



REVIEW OF GAZA FAMINE REPORTS

Introduction

1. The Integrated Food Security Phase Classification (**IPC**) was originally developed in 2004 to be used in Somalia by FAO's Food Security and Nutrition Analysis Unit (**FSNAU**). It is a global partnership of 15 organisations "*leading the development and implementation of the IPC at global, regional and country level.*"¹
2. The IPC carries out acute food insecurity analyses for different situation areas. It refers to various severity phases of food insecurity, from Phase 1 (none/minimal), Phase 2 (Stressed), Phase 3 (Crisis), Phase 4 (Emergency) and Phase 5 (Catastrophe/Famine).² The criteria of these classifications and their assessment are defined in a detailed IPC Technical Manual³ and Special Additional Protocols.⁴ From the IPC's perspective, "*'famine' is not a rhetorical, emotive term. Rather it is a scientific classification based on standards, evidence, and technical consensus*".⁵
3. For a Phase 5 Famine classification, "*an area needs to have extreme critical levels of acute malnutrition and mortality*".⁶ Mortality is assessed by reference to the Crude Death Rate ("**CDR**") and/or the under-five death rate ("**U5DR**"), "*which is typically around twice that of the CDR*".⁷ The CDR must be greater than 2 per 10,000 per day to meet the definition of a Famine.⁸ If the CDR is below this threshold, a U5DR greater than 4 per 10,000 per day can be used to classify a Famine if the 95% confidence interval for the CDR includes the threshold of 2 per 10,000 per day.⁹
4. For an assessment of Phase 4 (Emergency) classification to be made, the CDR must be between 1 and 1.99 per 10,000 per day, and the U5DR accordingly between 2 and 3.98 per 10,000 per day. The CDR for the classification of Phase 3 (Crisis) is

¹ <https://www.ipcinfo.org/ipcinfo-website/ipc-overview-and-classification-system/en/>.

² https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf, pp. 34-35.

³ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf

⁴ <https://www.ipcinfo.org/ipc-manual-interactive/ipc-acute-food-insecurity-protocols/ipc-famine-classification-special-additional-protocols/en/>.

⁵ <https://www.ipcinfo.org/ipcinfo-website/resources/resources-details/en/c/1129202/>

⁶ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf, p. 37.

⁷ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf, p. 39.

⁸ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf, p. 35.

⁹ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf, p. 86

between 0.5 and 0.99 per 10,000 per day, and for Phase 2, less than 0.5 per 10,000 per day.¹⁰

5. The IPC Famine Review Committee (**FRC**) is a committee comprising experts in nutrition, health and food security. It is activated by the IPC when “*more than 20 per cent of the affected people in a given situation are in IPC phase five, meaning famine or catastrophe conditions.*”¹¹ The FRC reviews analyses conducted by the IPC Analysis Team to determine current and projected food security in a given situation.¹²
6. The Famine Early Warning Systems Network (**FEWS NET**) is a “*leading provider of early warning analysis on acute food insecurity around the world*” according to its website.¹³ FEWS NET’s classification of Famine is “IPC-compatible” and its analysis “*follows key IPC protocols but does not necessarily reflect the consensus of national food security partners.*”¹⁴

The Gaza Famine Reports

7. On 11 December 2023, the IPC activated the FRC “*after acknowledging the presence of evidence above IPC Acute Food Insecurity Phase 5 thresholds*”¹⁵ in the Gaza Strip. On 21 December 2023, the FRC released its first report on Famine in the Gaza Strip (the “**First IPC Report**”).¹⁶ This recorded the FRC’s “*technical consensus that there is a Risk of Famine in the projection period through May 2024, if the current situation persists or worsens*”.¹⁷
8. In March 2024, the FRC conducted its second review, culminating in a second report published on 18 March 2024, finding that Famine was projected and imminent and was expected to become manifest in the northern part of the Gaza Strip (“**northern Gaza**”)¹⁸ from mid-March 2024 to May 2024 (the “**Second IPC Report**”).¹⁹
9. FEWS NET also released a report, the Gaza Strip Targeted Analysis, on the same date, finding that “*Famine (IPC Phase 5) is imminent in northern Gaza, likely by May*” (the “**First FEWS NET Analysis**”).²⁰

¹⁰ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf, p. 35.

¹¹ <https://www.ungeneva.org/en/news-media/news/2024/03/91648/explainer-what-famine>.

