) but “people’s ability to be safe and protected and to have at least the bare minimum of resources necessary to live” (Mills, 2013, p. 608). Following Hilhorst and Jansen (2010) “space” is understood as a “socially negotiated arena” (p. 1120). Humanitarian space is, then, “an arena where actors negotiate the outcomes of aid (…). The realities and outcomes of aid depend on how actors along and around the aid chain - donor representatives, headquarters, field staff, aid recipients and surrounding actors - interpret the context, the needs, their own role and each other” (Hilhorst & Jansen, 2010, p. 1120).

This view demands a reassessment of the intimate relationship between humanitarian action and politics. The premise of this position is that it is not possible to create “depoliticized” humanitarian spaces (Kleinfeld, 2007, p. 180) and that the idea that government authorities and armed groups should not be involved in humanitarian action is problematic in practice and even contrary to IHL.12

This vision also recognizes the multiplicity of actors providing humanitarian assistance and involved in the creation of humanitarian space, to include “UN agencies, multiple mandate NGOs, suppliers from the international and local private sector, and military contingents providing aid in inaccessible areas or protecting its delivery by civilian actors” (Hilhorst & Jansen, 2010, p. 1121). For principled humanitarian agencies, for whose work respect of humanitarian principles is paramount, and in case of the ICRC even a legal obligation (Grombach, 2005), being conscious of the role that different actors have in creating humanitarian space is essential. The ability to discern between the aspirational aspect of humanitarian action and its reality in specific contexts enables principled humanitarian organizations to critically analyze how other actors are reshaping what humanitarian action is. In the context of the GWOT, principled humanitarian action is being challenged. Governments use relief to “win hearts and

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12 According to the 1949 Geneva Conventions and their Additional Protocols, the primary responsibility for the survival of the population lies with the authorities or, in the case of occupation, with the occupying power. If the responsible authorities cannot provide the indispensable supplies for the civilian population, humanitarian and impartial relief action may be undertaken. Both Additional Protocols I and II require the consent of the parties concerned for relief actions to take place. Per a recent study from the ICRC, these rules have become customary IHL. For more information, see “Rule 55” at Customary IHL (2015).
minds” and organizations complying with counter-terrorism measures compromise their principles.

The Global War on Terror

“The attack took place on American soil, but it was an attack on the heart and soul of the civilized world. And the world has come together to fight a new and different war (…). A war against all those who seek to export terror, and a war against those governments that support or shelter them” (“Text: Bush on State of War“, 2001). Such were the words the former president of the United States George W. Bush chose to address the entire nation (and an apprehensive global audience) in the aftermath of the 9/11 terrorist attacks, marking the beginning of a series of measures that, as part of the GWOT, would target support to terrorist groups in a vast majority of countries.

As expressed by Bhungalia, the “political abstraction” of the GWOT served the purpose of creating a narrative in terms of ‘friend-enemy’. This narrative is developed in line with Carl Schmitt’s political philosophy: “the greater the distinction between ‘us’ and ‘them’ by the political authority in power, the more likely the success of its policy” (Bhungalia, 2010, p. 349). In the GWOT, the distinction could not be greater. The conflict is between two irreconcilable, antagonistic positions: the “civilized” nations on the one hand, the supporters of terrorism in the other. Although the concept of terrorism itself is not new, never before had this narrative dominated world and domestic politics as it does since the 9/11 attack. The dimension of the attack, both in terms of loss of human lives and in its symbolic significance, led the US government to qualify it as an “armed attack”, enabling it to take initiatives of self-defense as stipulated in the UN charter (Macrae & Harmer, 2003, p. 2). Terrorism had transcended the borders of domestic politics into the sphere of international peace and security. Hence, the necessity to analyze its repercussions on humanitarian space.

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13 In a military and political context, “winning hearts and minds” refers to the strategy of persuading supporters of the enemy using emotional or intellectual allure, by means that include the delivery of aid (Williamson, 2011).
14 See Annex 1 (“Consequences on Humanitarian Principles”).
15 After the 9/11 attack, the UN Security Council passed resolution 1373 under chapter VII of the charter instructing states to adopt counterterrorism legislation, and the North Atlantic Treaty Organization (NATO) invoked the treaty’s mutual defense clause for the first time.
Defining terrorism

Terrorism is not a new phenomenon. As a term, terrorism can be traced back (at least) to the French Revolution, having been employed in 1794 to refer to the use of terror by the French revolutionary state. In a very different context, the Bolsheviks used it to legitimize their actions against enemies of the state (Macrae & Harmer, 2003, p. 2). Terrorist campaigns have arisen all over the world and in response to several types of situations, such as to colonial rule and to foreign occupation (Roberts, 2008, p. 4).

As Adam Roberts eloquently observed, “the word ‘terrorism’ (...) is confusing, dangerous and indispensable. Confusing, because it means very different things to different people, and its meaning has also changed greatly over time. Dangerous, because it easily becomes an instrument of propaganda, and a means of avoiding thinking about the many forms and causes of political violence. Indispensable, because there is a real phenomenon out there that poses a threat to many societies” (Roberts, 2008, p. 4). Although the UN General Assembly has adopted 13 international conventions prohibiting particular terrorist acts (“Text and Status of the United Nations Conventions on Terrorism”, n.d.), there is still not a general definition of terrorism. Counter-terrorism legislation at national level does not reflect consensus neither (Human Rights Watch, 2012, p. 18).

In a survey conducted in 1988, of 109 definitions of terrorism the 3 concepts that were included the most were “violence” (83.5%), “political” (65%) and “fear/terror” (51%) (Schmid & Jungian, 1988). A review of the literature in this topic reveals that those components are still widely agreed upon. For example, widely quoted terrorism specialist Bruce Hoffman, defines terrorism as “the deliberate creation and exploitation of fear through violence or the threat of violence in the pursuit of political change” (Hoffman, 2006, p. 40). Perhaps one of the most widely

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16 In this regard, Bruce Hoffman notes that at the time the term had a positive connotation. In the words of Maximilian Robespierre “terror is nothing but justice, prompt, severe and inflexible; it is therefore an emanation of virtue.” Bruce Hoffman, Inside Terrorism (2nd Edition), New York: Columbia University Press, 2006.

17 As an example, terrorism experts Steven and Gunaratna (2004, p. 4) define terrorism as being driven by “political motive”, using “political” as a synonym of ideological, ethnic and religious. Such an overstretch of the term is common in the reviewed literature.


19 Hoffman elaborates on the “political aspect” by adding that “terrorism is designated to create power where there is none or to consolidate power where there is very little. Though the publicity generated by
accepted definitions of terrorism (which also reflects these minimum agreement) is that suggested by Michael Walzer, for whom terrorism is “the deliberate killing of innocent people, at random, in order to spread fear through a whole population and force the hand of its political leaders” (Walzer, 2002).  

For the purpose of this paper, this general idea about the meaning of terrorism is sufficient. Based on the understanding of humanitarian space that has been proposed, whether a group is a terrorist group per se is not as relevant to the analyses as the political designation of such a group and the consequences that this encompasses for humanitarian space.

**Counter-terrorism Measures after 9/11**

According to Human Rights Watch (2012) in the 11 years following 9/11 more than 140 countries passed or revised their counterterrorism laws (p. 5). A key element in the application of these legislations is the process by which a group is designated as a terrorist group. Defining international terrorism (the “international public enemy”) is an eminently political task (Friedrichs, 2006). Its most concrete version, listing an organization as terrorist, is therefore more a matter of political standpoint than empirical evidence. The process by which groups are designated as terrorist varies greatly among states and even within a state among different agencies, and it has been suggested that in most cases there is a lack of due process in the designation (Human Rights Watch, 2012, p. 30). Listing a group as “terrorist” usually results in its proscription, assets freezing, and the blockade of its commercial activities. Members of the organization might be criminally prosecuted, even if they did not act in support of unlawful activities (Human Rights Watch, 2012, p. 34).

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20 However, this definition does not include attacks to property or facilities, which in many cases would be considered acts of terrorism. It also excludes the concepts of “state terrorism” and “war terrorism”.

21 As an example, Hezbollah has been designated as a terrorist organization by the US, Canada, Israel, Australia and the UK, but not by France, the European Union, Russia and the Arab countries.

22 The US Department of State has listed 59 groups as Foreign Terrorist Organizations (FTOs), whereas the US Department of the Treasury’s list includes hundreds of individuals and groups as Specially Designated Global Terrorists (SDGTs).
Multilateral Legal and Political Framework

In 1999, the UN Security Council (UNSC) passed Resolution 1267, under Chapter VII of the Charter, requiring all UN member states to freeze the financial assets of individuals and organizations designated by a sanctions committee, as well as to prevent the entry in their countries of such individuals (Moirzadeh, Lewis, & Bruderlein, 2011, p. 629). This was a sanctions regime targeted at members of the Taliban, and later, of Al Qaeda (HPCR, 2011). Resolution 1267 was a precursor to UNSC Resolution 1373, which two weeks after the 9/11 attacks set the basis of a legal framework in which specific measures must be taken by states against terrorism. The resolution requires all UN member states to “refrain from providing any form of support, active or passive, to entities or persons involved in terrorist acts”, as well as to prohibit their nationals and individuals in their territories from providing such support. It further obliges all UN member states to criminalize support of or participation in terrorist acts (Modirzadeh et al., 2011, p. 637). Although this resolution falls under the terms of enforcement measures by the UNSC under Chapter VII of the UN Charter, it does not contemplate the use of force. Rather, it creates a wide range of measures, being the formation of a standing committee (to monitor implementation) and cooperation between states the center-piece (Beyani, 2003, p. 16).

In addition to the international legal framework established in multilateral treaties (the aforementioned 13 international conventions) and resolutions of the UNSC, international policy initiatives have influenced the development of national counter-terrorism measures as well. These include the global Counterterrorism Forum (launched in 2011 with 29 member states and the EU), the G8’s Counter-Terrorism Action Group (CTAG) and the Financial Action Task Force (FATF). FATF has proven to be particularly influential (Mackintosh & Duplat, 2013, p. 19). Being an informal group launched in 1989 by the Organization for Economic Cooperation and Development (OCDE) to combat money-laundering, after 9/11 FATF’s scope of action was expanded to address terrorist financing. It has been argued that the group’s focus on non-profit organizations has encouraged over-regulation of the sector (Mackintosh & Duplat, 2013, p. 19). In implementing the above mentioned international requirements, some governments have criminalized the provision of “support”, “services” and/or “assistance” to individuals or groups involved in terrorist acts, and the association with them. The exact content of the offenses vary greatly among states. In general, the provisions are broadly worded and therefore they can be
intercepted to include any humanitarian venture involving contact with individuals or organizations associated with “terrorism” (ICRC, 2011, p. 51).

