

UNRWA'S FUTURE RECONSIDERED

BY DR SIMON WALDMAN



DEMOCRACY | FREEDOM | HUMAN RIGHTS

**CENTRE
FOR NEW
MIDDLE
EAST**

February 2020

Published in 2020 by The Henry Jackson Society

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London SW1P 4QP

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www.henryjacksonsociety.org

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Title: “UNRWA’S FUTURE RECONSIDERED” by Dr Simon Waldman

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Cover Photo:

48631519 - UNRWA Mandate In Gaza City. Palestinians take part in a rally in solidarity of renewal of UNRWA mandate, in Gaza city on November 27, 2019. the UN General Assembly approved the extension of UNRWA’s mandate. The move was supported by 170 countries, with only the US and Israel voting against. Seven countries abstained: Cameroon, Guatemala, Nauru, Marshall Islands, Micronesia, Vanautau, and Canada. (Photo by Majdi Fathi/NurPhoto).

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FOREWORD

At the start of January 2020 the Deputy Mayor of Jerusalem, Fleur Hassan-Nahoum, brought what she said were contemporary school text books, circulating in East Jerusalem and the West Bank paid for by UNRWA, to a meeting in the House of Lords. It would be a reasonable assumption that anything paid for by the UN would advocate peace and tolerance. Sadly, the opposite was true. Shocked Peers and MPs listened to a translation littered with bile and aggression to Israeli neighbours, including a bizarre mathematical question using "Palestinian Martyrs" (terrorists) as a basic calculating unit.

More recently the then UK Minister for the Middle East speaking of this type of text book told the House of Commons of "the active role that we have taken to ensure that no inappropriate material is used." Going further he said the review in conjunction with the Palestinian Authority (PA) would be completed by September 2020. This is a big commitment for his successor Minister.

This timely report by the Henry Jackson Society identifies a significant road block to peace and a Two State solution; the United Nations Relief and Works Agency for Palestine Refugees (UNRWA). Originally set up as a vital humanitarian organ committed to the betterment of the Palestinian people, in reality UNRWA's obsolete structures have helped entrench the conflict.

At its heart, UNRWA is outmoded. Set up following the displacement of Palestinians during the 1948 Arab-Israeli war as a means of providing humanitarian relief to a refugee community, UNRWA uniquely extends refugee status to the descendants of all Palestinian refugee males. Instead of attending to the needs of the estimated 30,000 remaining Palestinian refugees from the 1948 war, under UNRWA's problematic definition of refugee status the Palestinian refugee community has extended to 5,000,000.

UNRWA definition is a decisive break from the criteria for refugees successfully used under international law elsewhere. It replaces need with entitlement to the detriment of the people it seeks to help.

Palestinians living in the West Bank and Gaza - internationally recognised Palestinian Territories - are confined to refugee camps and forced to use UNRWA schools and healthcare facilities. Not only does this reinforce the Palestinian Authority's harmful narrative that they have a right to return to their ancestral homes in Haifa, Jaffa and Acre, but it also actively discourages the PA from taking the very steps it needs to in order to develop as a functioning and legitimately viable state.

One way of supporting this endeavour, as positioned in this paper, would be for the international community to empower the Palestinian Authority to take control of UNRWA schools and hospitals. Services would continue uninterrupted. No teacher or medical professional would lose their job - employed and paid instead by the PA. No child's education would be interrupted and no medical appointment cancelled. This is not without risk. It would need the PA to take on responsibility. It would hardly be worse than the current situation and would help lay the foundations of a functioning Palestinian state.

UNRWAs perpetuation of Palestinian victimhood and its granting of refugee status to people who would not qualify in any conflict anywhere else is all the more exasperating when other UN refugee agencies have been more successful. Refugees under the care and responsibility of the UN from wars and conflicts that took place elsewhere in the

1940s, 1950s and 1960s have in most cases had their lives turned around and improved thanks to crucial UN support via the UN's celebrated Refugee Agency (UNHCR).

As the report points out, UNRWA is effectively a state within a would-be state. It is holding Palestinian statehood back. Employing tens of thousands of workers, UNRWA has emerged into a powerful and well entrenched actor in the Israeli-Palestinian arena. It is an organisation actively geared against change and unpicking it will not be easy.

With its decision last year to end its funding of UNRWA, the United States posed admittedly challenging questions to other financial backers of UNRWA (the UK is one of the largest). The international community must awaken to reality that UNRWA fundamentally fails to promote the two-state solution

It is high time that supporters of a viable and successful Palestinian state - of which the UK is proudly one - began fronting up to the status quo not working. This report offers as good a place as any to start.

Rt Hon the Lord Pickles

Parliamentary Chair (Lords) Conservative Friends of Israel

Secretary of State for Communities and Local Government 2010-2015

ABOUT THE AUTHOR

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Simon's research interests include the Arab-Israeli conflict and peace process, Turkish history and politics, international diplomacy towards the Middle East and state-building and leadership in the region. Simon is the author of two books, *Anglo-American Diplomacy and the Palestinian Refugee Problem* (Palgrave MacMillan) and *The New Turkey and its Discontents* (Hurst and Oxford University Press, 2017).

Simon writes regular op-eds, commentaries and analysis for media outlets such as Haaretz, The National, Open Democracy and The Globe and Mail. In addition, he appears on a wide variety of television and radio programmes commenting on political developments in the Middle East including Bloomberg, BBC World Service, BBC 24, Channel 4 News and CNN International.

Simon obtained his MA and PhD from the Institute of Middle Eastern Studies, King's College London, having earlier read Politics and Sociology at Brunel University.

ABOUT US



About The Henry Jackson Society

The Henry Jackson Society is a think tank and policy-shaping force that fights for the principles and alliances which keep societies free – working across borders and party lines to combat extremism, advance democracy and real human rights, and make a stand in an increasingly uncertain world.

ABOUT THE CENTRE FOR THE NEW MIDDLE EAST

The Centre for the New Middle East is a one-stop shop designed to provide opinion leaders and policymakers with the fresh thinking, analytical research and policy solutions required to make geopolitical progress in one of the world's most complicated and fluid regions. Established following the fallout from the Arab Spring, the Centre is dedicated to monitoring political, ideological, and military and security developments across the Middle East and providing informed assessments of their wide-ranging implications to key decision makers.

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EXECUTIVE SUMMARY

- Contrary to its public image, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is not a beacon of stability in the Middle East. Incitement to violence against Israel and the rejection of a peaceful resolution to the Palestine question is actively propagated inside UNRWA schools and by UNRWA's educational staff. This makes UNRWA detrimental to the two-state formulation for peace in the region, which is the solution to the conflict endorsed by the UK, the US, the European Union (EU), and other international powers.
- UNRWA is a bloated, self-serving, and mismanaged organisation which lacks strong oversight mechanisms and accountability frameworks. The cessation of US funding to UNRWA in 2018 and the revelations of unethical practices and abuses of power within the upper echelons of UNRWA's management made public in 2019 offer the UK and other members of the international community the opportunity to reappraise the future of UNRWA with a mind to reforming and restructuring this organisation. Currently, the UK gives UNRWA US\$92 million of taxpayers' money each year.
- UNRWA serves very few genuine refugees. UNRWA's definition of a 'Palestine refugee' runs counter to internationally accepted definitions – it includes the children, grandchildren, and even great grandchildren of the original 1948 refugees in its count – and is untenable because it means that the number of 'refugees' UNRWA serves increases, rather than decreases, year-on-year. This necessitates continued funding with no end in sight. The UK should facilitate a discussion about the utility of UNRWA's problematic definition and whether taxpayers' money should be used to fund services to individuals who by any internationally accepted definition of the term are not actually refugees.
- UNRWA's mandate is due to be extended by the UN General Assembly in 2022. Until then, UNRWA's leading donors, including the UK, should demand significant reform within the agency. Not only does UNRWA's management need an overhaul in light of a 2019 internal ethics committee report alleging multiple cases of inappropriate conduct among senior staff, but urgent steps need to be taken to ensure that there is zero tolerance for extremism and anti-Semitism in UNRWA's formal and informal educational activities as well as by its staff. If instances of incitement and extremism within UNRWA continue, the UK should not hesitate to freeze its funding and look for alternative programmes to sponsor which would be a better use of taxpayers' funds.
- If UNRWA proves itself either incapable or unwilling to undergo significant reform and restructuring, the UK and the international community should take steps to gradually reduce UNRWA's services, leading up to its dissolution. Doing so is not a difficult undertaking as UNRWA's schools, healthcare facilities, and other public programmes can be integrated into the apparatus of host governments, authorities, and relevant agencies with relative ease.

Chapter 1

INTRODUCTION

There was hysteria after the Trump Administration announced its intention in 2018 to first slash and then to freeze its US\$356 million contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Some declared it a catastrophic decision that would deprive needy Palestinians of their daily bread, shut down schools, and close hospitals.¹ However, schools opened as usual, health clinics continued their services, and handouts were provided to the neediest of Palestinians.

Much of the hysteria was orchestrated by UNRWA itself. The UN body issued statements and press releases making alarmist and unfounded claims that it was, in the words of its then commissioner-general, Pierre Krahenbuhl, facing “an existential threat”.² Emergency appeals included statements such as, “At stake are the dignity and rights of Palestine refugees – in particular the right to education for 535,000 girls and boys”.³ In modern parlance, however, this was fake news. UNRWA’s budget in 2018 matched those of previous years and could even rise when the figures for the year ending 2019 are released.⁴

UNRWA achieved this without significant reform or restructuring. It received additional financial support from leading donors such as the UK, Germany, Sweden, and the EU (see Table 1). For example, in 2017 the EU gave UNRWA US\$142.5 million.⁵ This figure increased to just shy of \$179 million in 2018.⁶ In 2017, Germany gave UNRWA over US\$76 million,⁷ but dished out an additional US\$100 million in 2018.⁸ The UK pledged US\$67 million in 2017, but increased its contribution to US\$92 million the following year.⁹ In the case of the UK, London did not simply pledge to increase its support, but declared, in

¹ Amr, H., ‘In one move, Trump eliminated US funding for UNRWA and the US role as Mideast peacemaker’, *Brookings: Order From Chaos*, 7 September 2018, available at: <https://www.brookings.edu/blog/order-from-chaos/2018/09/07/in-one-move-trump-eliminated-us-funding-for-unrwa-and-the-us-role-as-mideast-peacemaker/>, last visited: 29 January 2020; Roy, S., ‘Trump’s Move to Slash Aid for Palestinian Refugees Will Lead to Tragedy’, *The Nation*, 24 January 2018; Shesgreen, D. and Michele Chabin, ‘Palestinian Refugees fear Trump administration funding cuts will shutter schools, clinics’, *USA Today*, 5 September 2018; Trew, B., ‘Palestinians speak out about devastating US cuts to the UN refugee agency: “We are already so desperate”’, *The Independent*, 3 September 2018; Knell, Y., ‘Palestinians fear cost of Trump’s refugee agency cut’, *BBCNews*, 30 January 2018; Jones, N., ‘Trump’s UNRWA funding freeze: why the most disadvantaged stand to lose’, *Overseas Development institute*, 24 January 2018, available at: <https://www.odi.org/blogs/10601-trumps-unrwa-funding-freeze-why-most-disadvantaged-stand-lose>, last visited: 29 January 2020; Calamur, K., ‘A U.S. Funding Review Is Hurting Aid Groups and Palestinians’, *The Atlantic*, 10 August 2018, available at: <https://www.theatlantic.com/international/archive/2018/08/usaid-gaza/567032/>, last visited: 29 January 2020; Goldberg, M.L., ‘“Disrupting” UNRWA Means Disrupting School for 500,000 Palestinian Children’, *UN Dispatch*, 8 August 2018, available at: <https://www.undispatch.com/disrupting-unrwa-means-disrupting-school-for-500000-palestinian-children/>, last visited: 29 January 2020.

² ‘Statement by UNRWA Spokesperson Sami Mashasha on Implications of UNRWA Shortfall on Emergency Services in OPT’, *UNRWA Newsroom*, 26 July 2018, available at: <https://www.unrwa.org/newsroom/official-statements/statement-unrwa-spokesperson-sami-mshasha-implications-funding>, last visited: 29 January 2020.

³ ‘Press Release: UNRWA Launches 2019 Emergency Appeals and Budget Requirement Totalling US\$1.2 billion’, *UNRWA Newsroom*, 29 January 2019, available at: <https://www.unrwa.org/newsroom/press-releases/unrwa-launches-2019-emergency-appeals-and-budget-requirement-totaling-us-12>, last visited: 29 January 2020.

⁴ ‘UNRWA schools in West Bank, Gaza to open on time despite US funding freeze’, *Times of Israel*, 16 August 2018, available at: <https://www.timesofisrael.com/unrwa-schools-in-west-bank-gaza-to-open-on-time-despite-us-funding-freeze/>, last visited: 29 January 2020.