¹² https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Committee_Review_Report_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf, p. 1.

¹³ <https://fews.net/>.

¹⁴ <https://fews.net/>.

¹⁵ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Report_Gaza.pdf, p. 1.

¹⁶ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Report_Gaza.pdf.

¹⁷ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Report_Gaza.pdf p. 11

¹⁸ *i.e.*, the North Gaza and Gaza [City] Governorates: see

https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Committee_Review_Report_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf p. 4.

¹⁹ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Committee_Review_Report_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf,

²⁰ https://fews.net/sites/default/files/2024-03/Gaza%20Targeted-Analysis-03182024-Final_0.pdf

10. On 24 May 2024, the Israel Ministry of Health, together with Tel Aviv University, Sheba Medical Center, Hebrew University, Hadassah University School of Medicine, and the School of Public Health at the University of Haifa published a joint working paper (the “**Working Paper**”).²¹ This contradicted certain of the findings of the previous IPC and FEWS NET reports by concluding provisionally that food delivered through crossings into the Gaza Strip between January and April 2024 constituted a mean of 3268 calories per person per day.²² This is over 50% more calories than required by the Sphere guidelines for humanitarian food to conflict-affected populations, which set out a daily requirement of 2,100 calories per person.²³
11. On 29 May 2024, the Israel Ministry of Foreign Affairs publicly responded to the Second IPC Report with a separate report, entitled *Transparency and Methodology Issues in the IPC Special Brief of 18 March 2024* (the “**Israel Ministry Report**”).²⁴ This showed, with significant detail, that very little, if any, reliance could be placed on the findings of the Second IPC Report. The Israel Ministry Report criticised the

*“systematic and consistent effort [in the Second IPC Report] to ignore two undeniable trends on the ground in Gaza between the first and second IPC reports (December – March): a significant decline in the war’s intensity and a significant increase in the humanitarian effort and the flow of aid. Any analysis or projection which ignore those trends is deeply misleading.”*²⁵
12. FEWS NET published a second IPC-compatible analysis on 31 May 2024, finding that it was “*possible, if not likely*” that Famine was ongoing in northern Gaza during April 2024 (the “**Second FEWS NET Analysis**”).²⁶
13. However, on 4 June 2024 the FRC published a review of the First FEWS NET Analysis, which concluded that the “*The FRC does not find the FEWS NET analysis plausible for the current period*” and “*is unable to endorse the IPC Phase 5 (Famine) classification for the projection period*”²⁷ (the “**FRC Review**”).
14. On 25 June 2024, the IPC FRC published its third report on Famine in Gaza (the “**Third IPC Report**”),²⁸ which contained an acute food insecurity analysis for 1 May - 15 June 2024 and a projection for 16 June - 30 September 2024. The Third

²¹ <https://biochem-food-nutrition.agri.huji.ac.il/arontroen/publications/nutritional-assessment-of-food-aid-delivered-to-gaza>; <https://www.timesofisrael.com/new-study-finds-food-supply-to-gaza-more-than-sufficient-for-populations-needs/#:~:text=According%20to%20the%20paper%2C%20the,in%20April%20to%204%2C580%20kcal.>

²² <https://biochem-food-nutrition.agri.huji.ac.il/arontroen/publications/nutritional-assessment-of-food-aid-delivered-to-gaza>.

²³ <https://biochem-food-nutrition.agri.huji.ac.il/arontroen/publications/nutritional-assessment-of-food-aid-delivered-to-gaza>, p. 15.

²⁴ <https://www.gov.il/en/pages/transparency-and-methodology-issues-in-the-ipc-special-brief-of-18-march-2024>.

²⁵ <https://www.gov.il/en/pages/transparency-and-methodology-issues-in-the-ipc-special-brief-of-18-march-2024>.

²⁶ https://fewsn.net/sites/default/files/2024-06/Gaza-Targeted-Analysis-Update-042024-Final_3.pdf.

²⁷ <https://www.un.org/unispal/document/famine-review-committee-ipc-4jun24/>, p. 1.

²⁸ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf.