**Material Support**

Providing “material support” for terrorism is a criminal act under many counterterrorism laws. It has been noted that such provisions can be abusive when combined with broad definitions, both of terrorism and of material support itself (Human Rights Watch, p. 38). Many of those laws do not require knowledge nor intent that the support could lead to a terrorist attack (Human Rights Watch, 2012, p. 38). In addition, a number of human rights and humanitarian organizations, as well as legal academic experts, have expressed their concern regarding lack of due process for material support suspects in most countries (OMB Watch and Grantmakers without Borders, 2008; Harvard Program on Humanitarian Policy and Conflict Research, 2011; Human Rights Watch, 2012).

In US federal criminal laws material support has been defined in a very comprehensive manner, comprising the provision of financial services, currency, lodging, and transportation. After the 9/11 attacks, the USA PATRIOT Act and the US Intelligence Reform and Terrorism Prevention Act expanded those laws to prohibit the provision of ‘expert advice or assistance,’ ‘personnel’, ‘service’, and ‘training’ to designated terrorist organizations (Human Rights Watch, 2012, p. 38). The only exceptions to the prohibition pertain to the provision of medicine (not including treatment or training, but only the medicine itself) and religious materials. Some organizations have complained that since 2001, the Treasury’s Office of Foreign Assets Control (OFAC) and the Justice Department have expanded their interpretation of “material support” above and beyond transfers of funds or goods to cover legitimate charitable aid that may “otherwise cultivate support” for a designated organization (OMB Watch & Grantmakers without Borders, 2008, p. 4).

The US exercises jurisdiction over any individual (regardless of the nationality), who violates the statute (as long as the person is in US territory, even if the act was committed abroad). This means that the personnel of a non-US organization composed entirely by non-US staff, that does

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23 This provision is more limited than the exemption in a previous version of the statute, which exempted ‘humanitarian assistance to persons not directly involved in such violations’ (Modirzadeh, Lewis & Bruderlein, 2011, p. 629).
not operate in the US, could be subject to US criminal jurisdiction if they find themselves in the US (Modirzadeh et al., 2011, p. 630). It is important to note that the material support statute was amended in 2005 so that the Secretary of State and Attorney General can permit aid in cases of “training,” “personnel,” and “expert advice or assistance”, only if the Secretary determines that it cannot be used for terrorism (Margon, 2011, p. 13).  

**The Fungibility Argument**

There is agreement about the fact that some advantage to the party in whose territory humanitarian organizations work is inevitable (Pantuliano et al., 2011, p. 6). Acceptance of humanitarian workers is often motivated by “an expectation of economic or political gain for the parties involved, seeing an opportunity to either boost the local economy or their own prestige, or to provide social services to communities under their control” (Delaunay, Romero, & Vonckx, 2014). But provided that this does not have significant consequences on the efforts of one side, the humanitarian imperative prevails and humanitarian action is allowed. However, behind “material support” legislation lays the argument that resources from humanitarian organizations are ‘fungible’. From this perspective, any resources could free up the terrorist group’s resources for illicit activities and assist in lending legitimacy to foreign terrorist groups (which makes it easier for them to persist, to recruit members, and to raise funds) (Roberts, 2010). The Supreme Court adopted this argument in its Holder v. Humanitarian Law Project (HLP) decision.

Manipulation of aid is not new, and is part of a war tactic that States have repeatedly used (Delaunay et al., 2014). Nonetheless, it has been argued that “the support of the war effort by humanitarian assistance is generally marginal in light of the resources derived from the belligerents’ involvement in the global economy, including funds raised from diaspora networks, political support, earnings from legal and illegal trade, etc” (Weissman, 2010). The failure of counter-insurgency strategies based on use of humanitarian aid to “win hearts and minds” in

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24 It is worth mentioning that there was an attempt in 2013 to modify material support laws in the US by republican representative Christopher Smith, endeavor that was prompted by the difficulties to providing assistance during the 2011 famine in Somalia. This new law would have modified existing material support laws to allow humanitarian organizations to engage with terrorist groups for humanitarian purposes. However, the law was never enacted (“H.R. 3526 [113th]: Humanitarian Assistance Facilitation Act of 2013”, 2013).
Iraq, Pakistan and Afghanistan is a perfect example of the limited impact on the course of the war of the co-option of aid organizations (Weissman, 2010).

**Sanctions**

In the US, sanctions are mainly ruled by Executive Order 13224 (EO 13224) issued on 23 September 2001 and administrated by the Department of the Treasury’s Office of Foreign Assets Control (OFAC). This order allows government authorities to designate and block the assets of individuals and entities that “assist in, sponsor, or provide financial, material, or technological support for . . . or other services to or in support of” designated individuals or terrorist groups, or that are “otherwise associated” with them. Once a group is included in the Specially Designated Nationals (SDN) list\(^{25}\), their assets are blocked and U.S. citizens are prohibited from any transactions with listed entities or individuals unless they apply for a license (Margon, 2011, p. 5). Whereas any transaction occurring in a listed State Sponsor of Terrorism requires a license, the requirement for working in an area where FTOs and SDNs are located is less clear because the license is not always necessary. In addition, these licenses do not exempt organizations from criminal concerns relating to the Patriot Act’s material support statute (Margon, 2011, p. 7).

In the EU, the Council Common Position (adopted in December 2001) ordered the block of assets and the prevention of resources facilitated to “persons, groups and entities involved in terrorist acts”. EU regulations are directly applicable in all EU Member States (Mackintosh & Duplat, 2013, p. 44).

Penalties for violation of sanctions provisions are predominantly lower than for the crime of material support. Some states provide an alternative type of exemption by means of special licenses. However, these licenses do not provide legal immunity from prosecution under material support laws (Mackintosh & Duplat, 2013, p. 27).

\(^{25}\) In the US, the Department of State administers a list of terrorist groups known as the Foreign Terrorist Organization (FTO). All listed FTOs are also classified as Specially Designated Nationals.
Donor Policies\textsuperscript{26}

Funding from donor governments is progressively being made conditional on guarantees that it is not serving listed organizations or individuals, and that security checks are being placed on local actors and implementing partners (Pantuliano et al., 2011, p. 1). The major secular US NGOs are highly dependent on US government funding\textsuperscript{27}. For European organizations the situation is quite different as a consequence of a more balanced private-to-public funding ratio and the capacity to choose among government funding sources by virtue of the European economic integration (Stoddard, 2003).

While some donors have a ‘don’t ask, don’t tell’ policy (Pantuliano et al., 2011, p. 6), others have introduced clauses in their funding agreements and implemented vetting systems. All organizations applying for grants from the United States Agency for International Development (USAID) are required to certify that they have not provided (within ten years) and will not provide material support individuals or groups included in a variety of lists that they must check (Modirzadeh et al., 2011, p. 236). In addition, in 2007 USAID implemented the Partner Vetting System (PVS), requiring US-funded NGOs to provide personal information on staff for the purpose of vetting (Margon, 2011, p. 8). The State (including USAID) and Defense Departments merge information on their contractors into a single database: the Pentagon’s Synchronized Pre-deployment and Operational Tracker (SPOT). This includes personnel hired under grants, subgrants, and cooperative agreements with partner organizations (Margon, 2011, p. 10).\textsuperscript{28}

Humanitarian Space, the GWOT and Gaza

The concept of the GWOT offers a frame to understand how humanitarian space is created in any situation where a listed “terrorist” group is present and where humanitarian operations are taking place. It is through the lens of the GWOT that it is possible to understand how one essential actor


\textsuperscript{27} CARE and Save the Children US receive about half of their funding from the US government and more than 70\% of the International Rescue Committee’s funding is provided by public sources (Stoddard, 2003, p. 29).

\textsuperscript{28} The provision of such information is highly problematic for humanitarian organizations. In terms of costs, administrative burdens, perception by the local communities and humanitarian principles. This issues, together with the consequences of counter-terrorism measures on humanitarian action, is developed in Annex 1.
in creating humanitarian space, the State, interprets these specific contexts, their role and the role of other actors (being humanitarian INGOs of special relevance in the context of this dissertation). Humanitarian INGOs, on the other hand, have to adapt and respond to this reality, especially when it is translated in counter-terrorism laws and measures that affect their operations, such as the ones explained above\textsuperscript{29}. The reaction of humanitarian INGOs also denotes the interpretation that they make of the context itself, of their own role and that of other actors (in the case of the analyzes offered in this dissertation, the States).

In Gaza, where Hamas has been exercising control since 2007 after defeating Fatah (both in the legislative elections of 2006 and later in the “Battle of Gaza”), the dilemma of providing humanitarian relief while abiding by counter-terrorism laws and donors’ policies is at its highest. Hamas has been designated a terrorist group by key donors, such as the United States, the European Union, Japan and Canada. Since restrictive donor policies have been put in place since September 11 with regards to providing support to designated terrorist organizations, and in addition, some donors have included specific clauses in their agreements with humanitarian organizations preventing them from communicating with Hamas, humanitarian organizations face outstanding challenges to operate in the Strip. Furthermore, the enactment of laws criminalizing material support to “terrorist” organizations in several countries mean that engaging Hamas, even for humanitarian purposes, could be considered a criminal act.

On the other hand, Israel has imposed a blockade on Gaza since 2007. This blockade not only has deteriorated severely the capacity of the population to meet their basic needs, but has also been jeopardizing the efforts of humanitarian organizations to provide assistance (“Gaza Blockade: no Signs of Loosening”, 2014).

But what sets Hamas’ situation apart from other similar scenarios, is that it is not only in control of the territory in Gaza but it is also the elected government, which encompasses a certain level of legitimacy among the population of Gaza, therefore increasing its importance as a key interlocutor for humanitarian operations.

\textsuperscript{29} For a brief explanation of how counter-terrorism affects humanitarian action, see Annex I.
CHAPTER II: DISCUSSION

Governments’ Interpretation of the Context in Gaza and the Creation of Humanitarian Space

By 2003, Hamas was already listed as a terrorist organization and subject to sanctions by a number of States\(^{30}\) who are also significant humanitarian donors such as Canada, the EU, Japan, Australia and the US (Mackintosh & Duplat, 2013, p. 87). In the case of Israel, it does not only consider Hamas a terrorist group but (since 2007) it has also declared the whole Gaza Strip a “hostile entity”\(^{31}\) (Bhungalia, 2010, p. 350)\(^{32}\).