⁵ ‘2017 Pledges to UNRWA’s Programmes (Cash and In-kind) – Overall Donor Ranking’, *UNRWA*, 31 December 2017 (hereafter 2017 UNRWA Donor Chart), available at: https://www.unrwa.org/sites/default/files/overalldonor_ranking.pdf, last visited: 29 January 2020.

⁶ ‘2018 Pledges to UNRWA’s Programmes (Cash and In-kind) – Overall Donor Ranking’, *UNRWA*, 31 December 2018 (hereafter 2018 UNRWA Donor Chart), available at: https://www.unrwa.org/sites/default/files/overall_donor_ranking.pdf, last visited: 29 January 2020.

⁷ 2017 UNRWA Donor Chart.

⁸ 2018 UNRWA Donor Chart.

⁹ *ibid*; 2017 UNRWA Donor Chart.

the words of then Minister for the Middle East Alistair Burt, that it would “lobby other states directly on this”.¹⁰ In 2018, the UK was UNRWA’s fourth largest donor and provided UNRWA with 7.2% of its overall budget (see Table 1).¹¹

Table 1: UNRWA’s Leading Donors in US\$ 2014-2018 (Source: UNRWA)

2018	2017	2016	2015	2014
1. EU: 178,989,32	1. USA: 364,265,585	1. USA: 368,429,712	1. USA: 380,593,116	1. USA: 408,751,396
2. Germany: 177,439,44	2. EU: 142,515,744	2. EU: 159,765,906	2. EU: 136,751,943	2. EU: 139,402,221
3. Saudi Arabia: 159,956,77	3. Germany: 76,468,714	3. Saudi Arabia: 148,000,000	3. UK: 99,602,875	3. Saudi Arabia: 103,519,499
4. UK: 92,754,569	4. UK: 67,014,302	4. Germany: 73,627,810	4. Saudi Arabia: 96,000,000	4. UK 95,328,127
5. Sweden: 64,999,762	5. Sweden: 61,952,150	5. UK: 73,226,524	5. Germany: 91,724,417	5. Germany: 79,975,260
Total: 1,150,097,948	Total: 1,121,228,375	Total: 1,242,914,767	Total 1,246,802,614	Total: 1,323,855,183

Burt’s position was echoed by the then minister of state for the Department for International Development (DFID), Harriett Baldwin, who called Britain “a firmly committed” supporter of UNRWA.¹² The then foreign secretary, Jeremy Hunt, even told the House of Commons that, “we do not agree with the American Administration’s decision on this issue”.¹³ In the continuing debates in Parliament, Burt went as far as to assert that UNRWA is a “necessary humanitarian and stabilising presence in the region”.¹⁴

However, for years policy makers have been misguided in thinking that the work of UNRWA is beneficial to stability in the region. If anything, the opposite is the case. As this report will highlight, UNRWA is a source of instability. It is financially mismanaged, spreads extremist propaganda, and is infiltrated by extremists, and its perpetuating of the Palestinian refugee problem runs contrary to the two-state formulation. Yet, still UNRWA is the recipient of just under US\$100 million of UK taxpayers’ funds.

This report also argues that the majority of those served by UNRWA are not real refugees by any credible meaning of the term. UNRWA continues to register not only the first-generation of 1948 refugees, but also the second, third, and even the fourth generation. Indeed, UNRWA fosters the idea of the so-called Palestinian ‘right of return’ to their homes in what is now Israel. This is one of the major obstacles to a peaceful resolution of the decades-old conflict. If the so-called ‘right of return’ were enacted, it would destroy the Jewish nature of the state of Israel and lead to a de facto one-state solution. This is despite the fact that peace through a two-state formulation (Israel and Palestine) is the objective of international powers including the UK and the Quartet (US, EU, UN, and Russia).

¹⁰ HC Deb 30 October 2018, *HANSARD*, Vol 648 col 770; Also see Burt’s statement that he discussed the US decrease of funding for UNRWA with his American counterparts (this was before Washington ultimately ceased funding it altogether), HC Deb 30 October 2018, *HANSARD*, Vol 648 col 770.

¹¹ 2018 UNRWA Donor Chart.

¹² HC Deb 25 April 2018, *HANSARD*, Vol 639 Col. 379wh.

¹³ HC Deb 4 September 2018, *HANSARD*, Vol 646 col 19.

¹⁴ HC Deb 15 May 2018, *HANSARD*, Vol 641 cols 122-123; HC Deb 21 November 2018, *HANSARD*, Vol 649 cols 850-851.

Each year, UNRWA's budget requires continued funding as the number of registered 'refugees' grows larger. In addition to unethical practices and mismanagement within UNRWA's organisational structure, UNRWA's budget stands at around \$1.25 billion, and it has as many as 30,000 employees (the UN Refugee Agency has just 11,000 staff, despite having a larger budget and serving considerably more refugees). Its educational initiatives, both formal and informal, are full of anti-Israeli and anti-Semitic incitement, and UNRWA helps nurture a culture of violence towards Israelis through its educational activities and the presence of extremists within its ranks.

In 2019, Switzerland, Belgium, and the Netherlands froze funding following an internal UNRWA ethics committee investigation which alleged financial misconduct, bullying, mismanagement and other outrages among UNRWA's top diplomatic staff, including its very own commissioner-general, Pierre Krahenbuhl, who vehemently denied any wrongdoing, as did the other senior members of staff who faced accusations.¹⁵ Although the preliminary findings by an internal UN oversight investigation excluded the charges of fraud and misuse of funds, but not the other "managerial issues," in November 2019, Krahenbuhl resigned and was replaced by Christian Saunders for an interim period.¹⁶ These developments offer the UK, as well as the EU and other European countries, a serious opportunity to reappraise the future of UNRWA. As this report shows, maintaining the status quo is untenable and likely to be harmful to future efforts to bring about peace in the region.

This report is based on the use of extensive open source material, including UNRWA's own reports, records, and meetings as well as those of other UN bodies. It has also utilised academic and media articles, as well as interviews with leading experts and commentators. UNRWA was contacted for an interview yet, regrettably, the author did not receive a response to the request.

¹⁵ Krahenbuhl stated that he had 'rejected these allegations from the start and will continue to do so' and called the allegation that he had a relationship with a staff member 'unfounded' and insisted that there was no corruption, fraud or misuse of aid, 'Ex-UNRWA chief says agency 'victim of campaign to undermine it'', *Al-Jazeera*, 7 November 2019, available at <https://www.aljazeera.com/news/2019/11/unrwa-chief-agency-victim-campaign-undermine-191107143856966.html>, last visited 6 February 2020.

¹⁶ Ayyub, R. and Nidal al-Mughrabi, 'Head of U.N. Palestinian refugee agency quits amid misconduct inquiry', Reuters, 6 November 2019; 'Palestine refugee agency chief resigns amidst mismanagement probe', *UN News*, 6 November 2019, available at <https://news.un.org/en/story/2019/11/1050801>, last visited 6 February 2020.

Chapter 2**BACKGROUND: THE MAKING OF UNRWA**

During the 1948 Arab-Israeli War, hundreds of thousands of Palestinians were displaced and many were housed in refugee camps in the West Bank, the Gaza Strip, Jordan, Lebanon, and Syria. In order to alleviate their suffering and to find ways to integrate them into their host countries, UNRWA was established in December 1949 on the basis of UN General Assembly Resolution 302 (IV).¹⁷ The resolution, which was initially opposed by the Arab states, called for the new organisation to work with local governments in order to direct relief and works programmes for Palestinian refugees encamped in neighbouring Arab countries.

UNRWA began operations in 1950, one year before the creation of the United Nations High Commissioner for Refugees (UNHCR), otherwise known as the UN Refugee Agency. The creation of UNRWA coincided with a concerted UN-led effort to bring about Arab-Israeli peace under the auspices of the Palestine Conciliation Commission (PCC). Despite organising several initiatives and conferences, the PCC failed its task.¹⁸ The main stumbling block was the refusal of Egypt and other Arab states to even begin negotiations unless Israel first agreed to the wholesale repatriation of Palestinian refugees. However, Israel was adamant that repatriation could only be discussed in the context of a peace treaty. UNRWA was designed to complement the work of the PCC as it was recognised that the vast majority of the refugees would need to be resettled and reintegrated in their host countries as part of a political agreement between the sides. It was also understood that the continued distribution of aid could not continue indefinitely; it was both undignified and unsustainable.

However, the Arab states were reluctant to resettle Palestinians on their own soil, and, cynically, wanted to keep the refugee issue as a bargaining chip against Israel.¹⁹ Both the Palestinians and the Arab states saw UNRWA as means for resettlement and therefore an attempt to bypass what they believed – and continue to believe – is the Palestinian ‘right of return’ to their homes in what is now Israel. This is a highly selective reading of UN General Assembly Resolution 194,²⁰ and is discussed in more detail in Section 4.

The impetus behind the establishment of UNRWA was the resettlement of Palestinian refugees and to wean these refugees away from aid and dependency as quickly as possible.²¹ UNRWA was supposed to facilitate Palestinian refugee labour for large-scale infrastructural development projects in countries such as Iraq, Jordan, Syria, Lebanon, and Egypt. Doing so, the logic went, would not just contribute to the economic growth

¹⁷ UN General Assembly Resolution 302 (IV) ‘Assistance to Palestinian Refugees’ (8 December 1949) A/RES/302 (IV).

¹⁸ See, for example, Caplan, N., *Futile Diplomacy Volume Three: The United Nations, the Great Powers and Middle East Peacemaking 1948-1954* (London: Frank Cass, 1997); Forsythe, D.P., *United Nations Peacemaking: The Conciliation Commission for Palestine* (Baltimore: Johns Hopkins Press, 1972); Karp, C., *Missed Opportunities: US Diplomatic Failures and the Arab-Israeli Conflict 1947-1967* (Claremont: Regina Books, 2005); Morris, B., *The Birth of the Palestinian Refugee Problem Revisited* (Cambridge: Cambridge University Press, 2004); Pelcovits, N.A., *The Long Armistice: UN Peacekeeping and the Arab-Israeli Conflict, 1948-1960* (Boulder: Westview Press, 1993); Peretz, D., *Israel and the Palestine Arabs* (Washington DC: The Middle East Institute, 1959); Touval, S., *The Peace Brokers: Mediators in the Arab-Israeli Conflict, 1948-1979* (Princeton: Princeton University Press, 1982); Tovy, J., *Israel and the Palestinian Refugee Issue: The Formation of a Policy, 1948-1956* (London: Routledge, 2014); Waldman, S.A., *Anglo-American Diplomacy and the Palestinian Refugee problem, 1948-51* (London: Palgrave Macmillan, 2015).

¹⁹ Nachmias, N., ‘UNRWA Betrays its Mission’ *Middle East Quarterly* 19.4 (Fall 2012), pp. 32-33.

²⁰ UN General Assembly Resolution 194 (III) ‘Progress Report of the United Nations Mediator’ (11 December 1948) A/RES/194 (III).

²¹ Waldman, S.A., ‘UNRWA’s First Years, 1949-1951: The Anatomy of Failed Expectations’, *Diplomacy & Statecraft* 25.4 (2014).

of the region, but would mean integration of refugees into their host societies while reducing aid dependency and diminishing the possibility of their engaging in violence or extremism.²² This would lead to the resettlement of the majority of Palestinian refugees, be of financial benefit and economic productivity to the region, and open the doors to Israelis and Arabs to conclude a final peace agreement.²³

However, as grandiose and noble as the intentions of establishing UNRWA were, UNRWA found that the ideas associated with utilising refugee labour for large-scale projects were based more on wishful thinking than reality.²⁴ Not only did the viability of such projects fail to materialise, but the host Arab states, and the refugees themselves, did not want to be part of it. The objection of the refugees was based on their demand to be repatriated rather than resettled.²⁵ The Arab states kept to the Arab League resolution of March 1949, which stated that, “the lasting and just solution of the problem of the refugees would be their repatriation and the safeguarding of all their rights to the properties, lives and liberty, and that these should be guaranteed by the United Nations”. Thus the position of Arab states, with the exception of Jordan, which granted citizenship to Palestinian refugees, was to maintain the refugees as stateless persons and preserve their so-called ‘right of return’.²⁶

Under such conditions, UNRWA was unable to entice refugees away from dependency as originally intended. Over the course of decades, Palestinians, not just the original refugees but also their children and grandchildren, remained refugees.²⁷ The predicament of Palestinians in Lebanon is particularly difficult. Palestinian refugees were given citizenship in Jordan, and in other countries they eventually obtained the right to work and travel. However, those in Lebanon are not only unable to acquire citizenship, but they are also subjected to laws pertaining to foreigners and are therefore barred from owning property and seeking employment. They are excluded from the country’s delicate confessional power-sharing system, and there is unwillingness to see Palestinian refugees assimilated into Lebanese society.²⁸

Having been established before the UNHCR, UNRWA has been able to define and redefine who is a Palestinian refugee, as well as the nature of its own work. Today, UNRWA does not seek to resettle Palestinian refugees. Its main focus is education, healthcare, and camp development.