IPC Report reviewed the Second FEWS NET analysis and concluded that “*the available evidence does not indicate that Famine is currently occurring.*”²⁹

15. The findings of the various Gaza Famine reports and their implications are discussed below.

Flaws in the Second IPC Report

16. The Second IPC Report stated that Famine was imminent in northern Gaza and that 677,000 people in the Gaza Strip were already in the Phase 5 Catastrophe level of its food insecurity scale.³⁰ If this were correct, it would mean that at least 135 people were currently dying of starvation every day.
17. The Second IPC Report did not provide mortality figures to substantiate that claim, and instead stated that the IPC “*could not benefit from representative evidence of non-trauma mortality as intended by IPC Protocols.*”³¹ However, on 15 March 2024, the UN Office for the Coordination of Humanitarian Affairs (“OCHA”) stated that 31 people, including 27 children, had died from malnutrition and dehydration in the Gaza Strip.³² Despite the discrepancy between the figure required for a conclusion that Famine is occurring in northern Gaza (about 60 people per day³³) and the OCHA statement that 31 people had died of starvation in total, the UN World Food Programme (“WFP”) relied on this report when it stated on 3 May 2024 that there was a “*full-blown famine*” in northern Gaza.³⁴
18. The Second IPC Report claimed that between 8 October 2023 and 9 March 2024 the number of food trucks into Gaza per day had decreased from an average of 150 trucks per day to an average of 65 trucks.³⁵ However, the actual pre-war number of food trucks was about 75, not 150, as claimed in the report.³⁶ Moreover, according to the Israeli Ministry for the Coordination of Government Activities in the Territories (“COGAT”), the number of food trucks actually increased significantly between November 2023 (average of 45 trucks per day) to March 2024 (average of 139 trucks per day).³⁷ Similarly, according to UNRWA, which provides partial information on the number of aid trucks entering the Gaza Strip, the average daily rate of trucks carrying food into Gaza increased from 55 in November to 97 in

²⁹ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 1.

³⁰ <https://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1156872/>.

³¹ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf, p. 27;

https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Committee_Review_Report_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf, p. 10.

³² https://www.ochaopt.org/sites/default/files/Gaza_casualties_info-graphic_15_March_2024.pdf.

³³ Based on 300,000 population at the date of the report: see <https://www.ipcinfo.org/ipc-country-analysis/details-map/en/c/1156872/>.

³⁴ <https://www.timesofisrael.com/new-study-finds-food-supply-to-gaza-more-than-sufficient-for-populations-needs/#:~:text=According%20to%20the%20paper%2C%20the,in%20April%20to%204%2C580%20kcal>.

³⁵ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf, p. 8.

³⁶ <https://www.camera.org/article/cnn-article-errs-and-misleads-on-gaza-humanitarian-aid/>

³⁷ <https://www.gov.il/en/pages/transparency-and-methodology-issues-in-the-ipc-special-brief-of-18-march-2024>; <https://x.com/cogatonline/status/1785647121015726186>.

January 2024, and then to 118 in March 2024.³⁸ This trend was not reflected in the Second IPC Report.

19. In its response to the Second IPC Report, the Israel Ministry Report pointed to one of its fundamental problems, being the omission of data on food supplied to northern Gaza by the private sector. This information was omitted despite this food supply constituting most of the food provided to northern Gaza during the reporting period.³⁹ Whilst the Third IPC Report (detailed below) acknowledged and referred to information from COGAT, the Second IPC Report did not contain a single reference to COGAT or to information derived from COGAT. Indeed, there appears to be no reliance whatsoever in the Second IPC Report on *any official Israeli information and data* (provided by COGAT or otherwise) when weighing up all sources of information.
20. The Israel Ministry Report also pointed to the failure to give references to the publicly available sources of the key figures and studies in the Second IPC Report on which its conclusions were based. The Israel Ministry Report noted that the Second IPC Report appeared to have deliberately omitted crucial evidence wholly at odds with the portrayal of famine and malnutrition that it was trying to promote. In section 7, the Israel Ministry Report stated:⁴⁰

“Explanation: the [Second IPC Report] states that its “analysis could not benefit from representative evidence of non-trauma mortality as intended by IPC Protocols.” The report fails to mention that on 3 March, just before the end of its analysis period, WHO cited in its [situation update](#) a Gaza MoH figure of 17 children claimed to have died of malnutrition. While this figure is questionable due to its source, the Analysis Team demonstrated full confidence in the Gaza MoH for fatality figures, epidemiological trends and other statistics. It therefore may seem like the decision not to cite that figure was made to avoid the choice between having to explain how the number of reported deaths is consistent with the report’s finding that Gaza has “the highest number of people ever recorded as facing catastrophic hunger by the IPC system” and having to admit that the Hamas-run MoH is an unreliable source. It therefore remains unknown on what basis the IPC claimed in its [summary](#) that there is an “upward trend in non-trauma mortality” which is “likely to accelerate”. It should be noted that a month later, on 2 April, the WHO update cited the number of “28 patients”, not children, who “reportedly died of malnutrition”. On 8 May, seven months into the war, the reported number was “31 patients”.”
21. The conclusions of the Working Paper regarding the number of calories in food entering the Gaza Strip also dispute the findings in the Second IPC Report. The Working Paper found that:⁴¹