Hamas’ sociopolitical movement is based on grassroots mobilization (Herrick, 2010, p. 174). Acknowledging this is paramount to understanding the organization's legitimacy and influence. As Michael I. Jensen explains, Hamas ideology corresponds to that of moderate Islamists that “strive for the creation of an Islamic state by means of a political strategy based on a process of islamization at the grassroots level” (Jensen, 2009, p. 5). Created as a branch of Egypt’s Muslim Brotherhood in 1945, Hamas adopted their policy of grassroots mobilization, taking part in the development and administration of numerous social services in Gaza, such as hospitals, schools, sports clubs and homes for the elderly. Hamas’ da’wah\(^{33}\) is a replacement for the social welfare system of the state (Herrick, 2010, p. 172). It has been estimated that 90% of the funds collected by Hamas around the world is used to cover welfare services for Palestinians, the remaining 10% being spent on armed resistance (Benthal, 2003, p. 45).

Governments fighting terrorism, and particularly the US and its allies, are very familiar with this strategy of winning “hearts and minds” for political and military purposes. It was this clear understanding of how Hamas built its constituency that led to targeting the welfare system in Gaza, and not limiting the fight against Hamas to the military sphere. In the words of Lisa

\(^{30}\) However, Hamas is not subject to a specific UN sanction.

\(^{31}\) Hamas was first designated an “unlawful organization” in 1989 (Mackintosh & Duplat, 2013, p. 89).

\(^{32}\) Hamas was declared a terrorist organization by Egypt in March 2014 (Hamas is seen as an offshoot of the also “terrorist” Muslim Brotherhood). However, this decision was overturned by an Egyptian appeals court in June 2015 (“Egypt court annuls ruling that Hamas is terrorist group”, 2015).

\(^{33}\) *Da’wah* is an Arabic word meaning “call”, and it refers to a call to return to god and the practice of religion. In its contemporary version, “dawah has become the foundation for social, economic, political, and cultural activities as well as domestic and foreign policy strategies; justification for breaking away from the secular and colonial West; legitimation for claims to independent authority within the nation-state; and a call to membership in the righteous Islamic community” (Esposito, 2003).
Bhungalia (2010) “Hamas was identified as the target, and the strategy designed to reach it, a steady engineering of social crisis” (p. 353).

Since Hamas defeated Fatah in 2007, Israel has put Gaza under siege with the goal of isolating and weakening Hamas. Israel has blocked Gaza from the sea, and the crossing points from both Israel and Egypt have either been closed or severely restricted to traffic (Byman, 2010, p. 50). It has been estimated that as a consequence, 35% of Gaza’s farmland and 85% of its fishing waters are totally or partially inaccessible (OCHA, 2012). In addition, Egypt has destroyed around 1,200 tunnels that were used to smuggle a number of items into the strip (“Egypt court bans Palestinian Hamas Group”, 2014). In support of this strategy, the US and many other countries enforced a prohibition to engage Hamas in aid operations through laws and donor restrictions (Mackintosh & Duplat, 2013).

Needless to mention, the mere fact of listing Hamas as a terrorist organization makes it subject to the material support laws described in Chapter I (“Material Support”). But in addition to this, claiming the need to support the peace process and the two-state solution to the Israeli-Palestinian conflict, many governments instituted a “no-contact” policy. In particular, the US Palestinian Anti-Terrorist Act of 2006 states that no officer or employee of the US Government “shall negotiate or have substantive contacts with members or official representatives of Hamas (…) or any other Palestinian terrorist organization, until such organization: (1) recognizes Israel's right to exist; (2) renounces the use of terrorism; (3) dismantles the infrastructure necessary to carry out terrorist acts (…); and (4) recognizes and accepts all previous Israel-PLO agreements and understandings” (Palestinian Anti-Terrorism Act of 2006, section 10). In addition, the text of the law urges other international actors “to avoid contact with and refrain from financially supporting the terrorist organization Hamas”. Concomitantly, many Quartet states34 introduced similar directives at the level of government officials (Mackintosh & Duplat, 2013, p. 90).

But the no-contact policy did not remain in the sphere of government relations. In April 2006 USAID passed a Mission Notice regulating contact between the Palestinian Authority and USAID contractors and grantees (USAID Notice No. 2006-WBG-17, 2006). Since 2009 the UK has also directed its humanitarian implementing partners that contact with Hamas “should only happen at a technical and lowest possible level” (Mackintosh & Duplat, 2013, p. 90). Other

34 “Quartet” designates the group of the United Nations, the United States, the European Union and Russia.
Quartet states (although maintaining no-contact policies at political level as mentioned above) do not pass this instruction on to organizations in receipt of their funding (Mackintosh & Duplat, 2013, p. 90). However, often times the reach of these restrictions are not clear for humanitarian organizations, therefore having a broad impact in their operations.\textsuperscript{35}

NGOs in particular have often been seen with suspicion by governments, either as a “weak link” that can be exploited by terrorist groups or as covers used by such groups to collect funds. The words of former US president G. W. Bush are quiet illustrative of this belief: “Just to show you how insidious these terrorists are, they oftentimes use nice-sounding, non-governmental organizations as fronts for their activities. We have targeted three such NGOs\textsuperscript{36}. We intend to deal with them (…)” (“President Freezes Terrorists’ Assets”, 2001). Another example of this, is the additional £8m in funding provided to the UK’s Charity Commission\textsuperscript{37} to “re-focus its regulatory activity on proactive monitoring and enforcement in the highest risk areas like abuse of charities for terrorist and other criminal purposes” (“Charities funding crime and terror face new crackdown”, 2014).

In the specific case of Hamas, a document from the US Department of the Treasury states that Hamas uses charities as a cover to raise tens of millions of dollars every year, and that even if this funds are used for “legitimate charitable work”, the assistance itself is a means to recruit militants (“Protecting Charitable Organizations: Complete List of Designations”, n.d.). It also lists seven NGOs as “Specially Designated Terrorists” (STDs) due to alleged ties to Hamas\textsuperscript{38}. Of particular importance among these, is the case of the Holy Land Foundation (HLF, discussed in Annex 1), in which trial the US government argued that “by supporting schools, charities,

\textsuperscript{35} See Annex I, “The ‘Chilling Effect’”.

\textsuperscript{36} These organizations were Al Rashid Trust (according to the US Department of the Treasury had been “raising funds for the Taliban since 1999”), Al-Itihaad al-Islamiyya (“a Somali terrorist group) and Wafa Humanitarian Organization (“a key Saudi charity and Pakistan-based organization financing Al Qaida”). Additional Background Information on Charities Designated Under Executive Order 13224. (2009). In \textit{US Department of the Treasury}. Retrieved July 1, 2015, from http://www.treasury.gov/resource-center/terrorist-illicit-finance/Pages/protecting-charities_execorder_13224-p.aspx

\textsuperscript{37} The Charity Commission is the agency of the UK mandated to “register and regulate charities in England and Wales, to ensure that the public can support charities with confidence” (Charity Commission, n. d.).

\textsuperscript{38} The listed NGOs are Al Aqsa Foundation, Association de Secours Palestinien, Comité de Bienfaisance et de Secours aux Palestiniens, Holy Land Foundation for Relief and Development, Interpal (Palestinian Relief & Development Fund), Palestinian Association in Austria (PVOE) and Sanabil Association for Relief and Development (“Protecting Charitable Organizations: Complete List of Designations”, n.d.).
hospitals, and other Islamic social welfare organizations, the HLF was spreading Hamas’ ideology” (Roy, 2011, p. 98). The connection between targeting NGOs in the strategy of combating Hamas through its welfare system is beyond discussion.

Despite the enforced siege of the Strip, to which Israel refers in its official documents as “a restricted civil policy vis-à-vis the Gaza Strip” (Coordinator of Government Activities in the Territories, Ministry of Defense of Israel, 2013), that is putting tremendous economic pressure to Hamas, international and local NGOs are still allowed to run social services and enough supplies are let in as to “prevent mass starvation” (Byman, 2011, p. 364). Summed up by an advisor to former Israeli Prime Minister Olmert, “the idea is to put the Palestinians on a diet, but not to make them die of hunger” (“Gaza on brink of implosion as aid cut-off starts to bite”, 2006). The relationship between Gaza and Israel has been framed by the latter as that of enemy states, rather than occupied-occupier.39 (Bhungalia, 2010, p. 351). In fact, in an official report about the blockade, Israel emphasizes that it “disengaged” from the Gaza Strip on 2005, and that the blockade is a natural result of Israel’s protection responsibility towards its citizens (Coordinator of Government Activities in the Territories, Ministry of Defense of Israel, 2013, p. 3). It does not, of course, refer to its obligations towards the people of Gaza; provision of goods becomes an issue of political will rather the obligation of an occupying power (Darcy & Reynolds, 2010, p. 242). Furthermore, the Israeli Ministry of Foreign Affairs has an entire section of their website to attest to the humanitarian aid provided by Israel (“Humanitarian aid to the Palestinian people”, n.d.). The narrative of humanitarian needs in opposition to humanitarian obligations is evident, and what is a political and legal problem regarding the rights of the people in Gaza becomes merely a humanitarian affair. Herrick (2010) has eloquently named this strategy as a “dual dynamic of charity and rockets” (p. 190).

In the case of the Gaza Strip, governments have used the frame of the GWOT to interpret their fight against Hamas. In this sense, counter-terrorism measures have been applied to a great

39 However polemical the determination of whether and on which grounds International Humanitarian Law is applicable to the Gaza Strip, it is worth mentioning that the International Criminal Court has declared that “while Israel maintains that it is no longer occupying Gaza, the prevalent view within the international community is that Israel remains an occupying power under international law, based on the scope and degree of control that it has retained over the territory of Gaza following the 2005 disengagement” (International Criminal Court, 2014, p. 6).
extent and the blockade imposed by Israel has received wide support from other States, either explicitly or implicitly. Although counter-terrorism measures and the Israeli blockade over Gaza are often seen as two differentiable realities, in the Strip they operate as links of the same chain. They are weapons used in the same war, a global war not only in its geographical reach but also in the means permitted to fight it. In this regard, even though it has been argued that both the blockade and counter-terrorism measures impeding principled humanitarian action are contrary to IHL (“How can Israel’s blockade of Gaza be legal? – UN independent experts on the ‘Palmer Report’”, 2011; Modirzadeh, Lewis & Bruderlein, 2011), the discourse of the GWOT and the perception of a growing threat have so far been stronger than legal arguments and therefore these policies remain in place. In the era of the GWOT, the protection of the State prevails over the protection of the individual (Whitall, 2009, p. 45).

As discussed above, the strategy chosen to fight Hamas is based on targeting its role as a public service provider and as the legitimate authority responsible for the wellbeing of the inhabitants of Gaza. Humanitarian action fits into this scheme as “a plaster for the political wounds of occupation” (Whittall, 2009, p. 41). What is in fact a political problem is disguised as a humanitarian crises; humanitarian action allows Gaza to continue breathing, but not to stand on its own feet. The limits imposed to humanitarian aid by governments involved in the GWOT create a minimal space for assistance directed to the most basic needs, but impedes a transition to development aid (Mackintosh & Duplat, 2013, p. 96).