²² Schiff, B., *Refugees unto the Third Generation: UN Aid to Palestinians* (New York: Syracuse University Press, 1995), pp. 13-47.

²³ Romirowsky, A., ‘Washington’s Failure to Rein in UNRWA’, *Middle East Quarterly* 19.4, (Fall 2012) pp. 54-55; The word ‘resettlement’ was deliberately left out of the report by the UN organisation, which recommended the establishment of UNRWA – see First Interim Report of the United Nations Economic Survey Mission for the Middle East, 16 November 1949, A/AC.25.26; Memorandum by the Assistant Chief of the Division of Near Eastern Affairs (Wilkins) to the Assistant Secretary of State for Near Eastern and African Affairs (McGhee), Washington, 27 September 1949, *Foreign Relations of the United States, 1949*, Vol. VI, pp. 1407-8.

²⁴ Nachmias, N., ‘UNRWA Betrays its Mission’, pp. 27-35.

²⁵ *ibid*, pp. 31-32; Joffe, A., ‘UNRWA Resists Resettlement’, *Middle East Quarterly* 19.4 (Fall 2012), p. 12.

²⁶ al-Husseini, J. and Riccardo Bocco, ‘The Status of Palestinian Refugees in the Near East: The Right of Return and UNRWA in Perspective’, *Refugee Survey Quarterly* 28.2 & 28.3 (2010), pp. 262-3.

²⁷ Lindsay has correctly noted that “UNRWA’s definition of a refugee is a wholly internal creation, one used by no other agency or organization in the world” but itself: Lindsay, J.G., ‘UNRWA: Still UN-Fixed’, *Justice* 55 (Winter 2014-2015), p. 15.

²⁸ Schenker, D., ‘Palestinian Refugees Languish in Lebanon’, *Middle East Quarterly*, 19.4 (Fall 2012), pp. 68-70; Brand, L.A., ‘The Politics of Passports: Palestinian Legal Status in Arab Host States, 1948-86’ in Reeva S. Simon (ed), *The Middle East and North Africa: Essays in Honor of J.C. Hurewitz*, (New York: Columbia University Press, 1990), pp. 26-42; al-Husseini and Bocco, ‘The Status of Palestinian Refugees in the Near East’, pp. 264-5; ‘Protection in Lebanon’, UNRWA, February 2019, available at: <https://www.unrwa.org/activity/protection-lebanon>, last visited: 29 January 2020.

As of March 2019, UNRWA serves 5,545,540 registered 'Palestine refugees' who reside in Jordan, Syria, Lebanon, the West Bank, and the Gaza Strip.²⁹ It provides a range of programmes and services, from education and healthcare to emergency relief, microfinance, and social services. As of 2018, even after the suspension of US funding, UNRWA's income stood at US\$1.2 billion.³⁰

Despite its vast finances, the UNRWA of today is as far as ever from being an organisation that can help resettle and reintegrate Palestinian refugees or contribute to a peaceful resolution to the Arab-Israel-Palestinian conflict. If anything, it is a hinderance to peace and stability in the region. It contributes to the permanence of the refugees and also helps maintain the Palestinian desire, regardless of how unrealistic, to return to their homes in pre-state Israel. UNRWA also considers the protection of Palestinian refugee rights as fundamental to its mandate.³¹ This makes UNRWA a political actor in the conflict, as it incubates the idea that Palestinian refugees and their descendants are refugees and should 'return' to what is now Israel. If implemented, such a wholesale return would destroy the Jewish nature of the state of Israel.

UNRWA, whose services amount to a giant welfare state, effectively operates as a shadow state. It has its own schools, healthcare provision, and welfare facilities, and thus its existence is detrimental to the Palestinian state-building effort. Indeed, as Middle East historian Asaf Romirowsky correctly asserts, it is an irony that UNRWA competes with the Palestinian Authority (PA) for international support while – even by UNRWA's own admission – there is no significant difference in the standard of living between refugees and non-refugees.³²

²⁹ 'UNRWA in Figures', *UNRWA Communications Division*, 8 March 2019, available at: <https://www.unrwa.org/resources/about-unrwa/unrwa-figures-2018-2019>, last visited: 29 January 2020.

³⁰ For a complete list of donor charts, see: <https://www.unrwa.org/how-you-can-help/government-partners/funding-trends/donor-charts>, last visited: 29 January 2020.

³¹ 'What We Do: Protection', *UNRWA*, March 2018, available at: <https://www.unrwa.org/what-we-do/protection>, last visited: 29 January 2020.

³² Romirowsky, A., 'UNRWA: The Crux of the Arab-Israeli Conflict', *Justice* 55 (Winter 2014-2015), p. 10.

Chapter 3

UNRWA'S PROBLEMATIC DEFINITION OF A REFUGEE

Over the years, UNRWA has taken it upon itself to expand its idiosyncratic definition of a Palestinian refugee beyond anything grounded in international norms, especially because UNRWA includes subsequent generations in its definition.³³ Although this makes a two-state formulation all that much harder to achieve, no official document from the UN has ever offered an explanation as to why Palestinian refugees should be defined differently from other refugees.³⁴

In 1949, the UN estimated that the number of Palestinians made homeless during the 1948 war stood at 711,000.³⁵ Upon its establishment, UNRWA initially defined a refugee as a “needy person, who, as a result of the war in Palestine, has lost his home and his means of livelihood”.³⁶ Indeed, over the years, this was expanded by UNRWA to include “a person whose normal residence was Palestine for a minimum of two years preceding the conflict in 1948”.³⁷ In 1965, UNRWA again expanded this definition to include individuals beyond those affected by the 1948 War. UNRWA’s then commissioner-general, Laurence Michelmore, noted in his 1965 annual report the problem of third generation refugees – those born after 1948 – and recommended that they also be eligible for UNRWA services.³⁸ This set the stage for UNRWA’s definition of a refugee to be additionally expanded in 1971 to include: “The children or grandchildren of such refugees are eligible for agency assistance if they are (a) registered with UNRWA, (b) living in the area of UNRWA’s operations, and (c) in need.”³⁹

In recent years, UNRWA’s definition was yet again expanded. In a 1990 special publication marking the 40-year anniversary of the agency, UNRWA referred to “direct descendants” of refugees rather than children or grandchildren,⁴⁰ allowing additional generations to be included. This remains the definition that UNRWA uses to this day, which in full reads:

Persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict ... UNRWA services are available to all those living in its area of operations who meet this definition, who are registered with the Agency and who need assistance. The descendants of Palestine refugee males, including adopted children, are also eligible for registration.⁴¹

³³ ‘Palestine Refugees’, *UNRWA*, available at: <https://www.unrwa.org/palestine-refugees>, last visited: 29 January 2019. It has been argued that the UN General Assembly has “tacitly” accepted UNRWA’s definitions used in its annual reports; however, the General Assembly has never defined it – see Bartholomeusz, L., ‘The Mandate of UNRWA at 60’, *Refugee Survey Quarterly* 28.2 & 28.3 (2010), p. 457.

³⁴ Lapidoth, R., ‘Legal Aspects of the Palestinian Refugee Question’, *Jerusalem Center for Public Affairs*, Jerusalem Letter/Viewpoint No. 485, 1 September 2002.

³⁵ ‘General Progress Report and Supplementary Report of the United Nations Conciliation Commission for Palestine, Covering the Period from 11 December 1949 to 23 October 1950’, 23 October 1950, A/1367/Rev.1.

³⁶ UN Assistance to Palestinian Refugees: ‘Interim Report of the Director of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East’, General Assembly Official Records: Fifth Session Supplements, Number 19 (6 October 1950) A/1451/Rev.1.

³⁷ Romirowsky, A., ‘Arab-Palestinian Refugees’, *Israel Studies* 24(2) (Summer 2019), p. 97; Joffe, ‘UNRWA Resists Resettlement’, p. 16.

³⁸ ‘Report of the commissioner-general’, *UNRWA*, 1 July 1964–30 June 1965, UNGA A/6013, 30 June 1965, paras. 21, 25.

³⁹ ‘Report of the commissioner-general’, *UNRWA*, 1 July 1970–30 June 1971, UNGA, A/8413, 30 June 1971.

⁴⁰ ‘UNRWA 1950-1990: Serving Palestine Refugees’, *United Nations Relief and Works Agency for Palestine Refugees in the Near East*, Vienna, April 1990, p. 6.

⁴¹ ‘UNRWA: Palestine Refugees’, Undated, available at: <https://www.unrwa.org/palestine-refugees>, last visited: 29 January 2020.

Also of note is the short residency requirement in Palestine of the original refugees; just two years.⁴² By using this expansive definition, UNRWA puts the present number of Palestinian refugees at over 5.5 million individuals, a tremendous increase from the 1949 UN estimate of 711,000. Put another way, instead of gradually decreasing over time, the number of “Palestine refugees” under UNRWA’s supervision did not merely rise, but increased by 800%.

UNRWA’s definition of a refugee is in stark contrast to that of the UN Refugee Agency, which uses the 1951 Refugee Convention as the basis of its work. The UNHCR defines a refugee as:

Someone who has been forced to flee his or her country because of persecution, war or violence. A refugee has a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership in a particular social group. Most likely, they cannot return home or are afraid to do so.⁴³

In this internationally accepted definition of a refugee, second, third, fourth, or future generations are not automatically considered refugees.⁴⁴ The UNHCR only considers a person to be a refugee when they are financially dependent on the original refugees. In fact, if the 1951 Refugee Convention were used to define a Palestinian refugee, the overwhelming majority of the so-called ‘Palestine refugees’ would not in fact be refugees at all. According to Article 1(E) of the Convention, an individual is no longer a refugee if he or she “is recognized by the competent authorities of the country in which he has taken residence as having the rights and obligations which are attached to the possession of the nationality of that country”.⁴⁵ This means that most of the 2.2 million ‘Palestine refugees’ who live in Jordan and have Jordanian citizenship are not really refugees at all. The same could be said for the 2.2 million refugees who live in the West Bank and the Gaza Strip whose status in the PA, a proto-state or state in the making, has all the trappings of a government.⁴⁶ This position is supported by the fact that Palestine was recognised as a state by the UN General Assembly in November 2012 (a non-member observer state) – the same body which legitimatises the work of UNRWA.

However, UNRWA was established before the UNHCR and therefore contends that Article 1(D) of the 1951 Refugee Convention does “not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance”.⁴⁷ The argument continues that because UNRWA predates the establishment of the UNHCR, UNRWA is not bound by the definitions or working practices of the UN Refugee Agency.⁴⁸ Such reasoning has allowed UNRWA to define and redefine who is a Palestinian refugee, as well as the nature of its own work.

⁴² Kushner, A., ‘The UN’s Palestinian Refugee Problem’, *Azure* 22 (Autumn 2005), p. 68.

⁴³ ‘Convention and Protocol Relating to the Status of Refugees: Text of the 1951 Convention Relating to the Status of Refugees, Text of the 1967 Protocol Relating to the Status of the Refugees, Resolution 2198(XXI) adopted by the United Nations General Assembly’, *UNHCR*, available at: <https://www.unhcr.org/3b66c2aa10>, last visited: 29 January 2020 (hereafter 1951 Refugee Convention); ‘UNHCR: The UN Refugee Agency: The 1951 Refugee Convention’, *UNHCR*, available at: <https://www.unhcr.org/1951-refugee-convention.html>, last visited: 29 January 2020.

⁴⁴ *ibid*; Lapidoth, R., ‘Legal Aspects of the Palestinian Refugee Question’ *Jerusalem Center for Public Affairs*, Jerusalem Letter/Viewpoint No. 485, 1 September 2002.

⁴⁵ 1951 Refugee Convention.

⁴⁶ Skype Interview with Dina Rovner, *UN Watch*, 18 September 2019.

⁴⁷ 1951 Refugee Convention.

⁴⁸ ‘The 1951 Convention’, *UNRWA*, available at: <https://www.unrwa.org/content/1951-convention> last visited: 29 January 2020; Goddard, B., ‘UNHCR and the International Protection of Palestinian Refugees’, *Refugee Survey Quarterly* 28.2 & 28.3 (2010), pp. 475-6.

However, UNRWA's reading of Article 1(D) is problematic if not outright wrong. The exclusion refers to refugees born before 1951, not organisations. Therefore, the exception to those already receiving aid by other UN agencies would not apply to Palestinian refugees born after 1951, quite simply because they were not alive.