³⁸ <https://www.gov.il/en/pages/transparency-and-methodology-issues-in-the-ipc-special-brief-of-18-march-2024>; https://data.humdata.org/dataset/state-of-palestine-gaza-aid-truck-data?force_layout=desktop.

³⁹ <https://www.gov.il/en/pages/transparency-and-methodology-issues-in-the-ipc-special-brief-of-18-march-2024>.

⁴⁰ <https://www.gov.il/en/pages/transparency-and-methodology-issues-in-the-ipc-special-brief-of-18-march-2024>

⁴¹ <https://biochem-food-nutrition.agri.huji.ac.il/arontroen/publications/nutritional-assessment-of-food-aid-delivered-to-gaza>, p. 11.

“[t]he weight of food items and food groups from all aid categories demonstrates that shipments delivered a wide variety of foods (Supplementary table 2), and these increased each month. From January to April, the amount of food grew by 57%, especially in the following food groups: fruit (2,851%), vegetables (2,657%), nuts and seeds (1435.7%), Dairy and eggs (934%), Potatoes (662%), and chicken, fish, and meat (97%). The amounts of food delivered increased in March, and even more so in April.”

22. Taking into account a 30% food loss and age adjustment, the Working Paper concluded that the

“nutrient supply required by a healthy population within the Gazan age distribution is 2711 kcal, 61.5 gr protein, and 15.7 mg iron per capita per day... The food supply provided to the Gaza Strip between January and April exceeds these values as well.”⁴²

23. The Working Paper’s overall conclusions were as follows:⁴³

“Conclusions: Of the four pillars of food security - availability, access, utilization, and stability - this study focuses on the availability pillar. The quantity and quality of food aid delivered to Gaza have steadily improved since January 2024 and supply sufficient energy, protein, and fat for the population’s needs. In addition to monitoring the quality and quantity of food available to Gaza, reliable data on food distribution and population access will be necessary for securing the civilian population’s nutrition.”

24. With regard to water supply to Gaza, Second IPC Report claimed that “in February 2024, the water produced from all the water sources in Gaza accounted for only 5.7 percent of the pre-escalation production values.”⁴⁴ However, the number of 5.7 percent originates from an OCHA ‘Flash Update #120’ dated 16 February 2024,⁴⁵ which in turn relied on the minutes of a meeting of the State of Palestine National water, sanitation and hygiene (“WASH”) Cluster, that took place on 7 February 2024 (the “7 February Minutes”).⁴⁶ The number of 5.7 percent constitutes the ratio between the daily average production from all water sources for that week, namely 21,570 cubic metres, and the total potential water production for that week, namely 374,800 cubic metres.

25. The figure of 21,570 cubic metres translates to less than 10 litres per person and would correspond to the IPC Phase 3 “Crisis” (but not IPC Phase 5 “Famine”). However, in the third row of the table relied on in the 7 February Minutes, labelled “Municipal sources”, which are responsible for 68 percent of the potential water supply, no figure appears. Instead, it is stated: “No data available”. In other words, the figure of 21,570 cubic metres does not take into account municipal sources and

⁴² <https://biochem-food-nutrition.agri.huji.ac.il/arontroen/publications/nutritional-assessment-of-food-aid-delivered-to-gaza>, p. 17.

⁴³ <https://biochem-food-nutrition.agri.huji.ac.il/arontroen/publications/nutritional-assessment-of-food-aid-delivered-to-gaza>; <https://www.timesofisrael.com/new-study-finds-food-supply-to-gaza-more-than-sufficient-for-populations-needs/>.

⁴⁴ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf, p. 20.

⁴⁵ <https://www.unocha.org/attachments/3b70375f-0807-46a6-93b8-7804153a1e55/OCHA%20oPt%20Flash%20Update%20%23120%202024.02.16.pdf>.