**Humanitarian INGOs’ Interpretation of the Context in Gaza and the Creation of Humanitarian Space**

As stated in the introduction (“Methodology”), of the 69 organizations working in Gaza listed by OCHA (2014), only 28 of them can be qualified as “humanitarian INGOs”. These organizations are everything but homogeneous. Therefore, it is extremely challenging to group their visions under the umbrella of “humanitarian INGOs”, especially given the fact that most of them do not

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40 For example, USAID programs in Gaza are one of their most rigorously vetted in the world (Zanotti, 2009, p. 4). Also, a substantial number of material law prosecutions to NGOs in the US is of organizations allegedly supporting Hamas (Adelsberg, Pitts & Shebaya, 2012-2013, p. 289).

41 Interestingly enough, a number of papers have been published in the last couple of years analyzing how counter-terrorism laws and measures affect humanitarian action, using Gaza as the most indisputable example. On the other hand, humanitarian INGOs have focused their public advocacy towards the consequences of the blockade. However, in Gaza both are part of the same strategy.
have clear public statements about the topic and that when contacted for information many organizations state that due to scarce resources, they are unable to take the time to elaborate on these issues. However, it is possible to discuss their position as a sector building upon joint statements and common elements in their public declarations.

In general, public statements from INGOs are predominantly made in reference to the humanitarian needs for assistance in the Gaza Strip, and their operations to respond to these needs. However, there are also some references to the needs for protection, not only in terms of IHL (both regarding the situation of occupation and armed attacks) but also, although to a lesser extent, to human rights. For instance, a joint statement from February 2015 calls for respect of IHL and human rights law as “prerequisites for any lasting peace” (“Joint Statement: 30 International Aid Agencies: ‘We must not fail in Gaza’, 2015). But examples of this type of statements are very few and INGOs rarely elaborate further about specific obligations of each party in terms of protection.

In the context of the GWOT, it should come as no surprise that most INGOs do not make reference to Hamas in their public statements, despite their position as the government of Gaza. Among the 28 organizations individually analyzed, only 7 have public statements that reflect their position towards Hamas. Among these, 3 of them consider it as a terrorist organization, whereas the other 4 refer to Hamas as the (de facto) government. Avoiding mentioning Hamas in public statements can be understood as a measure to avoid the scrutiny of donor governments since, although only the UK and the US have a policy of no-contact with Hamas that is applied to their humanitarian partners, many humanitarian workers believe that contact with Hamas officials is prohibited (Mackintosh & Duplat, 2013). Additionally, research conducted by Darcy and Reynolds has shown that often times a policy of “don’t ask, don’t tell” is permitted (2010, p. 6), hence the need to refrain from publicly acknowledging any type of connections with Hamas.

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42 Protection is here understood as the set of actions aimed to safeguard the human rights of vulnerable persons, acknowledging human beings in their fullness, and not only focusing in their physical needs. This encompasses “a concern for a person’s safety, dignity and integrity as a human being” (Slim & Bonwick, 2005).
43 These organizations are the American Near East Refugee Aid (ANERA), Global Communities (former CHF International), Islamic Relief, Médecins Sans Frontières (MSF), Norwegian Church Aid (NCA), the Norwegian Refugee Council (NRC) and Première Urgence - Aide Medicale Internationale (PU-AMI).
44 These organizations are the ANERA, Global Communities and Islamic Relief.
45 These organizations are MSF, NCA and NRC.
On the other hand, not making references to Hamas could also be seen as a strategy to evade confrontations from the public (both in Gaza and abroad) or Hamas itself, considering that in such a contested situation, it is extremely difficult to be seen as neutral. Perhaps one of the most uncontroversial aspects of the topic being analyzed is the role of the siege in Gaza. All organizations recognize the connection between the blockade and the humanitarian needs in Gaza, and almost unanimously this is identified as the main cause of the constant need for humanitarian assistance. In June 2012, on the fifth anniversary of the tightening of the blockade on the Gaza Strip, 43 INGOs\(^{46}\) (and 7 UN agencies) co-signed a press release in which they called for an end of the blockade that “[violates] international law” (“International Pressure Mounts Over Gaza Blockade”, 2012). Later on, in February 2015, 30 INGOs\(^{47}\) and UN agencies released a statement affirming that “over seven years of blockade [have] severely compromised access to basic services, including to health, water and sanitation” and calling for Israel to lift the blockade as the main “duty bearer” (“Joint Statement: 30 International Aid Agencies: ‘We must not fail in Gaza’, 2015). This was also one of the findings of the research conducted by Mackintosh and Duplat (based on interviews with humanitarian workers). However, these researchers make a distinction between the blockade and counter-terrorism measures, pointing out that the former is responsible for the humanitarian situation and the latter “the primary obstacle to humanitarian action” (2013, p. 94). Nonetheless, the information reviewed does not entirely support this argument: most humanitarian INGOs indicate that the blockade is itself a major impediment to provide humanitarian assistance in the Gaza Strip, and not only the cause of the humanitarian situation. One humanitarian INGO (that requested its name not to be mentioned) contacted for this research went as far as to state that “the greatest challenge to implementing aid programs in Gaza is to be able to get materials and

\(^{46}\) Among these INGOs, 17 are organizations being analyzed in this research: Action Contre la Faim, DanChurchAid, Gruppo di Volontariato Civile (GVC), Handicap International, Help Age International, International Orthodox Christian Charities (IOCC), Médecins du Monde (France and Spain), Medical Aid for Palestinians (MAP), Norwegian People’s Aid (NPA), Norwegian Church Aid (NCA), Norwegian Refugee Council (NRC), Oxfam, Première Urgence - Aide Médicale Internationale, Save the Children, Islamic Relief (France) and War Child.

\(^{47}\) Among them, 12 are INGOs considered in this study: DanChurchAid, Handicap International, Help Age International, Médecins du Monde, Medical Aid for Palestinians (MAP), Norwegian People’s Aid (NPA), Norwegian Church Aid (NCA), Norwegian Refugee Council (NRC), Oxfam, Première Urgence - Aide Médicale Internationale, Save the Children, Islamic Relief (France) and World Vision.
supplies into the Gaza Strip; this is due to the amount of time needed for coordination, obtaining permits, etcetera”.

Of course, the fact that there is little public information regarding the interpretation of the context in Gaza and that many organizations refuse to provide information or be quoted is telling by itself. In this highly politicized situation, humanitarian organizations may opt to refrain from positioning themselves in order to avoid attracting the attention from governments that may oppose their views and jeopardize their operations. This risk has also led organizations to concentrate their efforts in assistance and not in protection, since the latter is built on the human rights and IHL discourse, and is therefore seen as more controversial (Whittall, 2009, p. 48). However, there have been recent endeavors to overcome this situation by joining efforts. Besides the above mentioned joint statements, two clear examples of these efforts are the 2013 research “Impact of Donor Counter-Terrorism Measures on Principled Humanitarian Action” conducted by Kate Mackintosh and Patrick Duplat, that was commissioned by OCHA and the NRC, but received wide support from humanitarian NGOs (Mackintosh & Duplat, 2013), and a recent joint statement entitled “Charting a New Course” of April 2015.

This report, published six months after Israel’s Operation Protective Edge and the subsequent donors’ conference (“Cairo Conference”), was initiated by the Association of International Development Agencies (AIDA) and then joint by other regional networks. It deserves especial attention since it is a milestone in terms of public positioning of humanitarian INGOs in the context of Gaza. In total, 46 INGOs signed the final document, calling for all stakeholders (including Israel, the Palestinian Authority, Hamas and the international community) to fulfill their different obligations towards the enjoyment of human rights by the people of Gaza.

The statement addresses a series of problems and issues recommendations. First, to make parties accountable in terms of IHL and resume negotiations to end “the cycle of violence” (AIDA,

48 This is especially relevant for organizations that receive funds from donors with restrictive counter-terrorism policies and/or are headquartered in countries that prosecute material support.
49 Among these INGOs, 15 are organizations studied in this research: DanChurchAid, Gruppo di Volontarist Civile (GVC), Handicap International, Help Age International, Médecins du Monde (France, Switzerland and Spain), Medical Aid for Palestinians (MAP), Norwegian People’s Aid (NPA), Norwegian Church Aid (NCA), Norwegian Refugee Council (NRC), Oxfam, Première Urgence - Aide Médicale Internationale, Save the Children and Islamic Relief (France).
50 It is important to mention that the report refers to both humanitarian and development aid, often without any distinction. This should be understood in the context of early recovery efforts that are taking place in Gaza.
2015, p. 3). Secondly, it calls for all parties, specifically mentioning donors and Egypt, to commit to “principled assistance, reconstruction and recovery”\textsuperscript{51}. Last, there is an appeal for Israel to lift the blockade in accordance with its “obligations as an occupying power” and for the international community to agree to a “common response” should Israel not be willing to proceed in this direction (AIDA, 2015, p. 4).

The report refers to Hamas as the “de facto authority” in Gaza (AIDA, 2015, p. 6), an acknowledgment of the fact that they are in control of the territory and its population that does not take a political stance with regards to its legitimacy. Furthermore, the statement declares that restrictions imposed by some States (both to their officials and aid organizations) on engagement jeopardize humanitarian access and implementation of programs, as well as advocacy towards respect for IHL, and that the establishment of the Palestinian Government of National Consensus (GNC)\textsuperscript{52} is an opportunity to overcome this situation (AIDA, 2015, p. 22).

Regarding the blockade, the report states that it “constitutes collective punishment; it is imposed in violation of IHL and, according to the UN, may entail the commission of war crimes” (AIDA, 2015, p. 8). Furthermore, it argues that third states, such as Egypt, also have obligations in terms of IHL, specifically to “[allow] free passage for and protection of humanitarian relief” (AIDA, 2015, p. 8).

Finally, it is extremely important to note that this joint statement points out that framing the situation of Gaza as a humanitarian crisis can be misleading. By explaining this crisis in terms of humanitarian needs only, its political nature is often neglected. Before the separation policy implemented by Israel, the report argues, only 10% of the population was unemployed (now the number has risen to 45%, and 63% of the youth). It is to a great extent due to the separation policy that 80% of Gaza is now aid dependent (AIDA, 2015, p. 9). Therefore, it is necessary to move forward from understanding Gaza as a never-ending humanitarian emergency, to focus on the political dynamics behind the unmet needs.

Although statements like this are not common, according to the information reviewed there seems to be a trend for INGOs to be more outspoken than in the past about certain aspects of the problem. Clearly, denouncing the blockade is one of them, and the violation of IHL and

\textsuperscript{51} However, it is not clear in the text what principles exactly must be taken into account.