Dina Rosner of UN Watch has examined the numbers associated with refugee crises from a multiplicity of conflicts under the purview of the UNHCR (the UN Refugee Agency). Noting that the overall trend is toward a reduction of refugee numbers, although at times there are increases, never do refugee numbers balloon like in the case of the Palestinians served by UNRWA.⁴⁹

Regardless, UNRWA has taken it upon itself to define refugees onto continuous generations, a definition that is not anchored in treaty or law.⁵⁰ In doing so, it also makes UNRWA a political actor because to make such a definition, outside of the accepted international norms, is a political choice with bipartisan implications.

In July 2018, a bill was submitted to US Congress that called for Washington to only contribute to UNRWA in proportion to the number of refugees who meet the US Immigration and Nationality Act definition of a refugee.⁵¹ Meanwhile, Jay Sekulow, chief counsel of the American Center for Law & Justice, was pressing the State Department to publish a report detailing the true number of Palestinian refugees, based on this definition. This was something which US Congressmen Mark Kirk (R-ILL) had been working towards since 2012 in his attempts through Congress to ascertain the number of refugees who fit the US government's definition – refugees minus their descendants.⁵² When the State Department report was finally published in 2015, it was classified. After much pressure and a Freedom of Information Act request, the State Department finally released the report in 2018; however, the number of refugees was redacted. Nevertheless, it is believed to be in the tens of thousands, not millions.⁵³ Meanwhile, it was revealed that UNRWA was inflating the number of refugees in Lebanon. According to UNRWA, 475,000 individuals in Lebanon are registered. However, according to a census by Lebanon's Central Administration of Statistics in partnership with the Palestinian Central Bureau of Statistics, the actual number is as low as 175,000.⁵⁴

There is no basis for UNRWA to define refugees in the way that it does, and it is a scandal that UNRWA seeks international funding to distribute services to people who are not real refugees by internationally accepted definitions. Regardless, UNRWA still requests additional funding each year on the basis that the numbers of refugees it serves, according to its own count, have increased. UNRWA also harbours the myth that Palestinians under its purview have a 'right of return', but as the following section will show, this is based on a misreading of international law.

⁴⁹ Skype Interview with Dina Rovner.

⁵⁰ Sekulow, J., 'Response: UNRWA has Changed the Definition of Refugee', *Foreign Policy*, 17 August 2018.

⁵¹ See: <https://www.congress.gov/115/bills/hr6451/BILLS-115hr6451ih.xml>, last visited: 29 January 2020.

⁵² See, for example, May, C.D., 'Whose Middle East Policy Is It, Anyway?', *National Review*, 31 May 2012, available at: <https://www.nationalreview.com/2012/05/whose-middle-east-policy-it-anyway-clifford-d-may/>, last visited: 29 January 2020; Schanzer, J., 'Argument: Status Update' *Foreign Policy*, 21 May 2012; Rosen, S.J., 'Why Has the U.S. Congress Done so Little about UNRWA?', *Justice* Winter 2014-15, Appendix: Congressional Resolutions on UNRWA, pp. 31-33.

⁵³ Lynch, C., 'For Trump and Co., Few Palestinians Count as Refugees', *Foreign Policy*, 9 August 2018; Smith, C., 'Trump should release report on the true number of Palestinian refugees', *Washington Examiner*, 12 August 2018, available at: <https://www.washingtonexaminer.com/opinion/op-eds/trump-should-release-secret-report-on-the-true-number-of-palestinian-refugees>, last visited: 29 January 2020.

⁵⁴ Hass, A., 'Lebanon Census Finds Number of Palestinian Refugees Only a Third of Official UN Data', *Haaretz*, 25 December 2017; UNRWA now admits that the number is as low as 270,000, see 'Protection in Lebanon', *UNRWA*, February 2019, available at: <https://www.unrwa.org/activity/protection-lebanon>, last visited: 29 January 2020.

Chapter 4
BACKGROUND: THE MAKING OF UNRWA

UNRWA perpetuates the Palestinian refugee problem and the so-called 'right of return'. Indeed, as the American-Israeli journalist Arlene Kushner has argued, one of UNRWA's major problems is that unlike the UNHRC, which seeks a multiplicity of possibilities in order to solve refugee issues, UNRWA advocates only one – wholesale repatriation. This is the most unrealistic and, potentially, most violent scenario.⁵⁵ Yet it is inadvertently supported by UNRWA's donors, many of which advocate a peaceful solution to the conflict. While most refugee populations since World War II have gradually decreased, under the auspices of UNRWA the number of Palestinian refugees has only increased.⁵⁶

As explained in the previous section, UNRWA has a unique definition of a Palestinian refugee, one which is contrary to the internationally-recognised definition. UNRWA also mythologises the so-called Palestinian 'right of return'. In doing so, instead of contributing to the solving of the refugee issue, UNRWA perpetuates it. However, the notion of a 'right of return' is not just detrimental to peace, but it is also flawed and highly partisan. Yet, billions of dollars are spent each year on an organisation that seeks to permanently maintain this so-called 'right'.

The notion of a Palestinian 'right of return' is based on a selective reading of UN General Assembly Resolution 194, specifically Paragraph 11, the part of the resolution which resolves that: "Refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practical date."⁵⁷

It is important to remember that General Assembly resolutions are not binding but rather serve as recommendations.⁵⁸ Indeed, Israeli historian Efraim Karsh calls Resolution 194 an "expression of sentiment" without any binding force.⁵⁹ After the 1967 and 1973 Wars respectively, Security Council Resolutions 242 and 338 were drafted and called for a "just settlement of the refugee problem". Security Council resolutions are binding; however, these resolutions do not call for Palestinian refugees to return to their homes in what is now Israel. Resolutions 242 and 338 do not specify Palestinian refugees either, but rather "the refugee problem", meaning that they may also be applicable to Jewish refugees from Arab countries.⁶⁰

Still, the quote in question from UN General Assembly Resolution 194 is often cited as amounting to the Palestinian 'right of return'. However, this takes the resolution outside of its proper legal, historical, and textual context, thus distorting its meaning. Of the 15 paragraphs featured in Resolution 194, only one (Paragraph 11) alludes to refugees.⁶¹

⁵⁵ Kushner, A., 'The UN's Palestinian Refugee Problem', *Azure* 22 (Autumn 2005), p. 68.

⁵⁶ Rubin, B., Asaf Romirowsky, and Jonathan Spyer, 'UNRWA: Refuge of rejectionism', *Global Research in International Affairs*, 8 May 2008; Skype Interview with Asaf Romirowsky, 22 August 2019.

⁵⁷ UN General Assembly Resolution 194 (III) 'Progress Report of the United Nations Mediator' *UNGA*, 11 December 1948, A/RES/194 (III).

⁵⁸ The same can be said of other UN General Assembly resolutions which pertain to the Palestinian refugee issue such as UN General Assembly Resolution 3236 of 1974 which reaffirms the "inalienable right of the Palestinians to return to their homes and property from which they have been displaced and uprooted, and calls for their return", see UN General Assembly Resolution 3236 (XXIX), 'Question of Palestine', *UNGA*, 22 November 1974, A/Res/3236 (XXIX).

⁵⁹ Karsh, E., 'The Palestinians and the "Right of Return"', *Commentary Magazine*, May 2001.

⁶⁰ UN Security Council Resolution 242 (1967), 22 November 1967, *UNSC*, S/Res/242 (1967); UN Security Council Resolution 338 (1973), 22 October 1973, *UNSC*, S/Res/338 (1973); Zilbershats, Y. and Nimra Goren-Amitai, 'Position Paper: Return of Palestinian Refugees to the State of Israel', *The Metzilah Center for Zionist, Jewish, Liberal and Humanist Thought* (2011), p. 58.

⁶¹ Karsh, E., 'The Palestinians and the "Right of Return"', *Commentary Magazine*, May 2001.

The US and the UK, the principal architects of the resolution, paid little attention to that particular paragraph during the drafting process.⁶² Instead, they spent most of the time debating the question of the status of Jerusalem and the economic development of the area, which also feature in the resolution. The majority of Resolution 194 is actually concerned with the creation of the Palestine Conciliation Commission (PCC) which was tasked with bringing about a peace treaty between Israel and her Arab neighbours by settling outstanding issues such as the future of the refugees and the status of Jerusalem. When the resolution was being drafted, *The New York Times* reported that the resolution gives the PCC a virtual “free hand” to work out a settlement between the parties.⁶³

In regard to the above quotation from Paragraph 11 pertaining to the Palestinian refugees, when read in a complete sentence, a different meaning is clearly discernible. The paragraph in full reads:

Refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or equity, should be made good by the Governments or authorities responsible.

First, the initial part of the sentence, which refers to refugees wishing to return and “live at peace with their neighbours”, is important. It is not a wholesale, unequivocal call for a Palestinian ‘right of return’, but rather one that emphasises conditions; namely only if the refugee “wishes” to do so and live in peace with his or her neighbour.⁶⁴ This begs the question: how can it be determined whether a refugee is benevolent or malevolent? Arguably, with anti-Israel incitement so rife within the PA and UNRWA schools (see Section 5), these bodies have excluded the Palestinians they serve from qualifying. However, since the passing of the resolution, subsequent Israeli governments have interpreted “to live at peace with their neighbours” to mean that only after a peace agreement could Palestinian refugees who wish to return do so.⁶⁵ This would fit in line with the other part of the sentence, which pertains to their return “at the earliest *practical* date [emphasis added]”. However, peace agreements were not forthcoming with Egypt until 1979 and with Jordan until 1994, and there was an incomplete peace process (but not a final peace agreement) with the Palestine Liberation Organisation based on the 1993 Declaration of Principles.

Second, Resolution 194 allows for alternatives instead of just a wholesale repatriation to pre-state Israel, namely compensation, and not necessarily by Israel but by “the Governments or authorities responsible”. This would insinuate that the belligerents of the conflict – including Jordan, Egypt, Syria, Lebanon, and Iraq, and, perhaps even the Palestinian leadership who rejected the UN partition plan of 1947 – be part of a compensation mechanism.

⁶² Waldman, S.A., *Anglo-American Diplomacy and the Palestinian Refugee Problem, 1948-51* (London: Palgrave Macmillan, 2015), pp. 57-58.

⁶³ *New York Times*, 4 December 1948.

⁶⁴ Lapidot, R., ‘Legal Aspects of the Palestinian Refugee Question’, *Jerusalem Center for Public Affairs*, Jerusalem Letter/Viewpoint No. 485, 1 September 2002.

⁶⁵ Karsh, E., ‘The Privileged Palestinian “Refugees”’, *The Begin-Sadat Center for Strategic Studies, Mideast Security and Policy Studies No. 149* (2018) p. 11.

Third, the following paragraph of the resolution, Paragraph 12, recommends that the PCC, the body which the resolution tasked with finding a solution to the Arab-Israeli conflict, should “facilitate the repatriation, resettlement and economic and social rehabilitation of the refugees and payment of compensation”. This is important because the very same resolution which Palestinians consider enshrines their ‘right of return’ also calls for a mechanism to work towards the refugees’ resettlement, rehabilitation, and compensation, indicating that the UN expected many of the refugees to be absorbed outside of Israel.⁶⁶ Israeli historian Benny Morris contends that at the time, it was understood by international powers that the majority of the refugees would not be repatriated.⁶⁷

Finally, Resolution 194 makes no mention of the descendants of Palestinian refugees and offers no definition that would indicate that their descendants should also be considered refugees. This means there is no basis for the inheritance of the so-called ‘right of return’. Later, in 1950, the UN General Assembly passed Resolution 393(V) which referred to the “reintegration” of Palestinian refugees, although “without prejudice” to Paragraph 11 of Resolution 194. Resolution 393(V) stated that:

The reintegration of the refugees into the economic life of the Near East, either by repatriation or resettlement, is essential in preparation for the time when international assistance is no longer available, and for the realization of conditions of peace and stability in the area.⁶⁸

This, in other words, reiterates that repatriation or ‘return’ was only one of many solutions considered by the international community. As American historian Alex Joffe has noted, ‘reintegration’ was understood in international circles as exclusively meaning resettlement.⁶⁹

Other arguments which assert the Palestinian ‘right of return’ often employ international documents and agreements such as the 1948 Universal Declaration of Human Rights (“Everyone has the right to leave any country, including his own, and to return to his country”), the 1949 Fourth Geneva Convention (the barring of “individual or mass forcible transfers, as well as deportations of protected persons”), the 1966 International Covenant on Civil and Political Rights (“No one shall be arbitrarily deprived of the right to enter his own country”).⁷⁰ However, these arguments also fall short. In regard to the 1966 International Covenant, Ruth Lapidoth, Professor Emeritus of International Law at the Hebrew University of Jerusalem, notes that the article only applies to individuals and not collective groups, and, regardless, is only applicable to nationals of the state in question. This means that the International Covenant does not apply to Palestinians served by UNRWA because they are not Israeli nationals.⁷¹ In regard to the 1948 Universal Declaration of Human Rights and the 1949 Geneva Convention, Andrew Kent, Professor

⁶⁶ Lapidoth, R., ‘Legal Aspects of the Palestinian Refugee Question’, *Jerusalem Center for Public Affairs*, Jerusalem Letter/Viewpoint No. 485, 1 September 2002.