⁴⁶ <https://drive.google.com/drive/folders/1oC2nyOzHloDiUU430B3LQirRG2dhp7fl>.

is therefore a substantial underestimate of the actual water production in the Gaza Strip.

26. The next weekly minutes of the State of Palestine National WASH Cluster meeting dated 14 February 2024,⁴⁷ contain the phrase “*partially available information*” in the row labelled “*Municipal sources*”, which brings the total known daily water supply to over 34,000 cubic metres, translating to 14.5 litres per person.
27. In the following weekly minutes, dated 21 February 2024,⁴⁸ the reported daily supply from municipal sources almost triples, bringing the total water supply to about 58,000 cubic metres, or 26 litres per person.
28. Finally, in the minutes dated 6 March 2024,⁴⁹ the total water supply is about 52,000 cubic metres, or 23 litres per person - well within the IPC Phase 1 range.
29. All this information was available to the FRC when putting together the Second IPC Report, yet they claimed that “*this analysis factors in all data and information available up to 10 March 2024*”.⁵⁰ They appear to have reported only the partial data that was available in the beginning of February 2024 and ignored the more complete information that was published on several occasions afterwards.

The First FEWS NET Analysis and the findings of the FRC Review

30. In his statement of 20 May 2024 announcing that he was filing applications for warrants for the arrest of the Israeli Prime Minister and Defence Minister,⁵¹ the Prosecutor of the International Criminal Court claimed that

“Famine is present in some areas of Gaza and is imminent in other areas. As UN Secretary-General António Guterres warned more than two months ago, ‘1.1 million people in Gaza are facing catastrophic hunger – the highest number of people ever recorded – anywhere, anytime’”.

31. These allegations appear to have been based on the First FEWS NET Analysis.⁵² That report has now been superseded by the FRC Review⁵³ (and more recently the Third IPC Report⁵⁴). The FRC Review found that the First FEWS NET Analysis had been based on significant under-reporting of foodstuffs entering the Gaza Strip.
32. First, the FRC Review highlights two major omissions in the First FEWS NET Analysis of food in Gaza: FEWS NET “*excludes the contribution of commercial and/or privately contracted deliveries*” as well as “*the contribution of World Food*

⁴⁷ <https://drive.google.com/drive/folders/1oC2nyOzHloDiUU430B3LQirRG2dhp7fl>.

⁴⁸ <https://drive.google.com/drive/folders/1oC2nyOzHloDiUU430B3LQirRG2dhp7fl>.

⁴⁹ <https://drive.google.com/drive/folders/1oC2nyOzHloDiUU430B3LQirRG2dhp7fl>.

⁵⁰ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Gaza_Strip_Acute_Food_Insecurity_Feb_July2024_Special_Brief.pdf, p. 1.

⁵¹ <https://www.icc-cpi.int/news/statement-icc-prosecutor-karim-aa-khan-kc-applications-arrest-warrants-situation-state>

⁵² https://fews.net/sites/default/files/2024-03/Gaza%20Targeted-Analysis-03182024-Final_0.pdf.

⁵³ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/documents/IPC_Famine_Review_Committee_Report_FEWS_NET_Gaza_4June2024.pdf.

⁵⁴ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf.

*Program deliveries (flour salt, and yeast) to bakeries in northern Gaza.”*⁵⁵ Without including these sources in its analysis, FEWS NET concluded that Gazans were only receiving 59-63% of their caloric needs in April 2024.