\textsuperscript{52} The GNC is unity government established in June 2014 between members of Hamas and Fatah (“Palestinians form Consensus Government”, 2014).
international human rights is apparently following the same direction. But, on the other hand, counter-terrorism as such (donors' policies, material support laws and sanctions) are rarely mentioned. The reasons behind this trend are beyond the scope of this dissertation, but they are definitely a topic that should be researched further.

A traditional aim of humanitarian INGOs to be apolitical (translated in their public statements regarding the situation in Gaza and among the organizations’ principles) has often led them to disregard the very political nature of their activities in Gaza. Pressured by counter-terrorism laws and policies and trying to portray themselves as neutral actors vis-à-vis their constituencies, humanitarian INGOs have opted to avoid as much as possible any contact with Hamas (Mc Hugh & Singh, 2013). Concomitantly, they have often leaned towards the provision of humanitarian assistance in detriment of protection activities in order to avoid controversies (Whittall, 2009, p. 44). What they fail to acknowledge is that by operating in this manner, they are inadvertently being part of the strategy to defeat Hamas.

With an economy wrecked by years of blockade, the Gaza Strip has been forced to become highly dependent on foreign assistance. Although most humanitarian INGOs aspire to refrain from taking sides in the conflict, there is nothing neutral about competing with Hamas in their duty to deliver social services for the population in Gaza, and that is the unfortunate role that these organizations have in the Strip. Humanitarian action in the context of the GWOT has become extremely instrumentalized in Gaza, and regretfully INGOs rarely acknowledge this.

The resulting humanitarian space in Gaza is therefore a space where the most widely recognized humanitarian principles are infringed. Neutrality, the tenet that calls for humanitarians to refrain from taking sides on a conflict, is clearly hindered by the role played by humanitarian aid in the strategy that governments have adopted to fight Hamas. Secondly, with regards to impartiality, a core principle recognized by the Geneva Conventions of 1949, humanitarian INGOs must often design their programs not based on need only, but based on governments’ restrictions, creating inefficiencies and gaps (Metcalf-Hough, Keatinge & Pantuliano, 2015, p. 5). This happens for

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53 Organizations that openly recognize Hamas as a terrorist organization could be excluded from this group.

54 A clear exemption to this is Caroline Abu-Sada’s questioning of the role of MSF in Gaza (in an MSF publication): “(...) there is a danger of [humanitarian aid] being expected to assume [the role of] assistant prison guard at the center of a pitiless system of domination and segregation” (Abu-Sada, 2011).
example when INGOs refuse so provide assistance to government run schools. Furthermore, INGOs fail to observe the principle of independency, that is reflected in the fourth point of the Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief (1994)\textsuperscript{55}, by operating in a manner in which their assistance is clearly being instrumentalized as part of the GWOT. Last but not least, the humanitarian “mantra” of do no harm\textsuperscript{56} is neglected as INGOs fail to acknowledge and react to the role that the aid they provide has in the dynamic of the conflict.

\textsuperscript{55}“We shall endeavor not to act as instruments of government foreign policy”.
\textsuperscript{56}The ‘do no/less harm’ principle was first developed by Mary B. Anderson in the 1990’s. It calls for humanitarian organizations to “strive to ‘do no harm’ or to minimize the harm they may be inadvertently doing simply by being present and providing assistance (…). [This harm occurs] when, for example, aid is used as an instrument of war (…). To minimize possible longer term harm, humanitarian organizations should provide assistance in ways that are supportive of recovery and long-term development” (UNICEF, 2003).
CONCLUSION

By adopting a concept of humanitarian space as a political arena, it was possible to analyze the underlying elements that shape such a space in Gaza. The mere fact of distancing the definition from the more classical concept of humanitarian space as “agency space” allows us to abandon the defense of humanitarian agencies’ sphere of action, to observe critically the real outcomes of humanitarian action.

In the same line, a somewhat innovative conceptual approach to the connection between counter-terrorism measures and the blockade over Gaza acted as a cornerstone to understanding how the GWOT influences humanitarian space. As stated in Chapter II, counter-terrorism measures and the blockade should not be seen as two separate realities. On the contrary, in the case of Gaza both sets of policies have the same aspiration: the economic and political strangulation of a “terrorist” group.

Counter-terrorism measures as they are today (that is to say, excluding exceptions for humanitarian action) are a reflection of how governments understand humanitarian organizations and the context of humanitarian action itself: as instruments that could potentially be used by any party to a conflict to pursue their political goals. On the other hand, the response of these organizations to these measures is also a reflection of the organizations’ understanding of the context and of the role of each actor. So long as there is no commitment to be critical about the role that humanitarian action is asked to play in the context of the GWOT and to take measures to overcome this situation, the very foundations on which humanitarian action rests could be rendered debris.

The underlying debate is whether there are limits to the means and strategies used to wage war, or not. In an affirmative response lies the essence of the widely endorsed Geneva Conventions of 1949 and their additional protocols. But by applying the narrative of ‘terrorism’ in the case of Gaza and beyond, States seem to be justifying the use of any means, irrespective of IHL and IHRL. Whether humanitarian action will be safeguarded from being an instrument of the GWOT or not is a question still to be answered.
Bibliography


Annex I: Consequences of Counter-Terrorism Measures for Humanitarian Action

Even if almost none of the literature reviewed for this research makes explicit reference to the concept of “humanitarian space”, it can be inferred that most of it refers to the consequences of counter-terrorism in humanitarian “agency” space.

A review of academic papers revealed that many of the authors are (or were) practitioners involved humanitarian operations. Much of the literature has also been produced by (or in partnership with) humanitarian organizations. Regarding the topics covered, academic and non-academic literature regarding the legal aspect of counter-terrorism abounds (for example, from the perspective of human rights).

Although the policies analyzed have mostly been produced shortly after the 9/11 attack, this topic was most studied between 2010 and 2013, having a clear pick in 2011. A few events may help to understand this fact. Among them, the trial against the Holy Land Foundation (2004-2009), the Holder vs Humanitarian Law Project (HLP) (2010) and the famine that stroke Al-Shabaab controlled Somalia (2011).

The Holy Land Foundation and ‘Holder vs HLP’ Cases

Two cases are often cited and having had a great impact among humanitarian organizations. Those are the cases against the Holy Land Foundation for Relief and Development (HLF) and HLP.

David Boim, a dual citizen of the United States and Israel, was shot dead in Israel, allegedly by Hamas gunmen. His parents filed a law suit against the charity organization HLF (among others) whom they accused of having provided support to Hamas. The material support at stake was provision of funds to Zakat57 committees in the West Bank and Gaza-organizations.

57 Zakat is a form of alms or charity which constitutes one of the core “five pillars” of Islam and is therefore a religious obligation for all observant Muslims.
While the committees themselves were not designated terrorist organizations, evidence at trial (December 2008) linked HLF to Hamas and its leadership. Ultimately, the jury found the defendants guilty of violating the material support statute (Adelsberg et al. 2012-2013, p. 291). In Holder v. Humanitarian Law Project (HLP), the US Supreme Court in 2010 rejected arguments that post 9/11 provisions unconstitutionally violate rights of freedom of speech or association. The court held that “there was no requirement that the expert advice, services, or training be intended to aid terrorist groups, simply that it must be provided ‘in coordination’ with a terrorist group” (Human Rights Watch, 2012, p. 38). This made humanitarian organizations fearful of operating in regions controlled by designated terrorist groups.

The HLP case was not a prosecution but a pre-enforcement challenge to the material support statute (Mackintosh & Duplat, 2013, p. 41). Nonetheless, there have been prosecutions (relevant to humanitarian agencies) under the statute and eight US-based charities have been designated by the Treasury Department for providing support to designated terrorist organizations (Mackintosh & Duplat, 2013, p. 41).

The “Chilling Effect”
Perhaps the most mentioned impact of counter-terrorism measures among humanitarian organizations is the “chilling effect”, which “occurs when organizations, faced with the risk of criminal sanction or intimidated by increasingly strict administrative procedures required for projects carried out in areas where listed groups are active, (...) decide to cut back on or halt their projects before any action is taken against them” (Modirzadeh et al., 2011, p. 642). Because of this risk or fear, the statutes have had a greater impact on humanitarian organizations than the reduced number of prosecutions suggest (Adelsberg et al., 2012-2013, p. 283) since they have created a risk-averse business climate that discourage humanitarian aid in certain areas (Delaunay et al., 2014).

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58 The defense responded by presenting evidence that USAID and the ICRC had previously donated to and worked with some of these same committees, and testimony of their unsuccessful efforts to obtain information from the Treasury Department about which organizations were off-limits.
59 HLP was an NGO dedicated to advocating for the respect of IHL. In pursuit of this goal, they provided trainings to non-state armed groups on this topic.
60 At the time, this was the case of famine-stricken Somalia controlled Al-Shabaab. In 2011 the US government issued specific guidelines on Somalia, but without changing the underlying legal rules.
The “chilling effect” on humanitarian aid was evident, for example, in 2011, when U.S. aid organizations were reluctant to provide humanitarian assistance to victims of famine in Somalia. In August 2011, the U.S. Department of State announced that those U.S. aid groups would not be prosecuted, but “left unaddressed the broader set of concerns raised by humanitarian groups in the United States” (Aldersberg et al., 2012-2013, p. 283).

**Administrative Burdens and Costs**

Most of the literature reviewed points out similar detrimental consequences for humanitarian organizations. One of such consequences are administrative burdens and related operating costs (Pantuliano et al., 2011, p. 1) of complying with governmental donors requests, such as vetting all personnel, reporting to different agencies and implementing “voluntary” guidelines (OMB Watch & Grantmakers without Borders, 2008, p. 5). Great quantities of information need to be gathered and overseen as some donors demand organizations “to vet, not just their staff or the staff of partner organizations, but of their partners’ partners too” (Pantuliano et al., 2011, p. 8). Significant staff time and resources are spent for “applying for exemptions, checking lists and otherwise ensuring compliance” (Pantuliano et al., 2011, p. 8). In the case that the organization’s assets are frozen, there are no timelines or processes for long-term disposition (OMB Watch & Grantmakers without Borders, 2008, p. 5). Counter-terrorist legislation also impacts bank transactions (Metcalfe-Hough, Keatinge, & Pantuliano, 2015, p. 24), insurance coverage, and international trade (Delaunay et al., 2014).