⁶⁷ Morris, B., *The Birth of the Palestinian Refugee Problem Revisited*, (Cambridge: Cambridge University Press, 2004), p. 549.

⁶⁸ UN General Assembly Resolution 393 (V) ‘Assistance to Palestine Refugees’, 2 December 1950, *UNGA*, A/RES/393 (III).

⁶⁹ Joffe, A., ‘UNRWA Resists Resettlement’, *Middle East Quarterly* 19.4 (Fall 2012), p. 11-12.

⁷⁰ Article 13(2), The Universal Declaration of Human Rights, General Assembly Resolution 217A, 10 December 1948; Article 49, IV: Geneva Convention Relative to the Protection of Civilian Persons in the Time of War of 12 August 1949; Article 12 (4), International Covenant on Civil and Political Rights, General Assembly Resolution 2200A(XXI), 16 December 1966.

⁷¹ Lapidoth, R., ‘Legal Aspects of the Palestinian Refugee Question’, *Jerusalem Center for Public Affairs*, Jerusalem Letter/Viewpoint No. 485, 1 September 2002.

of Law at Fordham University, has countered that such conventions and declarations were drafted after the 1948 War when Palestinians had either left or were driven from their homes. Therefore, as with other war-time refugee populations whose flight took place before such pieces of international law were drafted, the Palestinian claim for the right of return has “no sustainable legal basis”.⁷²

Despite the so-called ‘right of return’ having little basis in international law, UNRWA incubates and perpetuates the damaging myth of return. Not only is this detrimental to peace in the region, but, as the following section will highlight, so is the violence and incitement to violence against Israel that is also all too present inside UNRWA’s schools.

⁷² Kent, A., ‘Evaluating the Palestinians’ Claimed Right of Return’, *University of Pennsylvania Journal of International Law* 34.2 (2012), pp. 234-5.

Chapter 5

TEACHING VIOLENCE AND EXTREMISM

One of the alarming aspects of UNRWA's activities is the anti-Israeli and anti-peaceful sentiments in the Palestinian textbooks it uses. Indeed, the continued incitement through the indoctrination of young children is a guarantee that the conflict will endure.⁷³ It is UNRWA's policy to follow the curriculum of the host government, including the PA.

The Institute for Monitoring Peace and Cultural Tolerance in School Education (IMPACT-se) is an Israeli based non-profit organisation which has been monitoring and analysing educational curricula in places of conflict for over two decades. According to IMPACT-se, Grades 1-4 (Years 2-6) of the PA's curriculum, which UNRWA uses in the West Bank and the Gaza Strip, "proved to be more radical" than previous curricula and in the new Palestinian textbooks there is "both a denial of Israel's existence and hatred of it as a neighbour".⁷⁴ Meanwhile, IMPACT-se did not assess the curriculum of Grades 5-11 (Years 6-12) to be much better (UNRWA teaches until Year 10 and sometimes Year 11). Particularly disturbing was the finding that the curriculum contained messages of a "radical Islamist" nature such as the promotion of the idea that a transnational Islamic State is the religious counterpart to the Pan-Arab homeland.⁷⁵

The 2019-20 IMPACT-se report found that "In the entire curriculum, there are a handful of examples of peace advocacy as a universal ideal" and that "the most prominent case of peace advocacy that appeared in the previous year's curriculum is now deleted".⁷⁶ Moreover, "The future return of Palestinians into Israel proper (beyond the 1949 demarcation line) is dramatically increased in these new textbooks". Indeed, in one example highlighted in the 2019 report, 14- and 15-year-olds are taught that the answer for Gaza's overcrowding is repatriation to Israel, as illustrated by a man holding a key, a symbol for the return of Palestinian refugees. 6- and 7-year-old children are taught the words for 'martyr' and 'attack' through a word game, and throughout the year group violent Jihad is glorified as the ideal aspiration. 10- and 11-year-old children are shown glorified images of terrorists such as Dalal al-Mughrabi, a graduate of an UNRWA school and one of the main perpetrators of the 1978 Coastal Road massacre which killed 38 Israelis, including 13 children, and herself. There are other examples of terrorists who are glamorised.⁷⁷

In IMPACT-se's 2018 findings, examples of disturbing texts include a Year 6 lesson plan about "the attempt of the Jews to kill the Prophet" and a discussion, also for Year 6, about "the role of the Palestinian woman in sacrificing and displaying steadfastness in front of the Jewish-Zionist Occupation". In Years 7 and 8, science textbooks refer to Palestinian injuries caused by the actions of Israelis, and images for Year 9 pertain to the 'right of return' in which Israel is not present on a map and is instead replaced by Palestine.⁷⁸ Meanwhile, although Jordanian textbooks fared considerably better, IMPACT-se noted that there is just minimal recognition of Israel and few mentions of Jordan's peace treaty with Israel.⁷⁹

⁷³ Skype Interview with Asaf Romirowsky, 22 August 2019.

⁷⁴ Pardo, E.J., 'The New Palestinian Curriculum: 2018-19 Update', *IMPACT-se* (September 2018), p. 2.

⁷⁵ *IMPACT-se*, September 2018, pp. 2-4; see also Pardo, E.J., Arik Agassi, and Marcus Sheff, 'Reform of Radicalization: PA 2017-18 Review', *IMPACT-se* (October 2017).

⁷⁶ 'The 2019-20 Palestinian School Curriculum, Grade 1-12: Selected Examples', *IMPACT-se* (September 2019), p. 3.

⁷⁷ *IMPACT-se* (September 2019), pp. 5-6, 8, 22, 25.

⁷⁸ *IMPACT-se* (September 2018), pp. 38-39, 41-44, 54.

⁷⁹ Pardo, E.J. and Maya Jacobi, 'Jordan's New Curriculum: The Challenge of Radicalism', *IMPACT-se* (August 2019).

In this context, it is no wonder that, in January 2019, British MPs including Dame Louise Ellman MP (Lab) moved to introduce a bill that would stop international development aid to PA schools that do not adhere to the values of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and for the foreign secretary to publish an annual report on the extent to which PA schools promote such values.⁸⁰ Dame Louise and the UK's Labour Friends of Israel were concerned that by paying the salaries of the PA Ministry of Education, British aid is directly helping to support the delivery of the curriculum.⁸¹ Indeed, the same can be said about UNRWA, which uses these textbooks. Despite DFID promising to publish a review into the content of Palestinian textbooks by September 2019, at the time of writing, the report has yet to be published. Nevertheless, £20 million of UK taxpayers' money remains earmarked for education within the PA.⁸²

When UNRWA is confronted with such examples in its school textbooks, spokespersons claim that it is not UNRWA which drafts the curriculum but rather Jordan, Lebanon, Syria, and the PA. However, cases of anti-Semitism or violence can be either edited or replaced by material taught in UN schools.

According to DFID, "UNWRA routinely reviews textbooks to ensure that teaching in its schools is in line with UN values, including neutrality, and provides supplementary materials to teachers where necessary".⁸³ UNRWA is also adamant that it reviews textbooks under its "curriculum framework" to ensure that what is taught meets UN values; that when instances of concern are found, UNRWA's own "enriched complementary materials" are used instead; and that it also provides training to teachers and education support staff on dealing with inappropriate materials.⁸⁴

UNRWA claims to review troubling material, and the agency has a mechanism in place which identifies such material and educates staff.⁸⁵ However, the execution of UNRWA's framework has been significantly lacking. For example, UNRWA's 2017 attempt to replace offending educational material, as identified by UNRWA officials, was met by stiff opposition by the PA, which responded by suspending ties with UNRWA in April 2017. The PA called the planned revisions "an affront to the Palestinian people, its history and struggles".⁸⁶ Instead of standing its ground, UNRWA backed down. According to the PA's ministry of education, the then UNRWA commissioner-general, Pierre Krahenbuhl, met the PA minister of education, Sabri Saidam, several days later and said that UNRWA was "completely committed to the Palestinian curricula, and that no change will be made", and that if there were to be any changes they would be done "in coordination between the [PA] ministry and UNRWA".⁸⁷

⁸⁰ HC Deb, 8 January 2019, *HANSARD*, Vol 644 cols 207-209.

⁸¹ Email interview with Louise Ellman MP (Lab), 7 October 2019.

⁸² Doherty, R., 'Review delayed into Palestinian textbooks amid British concern curriculum promotes anti-Israel violence', *The JC*, 17 September 2019.

⁸³ Written response to author's questions, Ian Ball, *Department for International Development*, October 2019.

⁸⁴ 'Textbooks used in UNRWA schools in the Occupied Palestinian Territory', *UNRWA*, 6 October 2017, available at: <https://www.unrwa.org/newsroom/official-statements/textbooks-used-unrwa-schools-occupied-palestinian-territory>, last visited: 29 January 2020; 'UNRWA framework for quality analysis and implementation of curriculum', *Education Department, UNRWA* (2018), available at: https://www.unrwa.org/sites/default/files/curriculum_factsheet.pdf, last visited: 29 January 2020.

⁸⁵ See, for example, 'UNRWA framework for the analysis and quality implementation of the curriculum', *Education Department, UNRWA* (2013), available at: http://www.unrwa.org/sites/default/files/unrwa_curriculum_framework_2013.pdf, last visited: 29 January 2020. (September 2018), pp. 38-39, 41-44, 54.

⁸⁶ Lieber, D., 'PA suspends ties with UNRWA over planned curriculum reform', *Times of Israel*, 13 April 2017, available at: <https://www.timesofisrael.com/pa-suspends-ties-with-unrwa-over-planned-curriculum-reform/>, last visited: 29 January 2020.

⁸⁷ 'UNRWA Commissioner-General emphasizes that "UNRWA is completely committed to the Palestinian curricula, and that no change will be made in these curricula"', *Palestinian Media Watch*, 17 April 2017, available at: <https://palwatch.org/page/12118>, last visited: 29 January 2020.

Indeed, having a framework in place does not mean that it will be executed in practice. Those concerned about the hateful content in the material taught at UNRWA schools should take note of the recently declassified report by the US Government Accountability Office (GAO) which serves as Congress's investigative arm. The 2018 report looked into whether the State Department was accurate when it told Congress that UNRWA had taken the necessary measures to deal with problematic content within the agency's school curriculum. The State Department noted that UNRWA had identified issues such as maps that did not show Israel and took steps such as providing alternative photos, education content, and training and guidance for teachers. However, the GAO report stated that in practice, for a variety of reasons, these steps were not actually taken by UNRWA, and that the State Department was wrong to assert that they had.⁸⁸

In the UK, the issue of incitement in Palestinian textbooks was debated in Parliament in 2018, prompting the UK to seek an independent joint international review.⁸⁹ In May 2019, EU foreign policy chief Federica Mogherini announced the launch of a joint study after the European Parliament passed legislation, in April 2018, to prevent the funding of hateful material. Later, in October 2018, the budgetary committee recommended freezing \$17 million in funding. Mogherini also acknowledged that the PA's curriculum is more radical than in previous years.⁹⁰ However, the problem is not limited to the official school curriculum.

In recent years, UN Watch has reported cases of UNRWA employees, many of whom work in schools or training facilities as teachers and assistants, whose posts on social media glorify violence and incite hatred. For example, in an October 2015 report, at least ten UNRWA employees are documented celebrating stabbings of Israelis, posting videos of extremists calling for the murder of Jews and for an 'intifada' or uprising against Israel.⁹¹ The incidents noted by UN Watch were not merely one-offs. The following month, UN Watch released another report highlighting additional incidents of extremism by another ten UNRWA employees, such as celebrations of knife attacks against Israelis and other cases of violence. In one incident, an employee, who had attended UNRWA's ethics e-learning course, called Jews "pigs and apes". This was despite UNRWA having earlier promised greater accountability.⁹²

In 2017, UN Watch documented an additional 41 UNRWA employees, including educational staff and teachers, praising violence and calling for the murder of Jews. Some examples include an UNRWA teacher who posted photographs of Adolf Hitler on Facebook,

⁸⁸ 'Report to Chairman, Subcommittee on Near East, South Asia, Central Asia, and Counterterrorism, Committee on Foreign Relations, U.S. Senate', *U.S. Department of State*, Case No. M-2018-06489, Doc No. C06632792, 15 November 2018, pp. 16-21, 30, available at: <https://zeldin.house.gov/sites/zeldin.house.gov/files/Declassified%20UNRWA%20Report.pdf>, last visited: 29 January 2020.