33. Based on the FRC’s review of all food sources, however, the FRC Review estimates that people in northern Gaza were receiving 109% of their caloric needs according to conservative estimates and 157% of these needs according to a higher estimate.⁵⁶
34. Second, even the lower estimates in the First FEWS NET Analysis suggest that “1) that there was a significant increase in food availability from February to March to April, and 2) that nearly 100% of daily kilocalorie requirements were available for the estimated population of 300,000 people [in the northern part of the Gaza Strip] in April, even using conservative calculations.”⁵⁷
35. Third, the FRC Review raised a number of concerns with the methods by which the calculation of food availability in northern Gaza was carried out by FEWS NET. The FRC concluded that the predictions for deaths caused by malnutrition or dehydration “are not supported by the available evidence for the current period of analysis.”⁵⁸ The reason for that is partly because there was significantly more food and water delivered to Gaza in April 2024 than in March 2024, and partly because, as always, not enough is known about Gaza’s death count. As the FRC says, “there remains considerable uncertainty about the death toll in northern Gaza during this period, particularly for non-trauma mortality.”⁵⁹
36. Fourth, the FRC Review noted that the overall number of trucks entering Gaza, and the overall total of available food used in the First FEWS NET Analysis, was significantly lower than reported by other sources.⁶⁰
37. Finally, it appears from the findings of the FRC Review that FEWS NET relied on multiple layers of assumptions and inferences to address the major gaps in publicly available evidence, including direct and indirect evidence for food consumption and livelihood change, nutritional status and mortality, causing erroneous conclusions to be reached.
38. The FRC Review re-analysed the situation in northern Gaza, where the conditions were alleged to have been the most severe. It concluded that it did not find the claims about IPC Phase 5 “Famine” plausible, either in the context of the current situation as of the end of April 2024, or in the context of the projection for May-July 2024.⁶¹

⁵⁵https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/documents/IPC_Famine_Review_Committee_Report_FEWS_NET_Gaza_4June2024.pdf, p. 4.

⁵⁶https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/documents/IPC_Famine_Review_Committee_Report_FEWS_NET_Gaza_4June2024.pdf, Annex 1 p. 10.

⁵⁷https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/documents/IPC_Famine_Review_Committee_Report_FEWS_NET_Gaza_4June2024.pdf, p. 5.

⁵⁸https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/documents/IPC_Famine_Review_Committee_Report_FEWS_NET_Gaza_4June2024.pdf, p. 6.

⁵⁹https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/documents/IPC_Famine_Review_Committee_Report_FEWS_NET_Gaza_4June2024.pdf, p. 6.

⁶⁰https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/documents/IPC_Famine_Review_Committee_Report_FEWS_NET_Gaza_4June2024.pdf, p. 4.

⁶¹https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/documents/IPC_Famine_Review_Committee_Report_FEWS_NET_Gaza_4June2024.pdf

The findings of the Third IPC Report

39. The Third IPC Report classified both the current and the projected situation in all parts of Gaza as Phase 4 “Emergency”, rather than Phase 5 “Famine”. However, the data reported in the Third IPC Report do not appear to justify classifications higher than Phase 3 (Crisis).
40. The two key parameters required for IPC Phase classification are the rates of non-trauma related mortality and of acute malnutrition among children. Neither of these met the Phase 5 “Famine” threshold or even the Phase 4 “Emergency” threshold. The values in the Third IPC Report imply that the situation should have been classified as Phase 3 “Crisis” or Phase 2 “Stressed”.
41. The IPC Technical Manual, in its overview of the IPC Special Additional Protocols, which were “*adopted to ensure the technical rigour, neutrality and quality of analysis*”,⁶² provides that only non-trauma deaths should be included in the calculation of the CDR value.⁶³ The Third IPC Report refers to a survey conducted by the WFP between the start of 2024 and the end of April,⁶⁴ which contains estimates of non-trauma related mortality.⁶⁵ However, in the report, only the ‘all-cause’ (trauma and non-trauma related) mortality statistics are shared, despite the WFP and FRC being in possession of non-trauma mortality figures.⁶⁶ Nevertheless, even the all-cause mortality statistics, which show a CDR of 0.55 deaths/10,000/day and a U5DR of 0.72, indicate that the situation in the Gaza Strip was very far from the Famine threshold: in fact the CDR was at the lower end of the range for Phase 3 (0.5 – 0.99 deaths/10,000/day). Thus, the probable non-trauma related mortality rates are likely to be indicative of IPC Phase 3, or even Phase 2.
42. The Third IPC Report also contains tables of results of malnutrition screenings of children under the age of five carried out in April and May 2024. The last column shows IPC classifications that would be consistent with the results of each survey. Neither Phase 4 (Emergency) nor Phase 5 (Catastrophe/Famine) appear there at all - the highest phase is Phase 3.⁶⁷ Most of the results, as well as area-wise averages, are close to the baseline 4% prevalence rate in Gaza before the war.⁶⁸

[ee Report FEWS NET Gaza 4June2024.pdf](#), p. 1, Table 1.

⁶² <https://www.ipcinfo.org/ipc-manual-interactive/ipc-acute-food-insecurity-protocols/ipc-famine-classification-special-additional-protocols/en/>.

⁶³ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf, pp. 85-86.