**Transparency and Coordination**

It has been suggested that the lack of clarity on legislation and donor policy has led to decreased transparency and accountability in settings where humanitarian organizations have to interact with listed groups (Pantuliano et al., 2011, p. 8). Due to the risk of criminalization and potential prosecution of staff, many organizations are reluctant to discuss particular concerns, develop associated responses or share information (Pantuliano et al., 2011, p. 8). This reluctance is also evident among donors, with many of them preferring not to discuss this issue openly, or providing policy advice on non-headed paper (Pantuliano et al., 2011, p. 8).
Different Organizations are Affected Differently

UN agencies (and to certain extent the ICRC) may rely on immunities and privileges. Long-standing humanitarian organizations may perceive a lower risk as a consequence of their reputation and the scope of their operations. But for local implementing partners, the threat of prosecution or disruption of funding is more tangible (HPCR, 2011, P. 36). In addition, humanitarian organizations that rely on the principle of neutrality to access and operate may see this principle undermined by counter-terrorism clauses imposed in donor contracts (Mackintosh, 2011). This does not affect to the same extent organizations that do not rely on governmental funds. Muslim organizations have reportedly been disproportionately affected by counter-terrorism policies (Aziz, 2011).

Partnerships

Counter-terrorism laws have had a negative effect on small charities working in certain areas. First, in some regions any tie to a listed organization, for example by way of a relative of a member, is enough to disqualify grassroots organizations as a potential target of funds. Second, grassroots organizations in underdeveloped regions may not have the capability to meet onerous reporting requirements imposed by donors (Adelsberg et al., 2012-2013, p. 296). As a consequence, counter-terrorism measures have also prevented access and altered the quality and coordination of assistance with local partners (Pantuliano et al., 2011, p. 1).

Consequences on Humanitarian Principles

Counter-terrorism clauses in donor agreements such as collecting and reporting personal information about staff and beneficiaries has been criticized as they “undermine the neutrality of humanitarian organizations and make local acceptance harder to achieve, thereby potentially compromising access to people in need” (Pantuliano et al., 2011, p. 7). This would also be the case of material support statues that potentially criminalize humanitarian operations, which could be seen as “a return to the siege mentality, where it is acceptable to deprive the civilians of the enemy of life-saving assistance in pursuit of conflict goals” (Delaunay et al., 2014). But neutrality is not the only humanitarian principle directly affected by these measures, since they could potentially exclude sectors of population from receiving the necessary assistance, therefore compromising the principle of impartiality (Delaunay et al., 2014).
**Muslim NGOs**

Many practitioners and scholars have pointed out that Islamic organisations have come under greater scrutiny than others (Pantuliano et al., 2011, p. 7). Their bank transactions are often blocked without explanation and organizations have to delay their operations for up to three months while an investigation is conducted (Pantuliano et al., 2011, p. 8). Fifteen organizations based in the US (all Muslim, and about two thirds dedicated to humanitarian action) have had their assets blocked (Delaunay, Romero & Vonckx, 2014). Muslim organizations also report delays with OFAC licenses application processes vis a vis other organizations (Delaunay et al., 2014).

In December 2001 during Ramadan, when islamic donations are at its yearly peak, the US government froze the assets of the HLF, the Global Relief Foundation, and the Benevolence International Foundation. Their officers, board members, employees, and even contracted fundraisers were then persecuted, which alarmed Muslim donors (Aziz, 2011). They feared that their donations would “invite government scrutiny and harassment in the form of tax audits, immigration checks, requests for voluntary FBI interviews, inclusion on watch lists, and surveillance” (Aziz, 2011). Donations have since decreased significantly (Adelsberg et al., 2012-2013, p. 294) and NGOs have argued that the government’s actions have diminished American Muslims’ exercise of their religion through Zakat.
Annex II: Humanitarian INGOs Working in the Gaza Strip as of September 2014

The following is an outline of the INGOs working in the Gaza Strip as of September 2014 (OCHA, 2014). The information has been obtained mainly from each INGO’s official website. The search was specifically focused in the organization’s principles, and their understanding of the situation in Gaza (regarding Hamas, terrorism and counter-terrorism, the blockade, the donors of programs in Gaza\(^{61}\), and the needs of the population, when relevant\(^{62}\).

Since the objective of this research is not to make an individual assessment of each organization, a mere overview of the aspects mentioned above is sufficient. It is worth mentioning that often times the information available is outdated (for example financial reports that date years back), not specific (for example, regarding the principles adopted by the organization) or not available (for example, regarding the positioning of the organization in the context of Gaza or who is specifically financing its projects in the Strip). Joint statements are not developed in this section (for a review of such statements, see Chapter IV).

**Action Contre la Faim International (ACF) / Action Against Hunger International**

ACF defines itself as “an international humanitarian organization committed to ending world hunger” (“ACF International”, n. d.). It has headquarters in five countries: France, Canada, the US, the UK and Spain (“ACF International”, n. d.). Its principles are independence, neutrality, non-discrimination, free and direct access to victims\(^{63}\), professionalism, and transparency (“International Charter”, n. d.).


\(^{62}\) For the propose of this research, it was specifically important to see if there were mentions to the needs for protection (and not only for assistance). This is due to the fact that protection is often recognized as a more controversial aspect of humanitarian action, as it is based on human rights and IHL. In this sense, the responsibilities of Israel and Hamas towards the population in Gaza is a centerpiece.

\(^{63}\) This principle is of special relevance in the context of counter-terrorism policies. ACF states that it “demands free access to victims and direct control of its programs. Action Against Hunger uses all means available to achieve this goal, and will denounce and act against obstacles that prevent the organization from doing so” (“International Charter”, n. d.).
Regarding the blockade, an article from 2009 (“Emergency Water Distributions Reach Families in Gaza”, 2009) noted that the Israeli blockade “[left] warehouses empty and devoid of the humanitarian supplies on which the majority of the population depends. The blockade has also devastated the private sector, driving an unprecedented number of Palestinians out of self-sufficiency and into extreme poverty”. After qualifying the policy as “collective punishment”, it states that Israel is clearly violating International Humanitarian Law “as are the rockets fired from Gaza onto the civilian populations of Israel”. Public statements regarding the position of the organization are not abundant, but a report from 2013 calls for a lifting of the blockade, that is identified as the main cause of the humanitarian crisis in Gaza. It also recognizes the existence of a “military occupation” by Israel, and that “land fragmentation and political division between Fatah and Hamas continue to undermine the government” (“Gaza: 6 Years of Blockade”, 2013). Counter-terrorism references were not found.

In the above mentioned report there is also a reference to the donors of ACF’s projects in Gaza: Spanish Agency of International Development Cooperation (Spanish Government), European Commission’s Humanitarian Aid and Civil Protection department (ECHO), Humanitarian Emergency Response Fund (administered by OCHA), United Nations International Children's Emergency Fund (UNICEF), Food and Agriculture Organization of the United Nations (FAO), Board of Communities of Castilla-La Mancha (JCCM), Catalan Agency of Cooperation for Development (ACCD), and the City Council of Barcelona (“Gaza: 6 Years of Blockade”, 2013).

**ANERA (American Near East Refugee Aid)**

ANERA is a non-political and non-religious NGO working in West Bank, Gaza, Lebanon and Jordan (“Mission”, n. d.) founded in 1968 “to help ease the suffering of Palestinian refugees after the Arab-Israeli War of 1967”.

Most statements and articles found in ANERA’s website refer to the humanitarian and development needs in Gaza (and of course, ANERA’s projects to target them). However, there is a reference to people in Gaza suffering from “poverty, war and a crippling blockade” (“Gaza”, n. d.). Hamas is referred to as a designated terrorist group with whom “ANERA does not work or

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64 Although the organization defines itself as developmental, they publicly state that in their mission they also provide humanitarian aid in emergencies.

65 No further reference to humanitarian principles was found in ANERA’s website.
even coordinate with” (“How can ANERA ensure that donations serve their intended beneficiaries and not parties like Hamas?”, 2014).

According to its website, ANERA’s projects are founded mainly by the Organization of the Petroleum Exporting Countries (OPEC) Fund for International Development (OFID), USAID, Reach out to Asia (member of the Qatar Foundation), Johnson & Johnson, OCHA, Mercy Corps, Dubai Cares, TOMS, Direct Relief International and AmeriCares. Because ANERA receives a substantial part of its funds from governments and because it is based in the US, it is possible to deduct that they must comply with counter-terrorism laws and measures to a great extent. In this line, ANERA states that “because ANERA receives funding from the United States Agency for International Development and the State Department, we are subject to regular reviews” (“FAQs”, n. d.). They go on to say that they “screen funders, partners and program recipients using software to comply with the U.S. Office of Foreign Asset Controls” (“How do I know I can feel Safe Donating to ANERA?”, 2014).

**Catholic Relief Services (CRS)**

CRS defines itself as both a faith based humanitarian and development agency from the US. The organization’s guiding principles are sacredness and dignity of the human person, rights and responsibilities, social nature of humanity, the common good, subsidiarity, solidarity, option for the poor and stewardship (Catholic Relief Services, 2014 [2]). Although there is no explicit mention to other traditional humanitarian principles in their website, they state that assistance is provided “on the basis of need, not creed, race or nationality (“The Mission of Catholic Relief Services”, n. d.), which reflects an option for the principle of impartiality.

In terms of political positioning, CRS “supports strong leadership by the U.S. government to seek a comprehensive peace agreement that ends the conflict in the Holy Land and achieves both the Palestinian goal of an independent and viable state and Israel's goal of a secure state with recognized borders” (“Jerusalem”, n. d.).

About 30% of its funds are received from private donors, the other 70% being received from other diverse sources, of which US government grants amount to almost 40% (Catholic Relief Services, 2014 [1]). It is not clear per publicly available information where the funds for Gaza’s programs come from.
Global Communities (former CHF International)

Although Global Communities is a US based development INGO, they also provide humanitarian assistance (in Gaza) (“West Bank and Gaza” [1], n. d.). Its values (there is no reference to principles) are genuine, committed, connected and purposeful (“What are Global Communities’ Values?”, n. d.). Although the organization praises itself for local partnerships, a quick review of their donors show that counter-terrorism operates as a restriction when choosing such partners. In fact, they only mention the Palestinian National Authority as local government partner (“Our Partners”, n. d.).

An article by the Global Director for Communications is clear about their stance regarding Hamas, to which he refers as “the ‘other’ Palestinian authority”. In this article, he states that “the people may be governed by Hamas but the vast majority does not support them. Polls suggest around 67 percent support regime change and, overall, only 20 percent of Palestinians support Hamas – a number that continues to drop” (Humphries, 2013). In another piece, the same officer states that when the organization changed its name, “[they could not] change it in Gaza because the territory is ruled by Hamas, and [they] cannot interact with a terrorist organization” (Humphries, 2014). With respect to the blockade, Global Communities recognizes that it is the “key cause” of the humanitarian crises (Wanek, 2014).

Funds for programs in Gaza are donated by WFP, USAID (though Mercy Corps), OCHA, the Overseas Private Investment Corporation, UKaid, the Middle East Partnership Initiative and the OPEC Fund for International Development (“Our Partners”, n. d.).