⁸⁹ HC Deb, 4 July 2018, *HANSARD*, Vol 644 cols 165-172wh.

⁹⁰ Bachner, M., 'EU to probe Palestinian textbooks for incitement to hatred, violence', *Times of Israel*, 15 May 2019, available at: <https://www.timesofisrael.com/eu-to-probe-palestinian-textbooks-for-incitement-to-hatred-violence/>, last visited: 29 January 2020; 'Parliamentary Questions: Answer given by Vice-President Mogherini on behalf of the European Commission', *European Parliament*, 24 April 2019, available at: http://www.europarl.europa.eu/doceo/document/E-8-2019-000906-ASW_EN.html, last visited: 29 January 2020.

⁹¹ 'Report on UNRWA Teachers and Other Officials Inciting Violence & Antisemitism', *UN Watch*, 16 October 2015, available at: <https://unwatch.org/report-un-officials-inciting-murder-of-jews-call-to-stab-zionist-dogs/>, last visited: 29 January 2020. It turned out that although there were several instances where the Facebook accounts were not real, the vast majority were from genuine active or former UNRWA staff whose posts were in violation of UNRWA rules and subject to disciplinary procedures: 'Daily Press Briefing by the Office of the Spokesperson for the Secretary General', *United Nations Meetings, Coverages and Press Releases*, 20 October 2015, available at: <https://www.un.org/press/en/2015/db151020.doc.htm>, last visited: 29 January 2020.

⁹² 'Climate Change for UNRWA: A Report on Ongoing Incitement Despite UNRWA's Promises of Accountability', *UN Watch*, 30 November 2015, available at: <https://unwatch.org/report-despite-unrwa-promises-teachers-again-inciting-to-violence-against-jewish-apes-and-pigs/>, last visited: 29 January 2020.

praising him as “our beloved”.⁹³ In another case a teacher shared images calling for the murder of Jews, and in another incident an assistant headteacher shared images that praised the kidnapping of Israeli soldiers.⁹⁴ UN Watch called these incidents a breach in UNRWA’s duty to act in accordance with “UN humanitarian principles of neutrality and impartiality”, a failure to implement social media training, and UNRWA’s inability to enact discipline among its staff.⁹⁵ No doubt as a result of these reports, UNRWA initiated “neutrality training” and issued a “Neutrality Framework” proscribing correct conduct for staff members.⁹⁶

However, UNRWA’s measures, although they looked good on paper, proved to be ineffective in practice; in September 2019, UN Watch released yet another report which detailed even more social media posts by an additional 14 UNRWA employees.⁹⁷ They included an UNRWA school principal sharing a photograph calling for the violent destruction of Israel and photographs taken inside of a school showing children wearing maps of Palestine where Israel is not present.⁹⁸ Elsewhere, an UNRWA employee shared anti-Semitic conspiracy theories, and there were cases of staff members glorifying terrorists.⁹⁹

The quantity and gratuitous nature of these examples highlighted by UN Watch show the ineffectiveness of UNRWA’s measures to prevent extremism by its own personnel, which appears to be endemic and highlights the urgent need for steps to be taken to expunge extremism within UNRWA’s curriculum and educational staff.

⁹³ ‘Poisoning Palestinian Children’, UN Watch, presented by *UN Watch* before the United States Congress, House Foreign Affairs Committee, 2 February 2017, pp. 6-12.

⁹⁴ *ibid*, pp. 16-17, 21-23.

⁹⁵ *ibid*, pp. 2-4.

⁹⁶ ‘UNRWA and neutrality’, *UNRWA*, 1 December 2018, available at: <https://www.unrwa.org/resources/about-unrwa/unrwa-and-neutrality>, last visited: 29 January 2020.

⁹⁷ ‘UNRWA Staff Incitement and Anti-Semitism: Follow-up Report to UNRWA Donor States Ahead of Mandate Renewal’, *UN Watch*, presented at the United Nations, Geneva, Switzerland, 25 September 2019; one individual who posted was a repeat offender and defined himself as an assistant head teacher at an UNRWA school.

⁹⁸ *ibid*, pp. 1-4.

⁹⁹ *ibid*, pp. 5-7, 8-11, 12-14.

Chapter 6

A RECRUITING GROUND FOR TERROR

UNRWA has managed to gain a reputation for being a beacon of stability in the Middle East. Following the 2019 allegations of misconduct and mismanagement, the UK still maintains the position that “UNRWA is a vital humanitarian and stabilising force in the region”.¹⁰⁰

However, UNRWA is far from being a source of stability. Not only does UNRWA perpetuate the Palestinian refugee problem, but under UNRWA’s jurisdiction there have been cases of violence, extremism, and incitement. As Dutch journalist Linda Polman writes, within UNRWA’s refugee camps “the recruitment of fresh blood” for the “freedom struggle” against Israel is “effortless”.¹⁰¹ Examining UNRWA’s failures to reach acceptable international standards over the years would be a multi-volume endeavour, so instead just a few examples over recent decades are used to illustrate the point.

In 2004, UNRWA Commissioner-General Peter Hansen was asked by the Canadian Broadcasting Corporation whether UNRWA employs Hamas members in its schools. His response was, “Oh, I am sure that there are Hamas members on the UNRWA payroll”. He then added, “I don’t see that as a crime”.¹⁰²

However, UNRWA is adamant that steps are taken in its recruitment process to prevent extremists working for the organisation. Space is provided in job application forms to list prior convictions, references are checked, neutrality training is offered, and staff make regular pledges not to engage in political activity. According to UNRWA’s staff regulations, an individual under UNRWA’s employ should “avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status, or on the integrity, independence and impartiality which are required by that status” and should “not engage in any political activity which is inconsistent with or might reflect upon the independence and impartiality required by their status”.¹⁰³ UNRWA also claims to regularly run names through the UN Security Council’s 1267 Sanctions Committee list.

However, in practice, UNRWA’s vetting policies are lacking. The Security Council 1267 list is limited, doing little more than ensuring staff are not members of al-Qaeda. UNRWA performs only partial checks on its staff, especially in schools in Gaza and the West Bank (in Jordan and Syria, staff are required to undergo government security clearance).¹⁰⁴ Although UNRWA requires applicants to list spent convictions, charges, and arrests, these are not checked with the comprehensive records of Israel or the PA. UNRWA does not screen names of its employees against Israeli or US lists of members of Hamas, Hezbollah

¹⁰⁰ Written response to author’s questions, Ian Ball, *Department for International Development*, October 2019.

¹⁰¹ Polman, L., *The Crisis Caravan: What’s Wrong with Humanitarian Aid?* (New York: Picador, 2010), p. 108.

¹⁰² Levitt, M., ‘PolicyWatch 475: Terror on the UN Payroll’, *The Washington Institute for Near East Policy*, 13 October 2004, available at: <https://www.washingtoninstitute.org/policy-analysis/view/terror-on-the-un-payroll>, last visited: 29 January 2020.

¹⁰³ Quoted in Lindsay, J.G. ‘Fixing UNRWA: Repairing the UN’s Troubled System of Aid to Palestinian Refugees’, *The Washington Institute for Near East Policy*, Policy Focus #91, January 2009 (hereafter ‘Fixing UNRWA’), pp. 29-30; ‘UNRWA and Neutrality’, *UNRWA Communications Division*, Jerusalem, March 2011; for UNRWA’s staff rules and regulations, see ‘Area Staff Regulations’, *UNRWA*, cod.a/59/rev.25 (January 2018), available at: https://www.unrwa.org/sites/default/files/area_staff_regulations_effective_01jan2018.pdf, last visited: 29 January 2020, and ‘Area Staff Rules’, *UNRWA*, cod.a/59/rev.25 (January 2018), available at: https://www.unrwa.org/sites/default/files/area_staff_rules_effective_01jan2018.pdf, last visited: 29 January 2020.

¹⁰⁴ Lindsay, J.G., ‘Fixing UNRWA’, p 38.

and other groups (and, in fact, resists doing so).¹⁰⁵ UNRWA does not make such checks for outside contractors either.¹⁰⁶

No wonder the link between UNRWA and Hamas is strong, especially within the Gaza Strip, from where the Palestinian terrorist group emerged in 1988 and took control in 2007. In 2012, UNRWA employees elected members of a pro-Hamas bloc to their union (Hamas and other groups are not allowed to field members, so use a front) which won 25 of the Gaza UNRWA union's 27 seats.¹⁰⁷ Later in 2017, UNRWA was forced to fire the elected head of the Gaza UNRWA union, Suhail al-Hindi, after it emerged that he had just been appointed to a senior role within Hamas.¹⁰⁸ He should actually have been dismissed long before, as he was on record praising suicide bombers and glorifying violence.¹⁰⁹ Most recently, after the 2019 elections, Hamas as well as other terrorist groups such as the Popular Front for the Liberation of Palestine (PFLP) and Palestinians Islamic Jihad (PIJ) saw their preferred candidates win 22 out of 27 union seats.¹¹⁰

It is important to recognise that Hamas (or PIJ and PFLP) union organisations are not unions in the traditional sense, but actually vehicles to recruit new members. For example, the pro-Hamas union bloc has a group of representatives which is guided by a counsellor picked by Hamas and works to win sympathy from students. Often this takes place through extracurricular activities (football matches, table tennis, painting, and Koran recitation competitions), if not involving UNRWA schools then taking place on its premises, so that they may join Hamas after graduation.¹¹¹

The numbers speak for themselves. In 2002, the director of UNRWA in Jordan admitted that the majority of Palestinian suicide bombers were graduates of UNRWA schools.¹¹² In 2005 it was estimated that 46 UNRWA school graduates have gone on to become suicide bombers.¹¹³ Some of UNRWA's school alumni include the likes of Hamas founders, leaders, and militant masterminds such as Sheikh Yassin, Abd al-Aziz Rantisi, Salah Mustafa Sheheda, Ismail Haniyeh, and Ibrahim Maqadama.¹¹⁴ In 2008, after Awad al-Qiq, a science teacher and headmaster of an UNRWA school, was assassinated it was revealed

¹⁰⁵ Romirowsky, A., 'UNRWA: The Crux of the Arab-Israeli Conflict', *Justice* 55 (Winter 2014-2015), p. 12; Zanotti, J., 'U.S. Foreign Aid to the Palestinians', *Congressional Research Services* (December 2018), available at: <https://fas.org/sgp/crs/mideast/RS22967.pdf>, last visited: 29 January 2020.

¹⁰⁶ Lindsay, J.G., 'Fixing UNRWA', p. 31; Ben-Ari, R., 'UNRWA: Blurring the Lines Between Humanitarianism and Politics', *Jerusalem Center for Public Affairs*, 1 April 2014.

¹⁰⁷ 'Pro-Hamas bloc wins control of UNRWA union in Gaza', *Times of Israel*, 18 September 2012, available at: <https://www.timesofisrael.com/pro-hamas-bloc-wins-control-of-unrwa-in-gaza/>, last visited: 29 January 2020.

¹⁰⁸ 'UNRWA's Gaza union head, accused of Hamas ties, no longer employed by agency', *Times of Israel*, 23 April 2017, available at: <https://www.timesofisrael.com/un-agency-no-longer-employing-gaza-staffer-accused-of-hamas-ties/>, last visited: 29 January 2020.

¹⁰⁹ Gold, D., *Tower of Babel: How the United Nations has Fuelled Global Chaos* (New York: Three Rivers Press, 2005), p. 216; Kushner, A., 'UNRWA Association with Hamas: An Overview', *The Center for Near East Policy Research*, 1 July 2011, p. 4.

¹¹⁰ Rudee, E., 'Hamas' support for UNRWA highlights Agency's inherent flaws', *Israel Hayom*, 16 June 2019, available at: <https://www.israelhayom.com/2019/06/16/hamas-support-of-unrwa-highlights-agencys-inherent-flaws/>, last visited: 29 January 2020; 'Exposed: Hamas has a sleeper cell inside UNRWA', *The Jewish Press*, 24 June 2019, available at: <https://www.jewishpress.com/news/global/un/exposed-hamas-has-a-sleeper-cell-inside-unrwa/2019/06/24/>, last visited: 29 January 2020.

¹¹¹ Kushner, A., 'UNRWA Association with Hamas: An Overview', *The Center for Near East Policy Research*, 1 July 2011, p. 5-6.

¹¹² *ibid* p. 217-8.

¹¹³ Gold, D., *Tower of Babel: How the United Nations has Fuelled Global Chaos* (New York: Three Rivers Press, 2005), p. 217.