⁶⁴ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, pp. 8, 31.

⁶⁵ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 19.

⁶⁶ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 19: “1,104 household interviews were conducted, and data was collected on 5,707 individuals with a total of 767,281 days at risk. 42 deaths were recorded which yielded an all-cause CDR of 0.55 (95% CI 0.31, 0.96) deaths/10,000/day and an all-cause U5DR of 0.72 (95% CI 0.23, 2.26) deaths/10,000/day. Exclusion of deaths caused by violence resulted in lower estimated death rates, confirming that there was no evidence from the CATI surveys that the Famine thresholds for mortality had been breached during the current analysis period.”

⁶⁷ https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, pp. 50-51.

⁶⁸ Global Nutrition Cluster, *Nutrition Vulnerability and Situation Analysis / Gaza*, February 2024 p.4 <https://www.nutritioncluster.net/sites/nutritioncluster.com/files/2024-02/GAZA-Nutrition-vulnerability->

43. Moreover, key IPC metrics indicated a very clear trend of improvement with time. The Food Consumption Score (“FCS”) in the northern governorates steadily improved since March 2024, and in the rest of the Gaza Strip since December 2024.⁶⁹ In fact, by May 2024, its values were actually better than before the war.⁷⁰ Two other key indicators, the Reduced Coping Strategy Index (“rCSI”) and Households Hunger Scale distribution (“HHS”), showed a similar trend of significant improvement from January 2024 onwards.⁷¹

Flaws in the Third IPC Report’s Predictions

44. As stated above:

- (a) The First IPC Report concluded that there was a risk of Famine (Phase 5) in the period from December 2023 to May 2024 if the then current situation persisted or worsened. This did not happen.
- (b) The Second IPC Report did not report any existing Famine but “*confirmed that Famine was projected and imminent in the North Gaza and Gaza Governorates, and that risk of Famine persisted in all other governorates of the Gaza Strip*”.⁷² The “projection period” for the Famine appearing was March – July 2024.
- (c) The Third IPC Report contradicted the prediction of imminent Famine in the Second IPC Report, finding that assumptions made in that Report and the Second FEWS NET Analysis had not eventuated and classifying the current situation as Phase 4 (Emergency), even though the data in the Report did not support a classification higher than Phase 3.

45. Having exposed the deficiencies of the Second IPC Report and the Second FEWS NET Analysis, the Executive Summary of the Third IPC Report nevertheless states:

“[t]he FRC finds the risk of Famine plausible for all areas, based on the assumptions set by the analysis team. A high risk of Famine persists as long as conflict continues, and humanitarian access is restricted.”

This conclusion appears to be based on speculation that things “*can change very quickly*” so that “*it remains possible that Famine thresholds could be surpassed at any time*” whilst the conflict continues.⁷³

46. Then, in contradiction to all that has been set out by reference to the actual evidence and professional conclusions, the final paragraph of the Executive Summary concludes “*[t]he situation in Gaza is catastrophic, there is a high and sustained risk*

[and-SitAn-v7.pdf](#)

⁶⁹https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, pp. 14-15.

⁷⁰ World Food Programme, WFP Palestine Country Brief September 2022, https://un.org/unispal/wp-content/uploads/2022/10/WFPCBSEPT22_181022.pdf; Zlochin, Mark, X, <https://x.com/MarkZlochin/status/1806030415918145552>.

⁷¹https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 15.

⁷²https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 2.

⁷³https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 3.

of Famine across the whole Gaza Strip.”⁷⁴ Its own finding, that the projection for the period to end September 2024 of Phase 4 (“Emergency” and not “Famine”) is plausible, is ignored and replaced by an unexplained and unsupported claim of a “high and sustained risk of Famine”. The body of the Third IPC Report itself shows that these assessments of increasing threat are not based on the actual conditions in the Gaza Strip, but merely on the possibility that the situation will deteriorate if the hostilities are not brought to an end.