COOPI Cooperazione Internazionale

COOPI is based in Italy. It is a “humanitarian, non-confessional and independent organization” (“Our Organization, 2015). Its values are solidarity, transparency, neutrality, participation, sustainability, responsibility, transfer of knowledge, innovation, respect for diversity and fighting against discrimination and empowerment of human resources (“Our Values”, 2013). No information about its position regarding the situation in Gaza was found.

In terms of funding, 46% comes from the European Union, another 10% from governments and 36% from international organizations (COOPI, 2013).
DanChurchAid (DCA)

DCA is a Christian (Danish National Evangelical Lutheran Church) faith based organization headquartered in Denmark. They provide humanitarian and development aid according to need “regardless of religion, gender, political beliefs, race, national or ethnic origins, handicaps or sexual orientation” (“Organization and Strategy”, n. d.).

During the war in Gaza in the summer of 2014, a statement called for respect of “International Humanitarian Law as well as International Human Rights Law” in the Gaza Strip (“Statement on Gaza by DCA”, 2014). DCA has a clear rights based approach in the case of Palestine. Some of the program objectives are stated in terms of “ensuring that the rights of Palestinians to sustainable livelihoods and self-determination are respected, protected and fulfilled. Third states (Denmark and EU) are challenged to adhere to international humanitarian and human rights law with the long term aim of ending occupation and achieving a just and lasting solution to the Israeli-Palestinian conflict” (DanChurchAid, 2015).

No statements were found regarding the organization’s opinion about Hamas or counter-terrorism.

DCA’s funding comes from a large variety of donors, including ECHO and UN agencies (DanChurchAid, 2015).

GVC- Civil Volunteer Group / Gruppo di Volontariato Civile (GVC)

GVC is an secular and independent NGO based in Italy, that provides both humanitarian and development aid. No information was found as of the organization’s positioning regarding the context in Gaza, their role or the source of its founding.

Handicapp International (HI)

HI is an independent and impartial humanitarian organization. They respond to people’s needs but also “promote respect for their dignity and fundamental rights” (“About”, n. d.).

The organization has included a few statements about the blockade indicating that it is a major obstacle to providing humanitarian aid in Gaza: “[it] prevents the hospitals from operating properly and means the inhabitants cannot access the essential goods and services they need. (...) we will continue to face major obstacles as long as the blockade remains in place” (“Gaza: the
Humanitarian Situation is Untenable”, n. d.); “the International Community must do more to find durable solutions to the conflict, (…) end the blockade in Gaza and ensuring all parties respect their obligations under international humanitarian law” (“NGOs Warn of Gaza’s Health Emergency”, 2014). Hamas was only mentioned in terms of the conflict with Israel: “the ceasefire between Israel and Hamas” (“Gaza Strip: back to Work”, n. d.), “the conflict between Israel and Hamas” (“Inside Gaza: We are All Terrified”, n. d.), etc. References to terrorism and counter-terrorism were not found.

The organization receives funds from a variety of donors, including governments and USAID. However, no information about how projects in Gaza are funded was found.

**Help Age International**

The organization recognizes supportive, optimistic, expert and committed as its “values” (“Our Values and Ambitions”, n. d.). In their official website there is no mention to traditional humanitarian principles.

Although the organization has been part of joint statements regarding the overall situation in Gaza including counter-terrorism measures, they do not have clear individual statements in this regard on their website, limiting their reports to the needs for humanitarian assistance.

There is a mention in their website to the fact that they provide assistance together with WFP and UNRWA (Marzouk, 2014), and that their donors in the Occupied Palestinian Territories are AECID (Government of Spain), Caritas Germany, Age UK, the European Union, Community of Madrid, German Humanitarian Assistance, Help Age Deutschland, Caritas Germany, Age International and the Department for International Development (UK Government) (“Occupied Palestinian Territories”, n. d.). This information does not distinguish between the West Bank and the Gaza Strip.

**International Medical Corps (IMC)**

IMC is a humanitarian organization, although they also work in development aid. They are “nonpolitical, nonsectarian” (“Our Mission” [1], n. d.), and provide assistance “wherever there is a need” (“Overview”, n. d.). The headquarters are in Los Angeles, California.
On their official website, no specific mention to Hamas, counter-terrorism or the situation in Gaza (beyond the need for assistance) was found. However, the organization has been part of joint statements in this regard.

The donors for Gaza’s projects include the European Commission and USAID (Ernst & Young, 2013).

**International Orthodox Christian Charities (IOCC)**

IOCC is a faith based organization, that provides both humanitarian and development assistance “without discrimination” (“Mission and Focus”, n. d.). It is headquartered in the US. No articles mentioning Hamas, Israel or counter-terrorism were found in IOCC’s website. Regarding the blockade, it states that it “has rendered most of the Gaza Strip's 1.8 million people dependent on humanitarian aid” (“IOCC Responds to Critical Needs of Families in Gaza, Urges Support”, 2014).

Its donors include ECHO, UN agencies, USAID, and the Office of U.S. Foreign Disaster Assistance (OFDA), among several others (“Partnering for Change”, n. d.). It is not clear per the information provided in their website where the funds for their projects in Gaza come from.

**Islamic Relief - France / Secours Islamique France - Gaza Strip**

Islamic Relief is an independent humanitarian and development organization. As it is a faith based organization which values are derived from the teachings of the the Qur’an and Sunnah, and are listed on its website as sincerity, excellence, compassion, social justice and custodianship (“Who We Are”, n. d.). The organization adopts the principles of impartiality and independence (“Independent investigation of Islamic Relief operations”, 2014).

Illustrative of the positioning of the organization in the case of Gaza is an incident that they faced in 2014 when the Israeli Government designated Islamic Relief Worldwide as an “unauthorized association”, alleging links with Hamas.\(^6^6\) In relation to this, Islamic Relief stated that they “[abhor] terrorism in all its forms” (“Independent investigation of Islamic Relief operations”, 2014), recognizing therefore Hamas as a terrorist organization. Interestingly enough, this is the only article that mentions either Hamas or Israel (not even the reports during the 2014

\(^6^6\) That same year, the Government of the United Arab Emirates listed Islamic Relief as a terrorist organization (“UAE lists scores of groups as ‘terrorists’”, 2014).
summer war mention either of the parties). Regarding the blockade, the organization states that “years of blockade and political conflict” have led Gaza to its current situation of poverty (“Feature: Poverty and crisis in blockaded Gaza”, n. d.) and that it is currently “hindering attempts to reconstruct schools, hospitals and homes” (“Why Your Help is Needed”, n. d.). Islamic Relief counts among its “key partners” the Department for International Development of the UK Government, ECHO and UN agencies (Islamic Relief Worldwide, 2013). It is not clear how the programs in Gaza are specifically founded.

**Médecins du Monde - France / Medicos del Mundo - Spain (MDM)**

MDM is a humanitarian organization that adopts the humanitarian principles of humanity, impartiality and independence, and adds its own principles of secularism, democracy, commitment and transparency (“Values”, n. d.). MDM recognizes the blockade as one of the causes impeding access to health care, and it acknowledges working with the Ministry of Health in Gaza (“Palestinian Territories, n. d.). No other clear positions in the context of Gaza were found in its website.

Its main government and institutional donors are the European Union, UN agencies, the Global Fund and the French Government (Doctors of the World, n. d.).

**Medical Aid for Palestinians (MAP)**

MAP is an organization headquartered in the UK that adopts “accountability principles”, among them “a strong commitment to humanitarian standards and rights” that they take from two main organizations: the Association for International Development Agencies (AIDA) and Humanitarian Accountability Partnership (HAP) (“Our Standards”, n. d.).

As most organizations, they recognize the blockade as one of the reasons for the current situation in Gaza: “the health system [is] in a dire condition, after seven years of the blockade, with acute shortages of supplies, lack of equipment, daily prolonged power-cuts and over-worked staff” (MAP, n. d.). Not only do they have a number or articles in this issue, but also they sometimes include the closure of the border with Egypt as part of the problem (“Gaza: caught between the blockade and closed tunnels”, 2013). In the same document, they also acknowledge Israel’s occupation (“decades of Israeli occupation […] had a devastating impact on the lives of Palestinians”), the political nature of the crises (“The failure to make any substantial political
progress is a major obstacle [...]”) and the need for advocacy (“Palestinians do not want to be aid dependent and aid without advocacy perpetuates an unequal status quo”). This is one of the few organizations that makes public its advocacy efforts including the need to lift the Israeli blockade (MAP, n. d.). There is no reference to counter-terrorism measures. It was not possible to find information about who its funds projects in Gaza, however the organization states that it “does not directly receive any money from the governments of Arab countries” (“Gaza Emergency 2014: FAQs”, n. d.).

**Mercy Corps**

According to Mercy Corps’ website, its “values” are the intrinsic value and dignity of human life, people’s resilience, the right to life with peace and political participation, and ecological and financial responsibility (“Our Mission” [2], n. d.). The INGO is headquartered in the US. Mercy Corps recognizes that the blockade is the main cause of the economic crises in Gaza, and its concomitant humanitarian consequences (“West Bank and Gaza” [2], n. d.). They have also been outspoken in terms of how the blockade diminishes humanitarian relief efforts when crossings are severely limiting (“Aid to Gazans Hampered by Israeli Bureaucracy”, 2009). Regarding counter-terrorism laws⁶⁷, Mercy Corps has advocated for a change in this legislation in the US, stating that they “can have the unanticipated consequence of delaying or completely obstructing lifesaving assistance” (“New Bill to Increase Humanitarian Access in Toughest Places”, 2014). That being said, only two articles in Mercy Corps’ website refer to counter-terrorism, among hundreds of articles related to the humanitarian needs in Gaza. The only references to Hamas are done in relation to the conflict with Israel, but do not provide substantial material on the opinion of the organization about the Palestinian group.

Although it is not clear where the funds for programs in Gaza are obtained from, it is interesting to point out that in 2013 approximately 67% of the organization’s income came from government support (Mercy Corps and Affiliates, 2014).

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⁶⁷ These statements have been done in general and not specifically for the case of Gaza.
Médecins Sans Frontières (MSF) - France

MSF in an impartial, independent and neutral humanitarian organization, that recognizes “bearing witness and speaking out” as a component of their role in very specific circumstances. MSF has clearly positioned itself in terms of the consequences of the GWOT on humanitarian action (“War on Terrorism and Humanitarianism”, 2002). With regards to the blockade (to which MSF often refers as “economic embargo”), the organization recognizes its responsibility in the overall humanitarian situation as it is “making the re-supply of hospitals with drugs and equipment highly problematic” (“International Activity Report 2007: Gaza Strip”, 2007).

MSF is one of the few organizations that has made public its interactions with Hamas (as the government in Gaza) and the challenges faced during the transition from the Fatah led government (Abu-Sada, 2011). They go as far as to state that humanitarian aid is “being expected to assume [the role of an] assistant prison guard at the center of a pitiless system of domination and segregation” (Abu-Sada, 2011) or that MSF’s “work among the 1.8 million besieged Palestinian refugees is akin to being ‘in an open-air prison to patch up prisoners in between their torture sessions’” (Fisk, 2014).

