

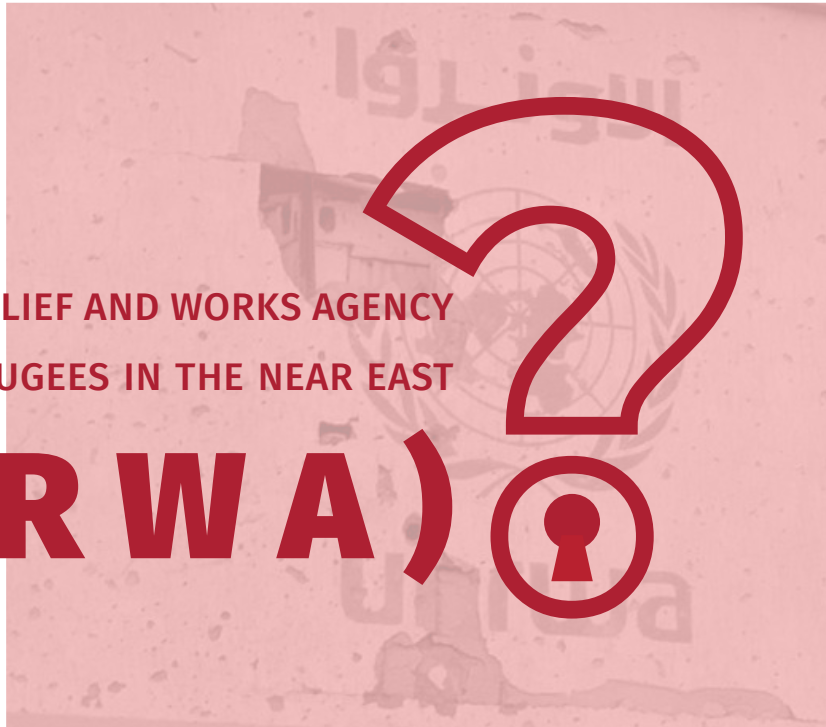


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UNITED NATIONS RELIEF AND WORKS AGENCY
FOR PALESTINE REFUGEES IN THE NEAR EAST

(UNRWA) 





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While the following Q&A largely focuses on recent attacks against the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), it is important to highlight both the context in which the attacks have occurred and Israel's underlying motivation. Much of the discussion surrounding UNRWA focusses on its humanitarian work and crucial role as a direct service provider to the 5.9 million registered Palestinian refugees under its protection mandate.¹ Yet the Agency represents much more than its mandate. Since its creation in 1949, following the beginning of the Nakba in 1948, UNRWA is a testament to Palestine refugees' inalienable right to self-determination and their collective right of return. This message, and the future it envisions, flies in the face of Israel's genocidal, settler-colonial ambitions. Israel not only intends to destroy all means of survival for Palestinians as a group, it also seeks to erase any legal or international recognition of the refugee status of Palestinian families forcibly displaced during the creation of Israel and in the course of its illegal expansion. To achieve these goals, it is not enough to kill, injure and subject Palestinians to subhuman unliveable conditions. It must destroy UNRWA too.

1 UNRWA, 'What we do' <<https://www.unrwa.org/what-we-do>>.

As a legally recognised Occupying Power,² Israel has the duty to ensure the adequate provision of food and medical supplies, as well as other supplies essential to the survival of the civilian population of the occupied territory and objects necessary for religious worship.³ It must also allow access to humanitarian protective organisations, such as the International Committee of the Red Cross (ICRC) or UNRWA.⁴ However, the fact that humanitarian organizations are delivering relief in no way relieves Israel of any of its own responsibilities as Occupying Power to ensure that the population is properly supplied.⁵ Notwithstanding its binding legal obligation to ensure the wellbeing of the occupied population, Israel has systematically deprived Gaza and areas of the West Bank of the supplies and services necessary for the population's mental and physical health.⁶ In the past year, the total and unrelenting blockade of Gaza has been accompanied by the destruction of all critical infrastructure and a genocidal campaign unmatched by any modern conflict. Aside from failing to ensure the adequate provision of essential goods, Israel has prevented humanitarian organisations from entering the Gaza Strip, and has targeted aid workers already present in the territory. Israel has intensified its war on UNRWA, targeting its staff, operations, premises, and ability to carry out its work in both Israel and the Occupied Palestinian Territory (OPT). These legal and physical attacks, the vast majority of which have taken place in Gaza and only serve to accelerate the destruction of Palestinian life therein, have coincided with a smear campaign against the Agency which resulted in the withdrawal of funding and international support at a time when it is needed most.