¹¹⁴ *ibid*, p. 215-18; Rubin, B., Asaf Romirowsky, and Jonathan Spyer, 'UNRWA: Refuge of rejectionism', *Global Research in International Affairs*, 8 May 2008.

that he was a leading rocket maker for PIJ.¹¹⁵ Indeed, one of the founders of PIJ was Mahmud Khawaja, who was an UNRWA worker.¹¹⁶

UNRWA schools have failed to be a haven from violence. During the height of the 2014 conflict between Israel and Hamas in Gaza, Operation Protective Edge, rockets were found either inside or very close to UNRWA-run schools on at least three occasions.¹¹⁷ Although later denied by UNRWA, it was reported that the rockets stored in one of the schools were returned to Hamas (in UNRWA's parlance, 'local authorities').¹¹⁸

More recently, 30 March 2018 marked the beginning of the so-called 'Great March of Return', a series of regular protests in Gaza towards the Israeli border to demand that Palestinian 'refugees' be allowed to return to their homes in what is now Israel. The violent protests led to the deaths of at least 183 Palestinians, while thousands were wounded. The protests were endorsed, even organised, by a range of different groups, especially Hamas, which instigated, planned, and directed most of the violence.¹¹⁹

UNRWA failed to unequivocally condemn the violent protests and prevent recipients of UNRWA services from being involved, thus failing to create a safe place away from the violence. Instead, UNRWA wrote a report claiming that Israel's response put a strain on UNRWA's services for those involved in the violence.¹²⁰ In this report, teachers and school councillors lament how UNRWA students, many of whom were directly involved in the protests, were hurt by Israeli forces protecting the border, but offer no detail about what UNRWA staff actually did to prevent children from UNRWA schools participating in the violent protests in the first place.¹²¹

Instead of being a safe haven from terrorism and extremism, UNRWA schools are fertile grounds for terrorist organisations to recruit young Palestinians. This is the opposite of the expectations of UNRWA's international donors and highlights how UNRWA is not a source of stability and coexistence in the Middle East.

¹¹⁵ Entous, A., 'Haza headmaster was Islamic Jihad "rocket-maker"', *Reuters*, 5 May 2008, available at: <https://www.reuters.com/article/idINIndia-33413620080505>, last visited: 29 January 2020.

¹¹⁶ Gold, D., *Tower of Babel: How the United Nations has Fuelled Global Chaos* (New York: Three Rivers Press, 2005), pp. 216-7.

¹¹⁷ Ben Zion, I., 'Rockets Found in UNRWA School, for third time', *Times of Israel*, 30 July 2014, available at: <https://www.timesofisrael.com/rockets-found-in-unrwa-school-for-third-time/>, last visited: 29 January 2020.

¹¹⁸ Chandler, A., 'The UN Might Have Given Hamas Those 20 Rockets Stashed in Their School', *The Atlantic*, 21 July 2014, available at: <https://www.theatlantic.com/international/archive/2014/07/the-un-might-have-given-hamas-those-20-rockets-stashed-their-school/374793/>, last visited: 29 January 2020.

¹¹⁹ See for example, Shrivastava, M., 'Hamas steers Gaza protests away from activists' peaceful vision', *Financial Times*, 6 April 2018; Gross, J.A., 'IDF: Hamas cynically sent 7-year-old girl to breach Gaza border', *Times of Israel*, 30 March 2018; Gross, J.A., 'Hamas official: 50 of the 62 Gazans killed in border violence were our members', *Times of Israel*, 16 May 2018.

¹²⁰ 'Gaza's "great march of return" one year on: Impact on Palestine refugees and UNRWA services', *United Nations Relief and Works Agency for Palestine Refugees in the Near East* (2019), available at: https://www.unrwa.org/sites/default/files/content/resources/gaza_gmr_one_year_on_report_eng_final.pdf, last visited: 29 January 2020.

¹²¹ *ibid.*

Chapter 7

BLOATED, MISMANAGED, AND UNACCOUNTABLE

UNRWA was established by the UN General Assembly under Article 22 of the UN Charter, which gives the UN the right to establish subsidiary bodies.¹²² This makes UNRWA different from the majority of other UN bodies in that the financing of UNRWA is voluntary – unlike, say, the UNHCR, whose salaries are taken out of the UN budget.¹²³ In almost every annual report, UNRWA has claimed a lack of funds. Yet, its need to raise funds has made it self-serving.¹²⁴ It has over 30,000 employees; most work in the field but are governed by international staff based in Geneva, New York, Brussels, and Cairo. In 2018, staff salaries and associate expenses came to US\$673,816,000, close to 60% of UNRWA's budget.¹²⁵ There is also a lack of financial oversight. Although UNRWA publishes annual reports including a breakdown of its expenditure, in reality such lists are impenetrable for those looking for specific details of how exactly the money is spent.¹²⁶

UNRWA is audited by the UN Board of Auditors (UNBOA). Despite being a UN organ, UNBOA is considered to be an example of an external audit. However, a truly external and independent audit is lacking. In 2006, US Congressmen Mark Kirk (R-ILL) and Steven Rothman (D-N.J.) sought an outside independent audit of UNRWA. However, UNRWA refused on the grounds that the UNBOA serves as an independent auditor and UN rule prohibit UNRWA from allowing a private firm to audit its accounts.¹²⁷ Later attempts over the last decade to introduce Congressional bills to demand outside auditing were also ultimately unsuccessful.¹²⁸ However, a fully independent external audit is needed in light of the current scandal involving Pierre Krahenbuhl, who resigned as UNRWA's commissioner-general in November 2019.

Despite the lack of a truly external audit, the latest available report by the UN's Office of Internal Oversight Services (OIOS) into UNRWA, released in 2017, was scathing. It stated, unequivocally, that UNRWA's performance represented "broader organizational shortcomings" and recommended the need for UNRWA to "strengthen its accountability framework".¹²⁹ The report went on to conclude that "evidence of how UNRWA has improved the lives of Palestine refugees has been elusive" and that UNRWA was unsuccessful in making human development a shared vision to unite the agency. The report noted that "many of these gaps were addressed in the 2010 evaluation by the Inspection and Evaluation Division of OIOS, but remain outstanding".¹³⁰

¹²² See UN Charter, Chapter IV, Article 22, available at: <https://www.un.org/en/sections/un-charter/un-charter-full-text/>, last visited: 29 January 2020.

¹²³ Dale, W., 'UNRWA: A Subsidiary Organ of the United Nations', *The International and Comparative Law Quarterly* 23.3 (July 1974), p. 579, 588.

¹²⁴ Gottheil, F., 'UNRWA and moral hazard', *Middle Eastern Studies* 42.3, May 2006, p. 409.

¹²⁵ See, United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Financial Reports and Audited Statements for the year ended 31 December 2018 and Report of the Board of Auditors, General Assembly Official Records, Seventy-Fourth Session, Supplement No. 5D, pp. 139-40.

¹²⁶ Skype Interview with Asaf Romirowsky.

¹²⁷ Lindsay, J.G. 'Fixing UNRWA', p.45.

¹²⁸ Rosen, S.J., 'Why Has the U.S. Congress Done so Little about UNRWA?', *Justice* Winter 2014-15, Appendix: Congressional Resolutions on UNRWA, pp. 31-33.

¹²⁹ 'Evaluation of the Office of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, Report of the Office of Internal Oversight Services', E/AC.51/2017/3, 12 January 2017, p. 2.

¹³⁰ *ibid*, p. 32.

The reference to the 2010 evaluation is noteworthy. This report stated that “the overall quality of UNRWA’s service delivery has eroded over time, ultimately posing potential risks to security and stability”.¹³¹ The 2010 report added that the roles of the international headquarters and field offices were unclear, with lack of clarity in their respective roles and responsibilities.¹³² Just as importantly, the report found that UNRWA’s oversight arrangement was deficient because it was limited in scope, underfunded, and lacked a strong function for inspections, and there was a lack of independence in its oversight mechanisms. It also asserted that there were risks associated with “management abuse of staff” and “misappropriation, graft and corruption in procurement, partner selection, food and cash distribution, hiring and promotions, and other areas”.¹³³

In recent years, some of the other issues flagged by audit reports include the workings of the Microfinance Department, a smaller UNRWA unit which grants finance for businesses and individuals and has awarded 475,905 loans to the tune of US\$531.41 million since its establishment in 1991 to present.¹³⁴ In 2019, the UNBOA noted there is a lack of framework or guidelines for risk management and there is a need to “establish formal, written procedures and policies to be applied consistently across the Department, supported by training for staff members currently handling the risk management functions”.¹³⁵ Indeed, despite some accounting and anecdotal accounts from individuals and businesses who have received loans, there is little evidence that points to the successes of businesses based on loans and the extent of their profitability or investment worthiness. Instead, it would appear that UNRWA determines success by how many loans it grants.¹³⁶ What makes matters more cloudy is that UNRWA also makes loans available to non-refugees.¹³⁷

By providing services such as microfinance, healthcare, and education, UNRWA takes on the role of a national-governing authority and this overlaps, even overshadows, the role of the PA in the case of the West Bank and Gaza Strip.¹³⁸ Arguably it is the PA which is supposed to be a state in the making, but it is UNRWA which runs state-like welfare services. In other words, UNRWA undermines the prospect of a Palestinian statehood and the two-state solution.

An additional problem of UNRWA is the conduct of its management. Often UNRWA’s own international leadership behave in a manner that is either extreme or lacking in judgement. For example, since Hamas won the 2006 Palestinian legislative election and forcibly took control of the Gaza Strip the following year, the Quartet’s policy is not to engage with Hamas until it recognises Israel, renounces violence, and agrees to abide by past agreements. However, UNRWA called for the West to engage with the terror

¹³¹ ‘Report of the Office of Internal Oversight Services on the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) Report of the Office of Internal Oversight Services: Inspections and Evaluations Division’, 19 March 2010, Assignment No. IED-09-008, p. 3.

¹³² *ibid*, p. 20.

¹³³ *ibid*, pp. 21-24.

¹³⁴ ‘What We Do: Microfinance’, *UNRWA*, available at: <https://www.unrwa.org/what-we-do/microfinance>, last visited: 29 January 2020.

¹³⁵ ‘Financial Reports and Audited Statements for the year ended 31 December 2018 and Report of the Board of Auditors, General Assembly Official Records, Seventy-Fourth Session, Supplement No. 5D’, *UNRWA*, 1 September 2019, pp. 36-37.

¹³⁶ For example see, ‘2015 Annual Report’, *UNRWA Department of Microfinance*, available at: https://www.unrwa.org/sites/default/files/content/resources/microfinance_department_annual_report_2015.pdf, last visited: 29 January 2020.

¹³⁷ ‘What We Do: Microfinance’, *UNRWA*, Undated, available at: <https://www.unrwa.org/what-we-do/microfinance>, last visited: 29 January 2020.

¹³⁸ Nachmias, N., ‘UNRWA at 60: Are there Better Alternatives?’ *MEF Policy Forum*, 12 October 2009, available at: <https://www.meforum.org/2481/unrwa-at-60-better-alternatives>, last visited: 29 January 2020.

organisation and treat Hamas and Fatah equally. In other words, UNRWA's view was contrary to that of not only its main donors but also the UN, the organisation to which UNRWA is supposed to be accountable. Moreover, at times, the position of UNRWA is similar to that of Hamas. For example, in 2008, during Operation Cast Lead, UNRWA's then commissioner-general, Abu Zayd, said that rocket attacks into Israel were in response to Israeli incursions rather than the other way around – practically the reiteration of the message disseminated by Hamas.¹³⁹

In 2013, Ann Dismorr, the director of UNRWA in Lebanon, not only stayed silent after receiving a map in a public ceremony in which Israel was absent and replaced with “Arab Palestine,” but she also posed for photographs with the map at centre stage.¹⁴⁰ In 2013, UNRWA appointed Mohammad Assaf, winner of the second season of the popular song contest Arab Idol, as its regional youth ambassador. However, far from being a clean-cut singer from a Gaza UNRWA refugee camp and UNRWA school, Assaf was revealed to have sung live performances of violent songs calling for armed uprisings and glorifying violence.¹⁴¹

Finally, in July 2019, a number of media platforms reported on a leaked UNRWA internal report.¹⁴² It emerged that the report was part of an ongoing investigation of serious cases of nepotism, mismanagement, unethical behaviour and discrimination. They included serious allegations against Krahenbuhl as well as other senior officials who have since left the organisation. The report, which notes that the allegations are “credible and corroborated” stated that senior members of UNRWA were engaging in “nepotism, retaliation, discrimination and other abuses of authority, for personal gain, to suppress legitimate dissent, and to otherwise achieve their personal objectives”.¹⁴³ Although denied by both, some of the allegations include that Krahenbuhl put a colleague with whom he was romantically involved through an “extreme fast track” process and then appointed the same colleague as his senior adviser. This allowed her to join him on worldwide business class flights.¹⁴⁴ Krahenbuhl was also alleged to have created a fund-raising unit outside of normal mechanisms. For what purpose this fund-raising unit was to serve remains unclear, but it raises questions about the integrity of UNRWA's upper management. Meanwhile one of Krahenbuhl's deputies is said to have found a high-paying job for her husband during the 2018 financial crisis. That same senior official, who has denied the allegations but since left the organisation citing “personal reasons”, also stood accused of bullying and favouritism.¹⁴⁵ Despite denying any wrongdoing, Krahenbuhl resigned on 6 November 2019.¹⁴⁶ Yet, these most recent cases of impropriety highlight the depth of UNRWA's mismanagement and need for greater accountability.