MSF has often stated that to maintain its independency, it is of paramount importance to retain a high level of private income. In this line, funds coming from private sources represented 90.8% of MSF total income in 2013 (Médecins Sans Frontières, 2013, p. 27). They specifically emphasize the importance of this financial independence in contexts extremely politicized such as the one in Gaza (“International Activity Report 2007: Gaza Strip”, 2007). For example, in 2007 after Hamas defeated Fatah a number of organizations that relied heavily on public funds were forced to limit or stop their operations as a consequence of the prohibition to contact Hamas, however MSF was not affected in this sense because of the private source of its funding (Abu-Sada, 2011).

Norwegian Church Aid (NCA)

NCA is a Christian faith based organization working both in humanitarian and development aid. According to the organization’s “Statement of Principles”, its “values” are the integrity of creation, human dignity, global justice, inclusive communities and compassion (Norwegian Church Aid, 2008).
The organization recognizes Hamas as the “de facto” government in Gaza and therefore a duty bearer in terms of the rights of the Palestinian people (Norwegian Church Aid, 2010), and that Churches have managed to continue working in Gaza under any political regime (Norwegian Church Aid, 2010). About the blockade, the organization only mentions that the commercial sector has been “hard hit” by it since 2006 (Norwegian Church Aid, 2010). No further statements were found with regards to the context in Gaza or counter-terrorism measures.

As of 2013, about 62% of NCA’s funding came from the Norwegian governments (mainly through the Ministry of Foreign Affairs and the Norwegian Agency for Development and Cooperation, NORAD) (“Donors”, n. d.).

**Norwegian People’s Aid (NPA)**

NPA is a humanitarian organization that works impartially, which values are based in the labor movement (Norwegian People’s Aid, 2011).

NPA supports Palestinians’ right to “independence and freedom from oppression, occupation and forced exile” (“Palestine, n. d.). They have stated that for the people of Gaza to recover “it is essential that Israel lifts the blockade and ultimately ends the occupation” and that they have a right to development (“Gaza Rebuilding Process Highlights the Importance of Lifting the Blockade”, 2014). Furthermore, NPA explicitly claimed that Israel actions during the summer 2014 war amounted to “war crimes” (“Stop the Killings in the Gaza Strip!”, 2014). The organization recognizes Hamas as one of the organizations claiming the legitimate government of the Occupied Palestinian Territories (together with Fatah) (“Palestine - Gaza Strip”, n. d.). No reference to Hamas as a terrorist organization nor to counter-terrorism were found in NPA’s website.

NPA receives funds from a number of donors, including the governments of Norway (NORAD and the Ministry of Foreign Affairs), Sweden (Swedish International Development Cooperation Agency, SIDA), the US (USAID and the US Department of State), Canada and South Sudan, and institutions such as ECHO, the EU Commission and UN agencies (“Partners and Donors”, n. d.). Per NPA’s website, it is not clear where the funds for Gaza are received from.
Norwegian Refugee Council (NRC)

NRC defines itself as “an independent, humanitarian, non-profit, non-governmental organization” (“NRC at a Glance”, n. d.).

NRC recognizes the ongoing Israeli occupation and conflict as the causes of the current humanitarian situation (“NRC’s Country Program in Palestine”, 2015). The organization went as far as to state that the international community needs to put pressure for a political solution since otherwise it is only rebuilding Gaza once and again, and that the humanitarian needs in Gaza are not a consequence of the summer 2014 war but of “prolonged occupation and conflict and seven years of Israeli blockade isolating Gaza”, which calls for protection of the human rights of people “on both sides of the border” and not mere monetary contributions for aid (“Money Alone will not Solve the Problems”, 2014). About Hamas, NRC has statements in terms of the summer 2014 conflict but not associating Hamas with terrorism, and in fact the organization supports a unified Palestinian government between Hamas and Fatah (“World not delivering on Gaza Reconstruction Promises”, 2014). Regarding counter-terrorism, the organization echoes some articles indicating its impact in humanitarian action and has been part of joint statements developed in previous pages.

NRC receives funds from a variety of institutional donors, including the government of Norway (NORAD and the Ministry of Foreign Affairs), the government of Sweden (SIDA), the government of the UK, the European Union (Europe Aid and ECHO) and UN agencies (Norwegian Refugee Council, 2014). It is not clear per the organization’s website where the funds for programs in Gaza come from.

Oxfam - Great Britain / Italy

Oxfam is a secular organization fighting poverty that has a rights based approach to humanitarian and development aid (“Our Commitment to Human Rights”, n. d.).

Oxfam has been very outspoken against the blockade in Gaza. As an example, in 2009 the organization stated that “by attempting to isolate Hamas, the government of Israel and key international donor governments and institutions have in fact isolated the people of Gaza” (“Rebuilding Gaza: Putting People before Politics), 2009). In August 2014 Oxfam organized a demonstration in London calling for a permanent lifting of the blockade in Gaza. In a press release, they stated that the seven years of blockade amount to collective punishment which is
prohibited under IHL (“Lifting Blockade Crucial to Gaza Recovery”, 2014) (it has also stated repeatedly that neither Israel nor Hamas respect IHL). Regarding counter-terrorism, Oxfam recommended governments’ measures “[prohibited] the allocation or restriction of humanitarian assistance for military or counter-terrorism objectives” (“Whose Aid is it Anyway?”, 2011), although this assertion was not made specifically in reference to Gaza. Declarations mentioning Hamas do not reflect a clear position regarding its role and merely call for respect of IHL and a cease of hostilities (always making a similar statement towards Israel).

Oxfam receives 42% of its funds from institutions such as the EU, UN agencies and governments (21%); Palestine ranks fourth among recipient countries (Oxfam, n. d.). It is not clear in the website of Oxfam International which governments it receives funds from, or where the funds for programs in Gaza come from.

**Palestine Trauma Centre (PTC) UK**

PTC is a non-political, non-confessional NGO based in the UK (“Welcome to PTC (UK)”, 2013).

In their relatively brief website, PTC states that the siege imposed by Israel makes resources very scarce in Gaza, and that the tunnels to Egypt allow for expensive items (“Gaza Visit 2011”, 2013). No further information about the understanding of the organization of the context in Gaza nor about the source of their funds were found.

**Premiere Urgence - Aide Medicale Internationale (PU-AMI)**


The organization recognizes the humanitarian consequences of the blockade (including the role of Egypt) and refers to Hamas as the de facto government (“Territoire Palestinien Occupé”, 2014). Although PU-AMI has recently denounced the consequences of counter-terrorism in humanitarian action, this was done in relation to EU policies in Iraq and Syria, and not Gaza (“Future stratégie de l'UE sur la Syrie et l'Irak - Alerte des ONG: l'humanitaire n'est pas un outil contre-terroriste”, 2015).
Among its long list of funders, PU-AMI includes ECHO, UN agencies and the governments of Canada, Switzerland, the UK, the US (USAID) and France (“Nos partenaires.”, 2014). However, for programs in Gaza the organization only uses funds from ECHO and EuropeAid (“Territoire Palestinien Occupé”, 2014).

**Qatar Charity (QC)**
QC is an Islamic humanitarian impartial NGO headquartered in Qatar. Its principles are humanity, non-discrimination, impartiality, independency, professionalism and cooperation (“About Us”, 2013). Their official website does not provide any information about their interpretation of the context in Gaza nor of the source of their funds.

**Relief International (RI)**
RI is an NGO providing both humanitarian and development assistance. It is non-political and non-sectarian, and it provides aid “to the most vulnerable” without discrimination (“Our Mission” [3], n. d.). The organization is headquartered in the US.

No information about RI’s understanding of the context in Gaza was found in their website.

Among its institutional donors, RI lists USAID, the UN and the EU. It is not clear per information provided in the website where the funds for programs in Gaza come from.

**Save the Children International**
Save the Children is an NGO that provides humanitarian and development assistant which values are accountability, ambition, collaboration, creativity and integrity (“Our Vision, Mission and Values”, n. d.). It has its headquarters in the UK.

After the Israel-Gaza ceasefire in the summer 2014, Save the Children called for a lift of the blockade “to avoid a humanitarian catastrophe” (“Israel-Gaza Ceasefire: Now the Blockade has to be Lifted to Avoid Humanitarian Catastrophe”, 2014), but the organization did not develop their position in this regard further. No referenced to Hamas, terrorism or counter-terrorism were found in the organization’s official website.

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68 The information from Qatar Charity has been retrieved from Qatar Charity UK, since the website of Qatar Charity is in Arabic only.
Save the Children receives 58% of its income from institutional donors, including governments (Save the Children, 2015), among these USAID (Save the Children, n. d.). It is not clear per their website where the funds for programs in Gaza are received from.

**United Palestinian Appeal (UPA)**

UPA is an NGO that provides both humanitarian and development assistance (“About UPA”, n. d.), and it is “strictly non-partisan [and] non-sectarian” (Q&A, n. d.). It is headquartered in the US and in their website they specifically state that they “[comply] fully with U.S. regulations” in terms of the destination of donations (Q&A, n. d.).

About the blockade imposed by Israel, UPA has stated that it is against Palestinians’ human right to food and it connects it to the increase in unemployment, malnutrition and poverty (“Statement on the Israeli Blockade of the Gaza Strip”, 2012). No statements regarding counter-terrorism or Hamas were found in UPA’s website.

UPA receives it funds mainly from private foundations and individuals, with the exception of the Government of Saudi Arabia (it received once funds from USAID, but this is not currently the case) (UPA United Palestinian Appeal, 2014).

**War Child - Holland**

War Child is an independent and impartial NGO based in the UK, Holland and Canada (although it was created in the UK, there is not one headquarter for the three chapters of the organization) (“Organization”, n. d.).

No remarks about counter-terrorism, Hamas or the blockade were found in War Child Holland’s website. The only statements about Gaza are in reference with the psychological needs of war affected children, but do not reflect a clear positioning of the organization.

Among its institutional donors, War Child counts the Dutch Ministry of Foreign Affairs, the European Commission and UN agencies (UNICEF and UNHCR) (“War Child”, n. d.). It is not clear where the funds for programs in Gaza come from.

**World Vision**

World Vision is a impartial humanitarian faith (Christian) based organization (“How We Work”, n. d.) headquartered in the US.
No statements about counter-terrorism, Hamas or the blockade were found in World Vision’s website. The only remarks about Gaza are in reference with humanitarian needs for assistance. About 19% of World Vision’s funds are received by public grants (World Vision, n. d.), mainly from USAID (World Vision, 2014). No information about the source funds of Gaza specific programs was found.