47. The IPC Technical Manual makes provision for “Famine Likely” classifications:

*“Famine Likely classifications can be performed when evidence requirements for a Famine classification are not met but there is at least R₁ (+ or -) direct evidence on outcomes, or other evidence as described in Figure 62 and detailed below”.*⁷⁵

However, the Manual also makes clear that:⁷⁶

“All current, projected or inferred evidence needs to be at or above Famine thresholds for Famine or Famine Likely classifications (i.e. at least 20 percent of households with extreme food gaps, at least 30 percent of children acutely malnourished identified through GAM based on WHZ, and in the absence of GAM based on WHZ, at least 15 percent of children acutely malnourished identified through GAM based on MUAC for Famine Likely classifications; and a CDR of at least two deaths per 10,000 per day, or a U5DR of at least four deaths per 10,000 per day). For a projection of famine, the current situation can still be below famine thresholds, but through a critical analysis, it is concluded that the condition will pass the famine cut-offs in the projection period.” [emphasis added]

48. Thus, to qualify for the “Famine Likely” classification, the same CDR or U5DR rates must be exceeded, although their assessment can be based on less rigorous evidence, such as household surveys and hospital records.

49. However, there is simply nothing in the Third IPC Report that would allow the FRC properly to conclude that Famine is Likely in accordance with the IPC Technical Manual classification, because there is no evidence referred to in the Third IPC Report which supports a claim that the mortality rate in any part of Gaza exceeds the specified rates or will exceed it. Rather, the Third Report notes that:⁷⁷

“42 deaths were recorded [in the survey] which yielded an all-cause CDR of 0.55 (95% CI 0.31, 0.96) deaths/10,000/day and an all-cause U5DR of 0.72 (95% CI 0.23, 2.26) deaths/10,000/day. Exclusion of deaths caused by violence resulted in lower estimated death rates, confirming that there was no evidence

⁷⁴https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 3.

⁷⁵https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf, p. 86.

⁷⁶https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/manual/IPC_Technical_Manual_3_Final.pdf, p. 88.

⁷⁷https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 19.

from the CATI surveys that the Famine thresholds for mortality had been breached during the current analysis period.

During the second review conducted by the FRC in March, there was an alarming and rapid increase in the number of deaths being reported due to malnutrition and dehydration by mainstream and social media sources. From the end of March, the rate of these reports slowed substantially. This is viewed as supporting evidence and is consistent with MOH reporting and WFP CATI survey results that indicate relatively lower death rates during the current analysis period.

Taken together, these data allow for a reasonable level of certainty that non-trauma CDR and U5DR were below Famine thresholds during the current analysis period.”

50. The Third IPC Report does not explain how the FRC finds the Analysis Team’s classification - that an IPC Phase 4 (Emergency) has been reached in each of the areas of the Gaza Strip - to be “plausible”,⁷⁸ when the figures (an all-cause CDR of 0.55 (95% CI 0.31, 0.96) deaths/10,000/day and an all-cause U5DR of 0.72 (95% CI 0.23, 2.26)) deaths/10,000/day do not exceed 1.0. They fall into the category of Phase 3 (Crisis) (i.e., CDR between 0.5 and 0.99). When non-trauma deaths are excluded, the correct classification may even be Phase 2 (Stressed) (a CDR of less than 0.5 per 10,000 per day).
51. For the projected period, the FRC also endorses the Analysis Team’s classification for each of the three areas of the Gaza Strip as being Phase 4 (i.e., Famine is not projected).⁷⁹ However, the FRC then concludes that it “*finds the risk of Famine to be plausible based on the assumptions set by the analysis team*”.⁸⁰
52. This is not a classification of Famine Likely, as permitted by the IPC Technical Manual and Special Additional Protocols if the evidence is not entirely satisfactory. Nor is it any other classification recognised in the IPC Technical Manual or Special Additional Protocols. The methodology on which this asserted “risk” was assessed is nowhere disclosed, nor is the probability of it materialising stated.

Conclusion

53. The documents analysed above, taken together, indicate that there has been no Famine in the Gaza Strip since October 2023 and that none is imminent or even projected. Earlier reports had projected an imminent Famine in the northern part of the Gaza Strip, but these were based on incomplete information, and the feared Famine did not occur. No reliance should be placed on these earlier reports in considering whether there are reasonable grounds for believing that a person has committed a crime or that the arrest of any person is necessary. The classification of the current and projected situation as Phase 4 (Emergency) in the June IPC Report is

⁷⁸https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 20.

⁷⁹https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, p. 22.

⁸⁰https://www.ipcinfo.org/fileadmin/user_upload/ipcinfo/docs/IPC_Famine_Review_Committee_Report_Gaza_June2024.pdf, pp. 22-23.

not supported by the data, which indicates that the classification should be Phase 3 (Crisis) or lower.

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