

Questions and Answers about the Gaza Reconstruction Mechanism (GRM)

What is the Gaza Reconstruction Mechanism (GRM)?

The GRM is a temporary agreement between the Palestinian Authority (PA), Israel and the United Nations (UN) that went into effect after the attack on the Gaza Strip in 2014. The GRM sets out procedures supposedly to enable the entry of essential construction materials into the Gaza Strip which is under Israeli blockade.

Why are we asking for an end to the GRM?

1. The GRM has failed its purpose to enable large-scale construction and reconstruction in the Gaza Strip.
2. The GRM transfers enforcement of Israel's policing to the UN and the PA thus making the UN and the PA involved with Palestinian human rights violations, particularly the blockade on Gaza which is a form of illegal collective punishment.
3. The GRM transfers the cost of reconstruction from Israel (which is responsible as the Occupying Power) to international donors thus relieving Israeli of accountability for the destruction it caused.
4. The GRM transfers the implementation and expense of enforcing the "dual use regime" from Israel onto international donors thus implicating taxpayers around the world in Palestinian human rights violations.
5. Having the GRM in place gives international actors an excuse not to use their full political pressure to pressure Israel to end its illegal blockade of the Gaza Strip.
6. The GRM conveyed private information about Palestinian beneficiaries to Israel that it could use in future attacks.
7. The UN and PA have not been transparent about the GRM nor accountable to the Palestinian people in relation to the intentions, commitments, monitoring and full costs of the GRM. For example, they claim the agreement is temporary but refuse to say the length of the intended duration or what arrangements would follow at the end of the temporary agreement.
8. The GRM is not legal.

Why is the GRM illegal?

According to an expert legal opinion commissioned by the Swiss non-governmental organization, Diakonia, which was recently leaked by the Electronic Intifada, there are several factors that contradict the legality of the GRM including:

1. The GRM doesn't contain any provisions that would guarantee the needs of the Palestinians in the Gaza Strip and, in fact, grants Israel significant control to limit the rights of Palestinians, thus implicating the UN and the PA in enforcing the blockade.
2. The GRM is not designed to enable construction fast enough and large enough, and therefore violates many Palestinian human rights including the right to self-determination, freedom from inhuman and degrading treatment, the right to liberty of movement and freedom to choose residence, and the right to an adequate standard of living. Neither the UN nor the PA appear to have conducted the mandatory due

diligence on the human rights implications for Palestinians as required by international law.

3. The temporary and partial nature of the GRM contradicts the UN's Guiding Principles on Humanitarian Assistance of 1991, which states, for example, that emergency assistance must be provided in ways that support long-term recovery and development.
4. It can be argued that the GRM was negotiated by coercion or threat (of non-provision of humanitarian assistance), which renders it void.
5. UNSCO does not appear to have received authority from the UN to obligate the UN as a party to an international agreement.

What is the “dual use regime?”

Israel restricts the entry into the Gaza Strip of items on its “dual use” list. Materials on the list are those that Israel says could be used for military activities such as aggregates (gravel), concrete, steel bars, cement, and wood and things like x-ray machines and pumps needed to power water and sewage lines. Many of the items on Israel's “dual-use” list are not included on globally accepted munitions lists or recognized in international arrangements.

So, who is responsible to provide aid?

As the Occupying Power, Israel is responsible for ensuring the wellbeing of the protected population, the Palestinians. If Israel is unable or unwilling to fulfil its responsibility, the international community must hold Israel accountable and step in to fill the gaps. Even if Israel is not viewed as an occupier, international law says that parties to a conflict must allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need.

What is the alternative if the GRM ends?

If the GRM ends, Israel will again be responsible for the financial and logistical burden of facilitating entry of materials into the Gaza Strip as it was before the GRM. The United Nations and the Palestinian Authority will no longer be implementers. The United Nations will then be better positioned to play its rightful role monitoring Israel's compliance with international law.

Will ending the GRM help in removing the siege?

Ending the GRM will not end the Israeli siege, blockade or occupation. However, it will require that Israel alone to take responsibility for facilitating the entry of humanitarian assistance including paying the costs of its own security procedures. Further, ending the GRM will pressure the United Nations and international donors to prioritize ending the blockade rather than finding ways to accommodate it. The GRM should be ended immediately before it becomes further institutionalised and more parties profit from its operation thus making it even harder to end it in the future.

How can Palestinian civil society pressure the UN to withdraw from the GRM?



Palestinians are already organizing. In the Gaza Strip, a coalition of nearly 100 civil society groups is working closely with activists in the West Bank and globally to put pressure on policymakers to end the GRM and lobby donors to the GRM (Canada, Norway, UK, Netherlands, and South Korea) to stop their funding.

For more information about how to get involved making aid accountable to Palestinians starting with the reconstruction of the Gaza Strip, please contact Aid Watch Palestine at info@aidwatch.ps.

The following documents are also available in Arabic and English by request from Aid Watch Palestine:

- [The original Gaza Reconstruction Mechanism agreement](#)
- [UNSCO's Fact Sheet on the Gaza Reconstruction Mechanism](#)
- [Electronic Intifada's analysis of the leaked GRM documents](#) (in Arabic, for English please visit([www. electronicintifada.net](http://www.electronicintifada.net))
- [Diakonia's commissioned Expert Opinion by Nigel White](#)
- [A summary of the Expert Opinion by Nigel White](#) (available only in English)