¹³⁹ Lindsay, J.G. 'Fixing UNRWA', pp. 22-24.

¹⁴⁰ 'Israel files complaint against UNRWA Lebanon director', *Times of Israel*, 15 May 2013, available at: <https://www.timesofisrael.com/israel-files-complaint-against-unrwa-lebanon-director/>, last visited: 29 January 2020.

¹⁴¹ 'Report on UNRWA Teachers and Other Officials Inciting Violence & Antisemitism', *UN Watch*, 16 October 2015, available at: <https://unwatch.org/report-un-officials-inciting-murder-of-jews-call-to-stab-zionist-dogs/>, last visited: 29 January 2020.

¹⁴² Williams, I., 'Ethics report accuses UNRWA leadership of abuse of power', *Al-Jazeera*, 29 July 2019, available at: <https://www.aljazeera.com/news/2019/07/ethics-report-accuses-unrwa-leadership-abuse-power-190726114701787.html>, last visited: 29 January 2020.

¹⁴³ *ibid.*

¹⁴⁴ *ibid.*; Kershner, I., 'U.N. Agency for Palestinian Refugees Faces Accusations of Misconduct', *New York Times*, 30 July 2019.

¹⁴⁵ *ibid.*; 'Report alleges ethical abuses at UN agency for Palestinians', *France 24*, 29 July 2019, available at: <https://www.france24.com/en/20190729-report-alleges-ethical-abuses-un-agency-palestinians-0>, last visited: 29 January 2020.

¹⁴⁶ Beaumont, P., 'Head of UN Palestinian refugee agency resigns amid misconduct inquiry', *The Guardian*, 6 November 2019.

Chapter 8

CONCLUSION AND RECOMMENDATIONS

Despite stepping down as commissioner-general in November 2019, the allegations of impropriety levelled against Pierre Krahenbuhl and UNRWA management were of such a serious nature that Belgium, Switzerland, and the Netherlands suspended their funding of UNRWA.¹⁴⁷ The level of the alleged corruption was of such a proportion that US research analyst David May of the Foundation for the Defence of Democracy argued that UNRWA was simply too corrupt to save.¹⁴⁸

In light of the recent scandal and the severe shortcomings highlighted in this paper, UNRWA's problems are so fundamental that the status quo is untenable. As this study has highlighted, UNRWA is not a beacon for stability in the region. Nor is it an organisation of exemplary standards of accountability and oversight. In reality, UNRWA is bloated and mismanaged. Just as importantly, it harbours elements of extremism and violence. UNRWA is also expensive to maintain and support. UNRWA perpetuates the unrealisable 'right of return' for Palestinian refugees and their descendants to what is now Israel. To promote and incubate such an idea runs counter to the two-state formulation for peace, the official policy of UNRWA's Western donors. Indeed, by continuing to fund UNRWA, the international community perpetuates the problem.

Based on these conclusions, this report offers policy makers the following recommendations and options:

- **Reforming and restructuring UNRWA's work should be the dedicated task of the UK and other leading international donors.**

The UK and other international donors should demand significant change within UNRWA. This would include an overhaul of the managerial structure and strict mechanisms of accountability and discipline in cases of misconduct and inappropriate behaviour among senior staff.

The UK and other international donors must also urgently demand and make future funding directly contingent on steps being taken to ensure that there is zero tolerance within the agency for extremism and anti-Semitism among UNRWA's educational staff, and on the establishment of an enforcement mechanism, with external oversight, to ensure that no extremist material is taught in UNRWA schools. Before UNRWA staff are hired, their names should be run through the lists of Israel and the PA to ensure that there are no prior offences or arrests and that they are not members of terrorist groups. If instances of incitement and extremism within UNRWA continue, the UK should not hesitate to freeze its funding and look for alternative programmes to sponsor.

- **Donor countries should facilitate a discussion about how UNRWA defines a refugee.**

The UK and other leading donors should initiate a discussion about the utility of UNRWA's definition of a 'Palestine refugee'. As has been explained in the preceding

¹⁴⁷ Patel, Y., 'Belgium joins group of European countries in suspending funds to UNRWA pending ethics investigation', *Mondoweiss*, 5 August 2019, available at: <https://mondoweiss.net/2019/08/countries-suspending-investigation/>, last visited: 29 January 2020.

¹⁴⁸ May, D. 'UN agency for Palestinians is too corrupt to save', *The Hill*, 19 August 2019, available at: <https://thehill.com/opinion/international/457965-un-agency-for-palestinians-is-too-corrupt-to-save>, last visited: 29 January 2020.

pages, UNRWA's definition of a refugee is self-serving, inappropriate, and incorrect. Its definition includes the grandchildren and even great grandchildren of the original 1948 refugees. This is contrary to any other refugee problem in history and internationally accepted definitions.

By mis-defining a refugee and contributing to the perpetuation of the so-called Palestinian 'right of return' to their pre-1948 homes, UNRWA is harmful to any peaceful attempts at a resolution between Israelis and Palestinians. The definition also makes UNRWA untenable because it means that the number of 'refugees' UNRWA serves will continue to increase, necessitating the continued funding by international donors, including UK taxpayers, of individuals who are not refugees by any true meaning of the term.

- **Donors should consider transferring some of UNRWA's services, such as microfinance and shelter, to host governments.**

An additional policy option for the UK and other international donors is to consider transferring some of UNRWA's non-core services, especially in the fields of shelter and microfinance, to host governments. While education and healthcare constitute the lion's share of UNRWA's work, another service it supplies is shelter through the form of refugee camps. However, it is important to note that only one third of 'refugees' actually live in one of the 58 recognised camps. It is also worth noting that UNRWA is the renter of the land where the camps are located, not the owner. In the past, this has led to resentment by landlords for their presence in parts of cities in which the market price could be profitable.¹⁴⁹ By its own admission, UNRWA does not administer or police the camps.¹⁵⁰ One might add that despite UNRWA's work towards camp improvements and the building of infrastructure, UNRWA's presence is a hindrance to the betterment of camp conditions. Often the camps are not on official maps and do not receive municipal services.¹⁵¹ By transferring UNRWA's work in the camps to the relevant department of the host government, the refugees would be, quite frankly, better served.

In matters pertaining to UNRWA's other much smaller functions such as microfinance, relief, and financial support to 'refugees' in poverty, such functions might be best served by the government, whether that be a dedicated Jordanian ministry or a department within the PA. In many respects, such financial functions resemble that of a state and if, for example, the PA were to take over such responsibilities, it would resemble more a state than the status quo.

- **If UNRWA proves incapable of reform, its services should be transferred to Jordan and the PA.**

If UNRWA is unable to reform in a meaningful way, a serious policy option for the UK and other leading donors is the transfer of all of UNRWA's services to relevant governments and agencies. This would encompass shelter and microfinance, as explained above, and also education and healthcare.

¹⁴⁹ Rueff, H. and Alain Viaro, 'Palestinian Refugee Camps: From Shelter to Habitat', *Refugee Survey Quarterly*, 28.2 & 28.3 (2009), pp. 346, 351-8.

¹⁵⁰ 'Palestine Refugees', *UNRWA*, available at: <https://www.unrwa.org/palestine-refugees>, last visited: 29 January 2020.

¹⁵¹ Rueff, H. and Alain Viaro, "Palestinian Refugee Camps: From Shelter to Habitat", *Refugee Survey Quarterly*, 28.2 & 28.3 (2009), pp. 346, 351-8.

UNRWA schools follow the curriculum of their host governments. In Jordan, Lebanon, and Syria, they adopt the Jordanian, Lebanese, and Syrian curricula. In the West Bank and the Gaza Strip, UNRWA schools use the curricula of the PA in a similar vein to non-refugee schools. In other words, what is taught at UNRWA schools is no different to that of any other school in the area. There is also little discernible difference in the quality of the education. Meanwhile, the students are from the area and the teachers are from the local community, as are most of the staff.¹⁵² There is therefore no reason that the schools under UNRWA's purview cannot be transferred to the host government, providing any extra financial costs are covered.

The same can also be said about healthcare services. Similar to UNRWA's educational services, the healthcare services provided are of the same quality as those run by the host governments and are also run by members of the local Palestinian community. There is no reason to suppose that authority for UNRWA's clinics cannot be handed over to the governments or local authorities with minimum difficulties and without disruption to the services being provided.

In transferring the work of UNRWA to host governments, the best place to start is Jordan and then the West Bank. The vast majority of Jordan's 2 million Palestinian 'refugees' already possess citizenship.¹⁵³ Although transferring UNRWA's services to Jordan might elicit initial objections by the Jordanian authorities concerned about the possibility of domestic unrest from the 'refugees' and the demographic balance of the country, this could be offset by security support and reassurances coupled with a financial package. A figure to the tune of US\$500 million per year over the course of ten years would suffice.¹⁵⁴ This is actually financially beneficial for the international community because not only will the 'refugees' be better served, but the operating budget of UNRWA is US\$1.2 billion and rising. US\$500 million is therefore not an increase of any real significance, and in the long-term would work out cheaper. Also, Jordan will be strengthened as a state with the removal of a shadow government within its territory.

UNRWA's work in the West Bank should be transferred to the PA in much the same way. If anything, by taking over the functions of UNRWA, the state-building project of the PA will be strengthened, especially in matters pertaining to social welfare, healthcare, and education. This would put Palestinians in greater control of their own fate and government and centralise the government in matters normally under the purview of a state, not to mention creating greater economic independence. The PA would also have to account for extremism in its textbooks to international donors.

However, UNRWA's services should continue in the Gaza Strip. This would mitigate Israeli security concerns that Hamas would fill the vacuum left by UNRWA. Still, UNRWA's work must be guided by a more stringent accountability framework, a truly independent outside audit, and stronger vetting mechanisms to ensure that members of terrorist groups are not on the UNRWA payroll. As soon as the time is ripe, UNRWA's presence in the Gaza Strip should be handed over to the PA.

¹⁵² Nachmias, N., 'UNRWA at 60: Are there Better Alternatives?' *MEF Policy Forum*, 12 October 2009.

¹⁵³ Skype Interview with Dave Harden, former US Aid official and Manage Director of Georgetown Strategy Group, 30 August 2019.

¹⁵⁴ *ibid.*

- **The crisis in Syria offers invested international parties an opportunity to reform or transfer UNRWA's work while demanding Palestinian rights.**

Although at first glance the ongoing conflict in Syria may appear to make the possibility of reforming or transferring UNRWA's functions in that country problematic, this may not necessarily be the case. As the civil war in Syria is looking to come to its conclusion, the next three years will be the time when the international community discusses the political future of the country, not least the tens of millions of refugees and internally displaced persons. Now is therefore an opportune moment to try to transfer or reform the nature of UNRWA's functions, especially as the future of Syria remains a blank slate. There is no reason why the future of the 'Palestine refugees' of Syria should not be discussed in the context of Syria's political future, with the aim of properly integrating them into Syrian society.¹⁵⁵ After all, they have been present in Syrian society for over 70 years and have been just as much affected by the devastating war as any other Syrian.

In Lebanon, the status quo for 'Palestine refugees' in Lebanon remains unacceptable. In order for Palestinians in Lebanon to prosper, they need to be guaranteed rights as citizens. As has been noted, the actual number of 'Palestine refugees' in Lebanon is believed to be significantly lower than previously published. With financial and political inducements, Lebanon's 175,000 Palestinians should be able to be incorporated into the Lebanese state without major shifts in the country's delicate confessional framework, or at least be given greater rights. If anything, doing so would be a boon for the international community as it might weaken, albeit just slightly, the dominance of Hezbollah in the country.¹⁵⁶ It is also a humanitarian imperative, as it is unacceptable that Palestinians who have lived in Lebanon for over 70 years are treated as second-class residents without employment, property, and other rights associated with citizenship.

Alternatively, in Syria and Lebanon, UNRWA's duties could be transferred to the UNHCR, which is already working in both countries, has an excellent track record in resettling refugees and protecting their rights, and has considerable experience in working with war zones and under difficult circumstances. Regardless, the status quo is untenable. However, the crisis in Syria offers an opportunity for change which should not be missed.

¹⁵⁵ Skype Interview with Asaf Romirowsky, 22 August 2009.

¹⁵⁶ *ibid.*

Title:
"UNRWA'S FUTURE RECONSIDERED"
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