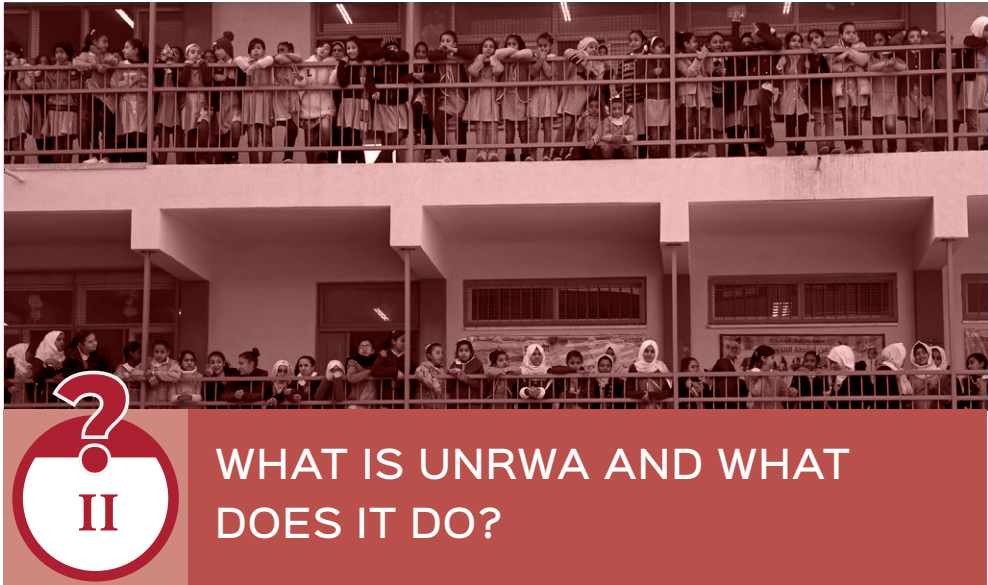
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- 2 See ICJ, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, 19 July 2024 <<https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf>>; ICJ, *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, 9 July 2004 <<https://www.icj-cij.org/sites/default/files/case-related/131/131-20040709-ADV-01-00-EN.pdf>>.
 - 3 Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War 1949, Arts. 55, 58; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts 1977, Art. 69.
 - 4 Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War 1949, Arts. 59-62; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts 1977, Arts. 30, 55, and 143.
 - 5 Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War 1949, Arts. 59-62; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts 1977, Art. 69-71.
 - 6 UN News, *Global Perspective Human Stories, Israel has 'concerted policy to destroy Gaza healthcare system': Independent UN report* (30 October 2024), <<https://news.un.org/en/audio/2024/10/1156281#>>; Al-Haq, *Room 376, Ibn Sina Hospital, Jenin: A Multilayered Crime in a West Bank Hospital* (3 February 2024), <<https://www.alhaq.org/advocacy/22567.html>>; Medecins Sans Frontieres, *West Bank: Access to medical care at risk as Israeli incursions gain in intensity* (5 September 2024), <<https://www.doctorswithoutborders.ca/west-bank-access-to-medical-care-at-risk-as-israeli-incursions-gain-in-intensity/>>.

Not only does this form part of the genocidal act of creating conditions of life calculated to destroy the protected population, it also serves to erase recognition of Palestine refugees in the region.

Finally, it is worth noting that this is not the first time that Israel has made unfounded allegations against an organisation designed to promote the human rights and self-determination of the Palestinian people. On 19 October 2021, Israel announced the designation of six leading Palestinian civil society organizations (CSOs) as “terror organizations” under Israel’s domestic Anti-Terrorism Law (2016),⁷ effectively outlawing the organizations and placing them at risk of imminent reprisals.⁸ For decades, these organizations have been at the forefront of Palestinian civil society efforts to promote accountability and bring to an end Israel’s unlawful settler colonial apartheid regime, which has fragmented, dispossessed and subjugated Palestinians on both sides of the Green Line to maintain Israeli-Jewish domination.

7 These were: Addameer Prisoner Support and Human Rights Association (Addameer), Al-Haq Law in the Service of Man (Al-Haq), Bisan Center for Research and Development, Defence for Children International-Palestine (DCI-P), the Union of Agricultural Work Committees (UAWC), and the Union of Palestinian Women’s Committees (UPWC).

8 Al-Haq, *Dangerous Designations, Israel’s Authoritarian Dismantling of Palestinian Civil Society, an Attack on Human Rights and the Rule of Law* (30 October 2021) <https://www.alhaq.org/cached_uploads/download/2021/10/31/dangerous-designations-new-cover-1635679908.pdf>.



UNRWA, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, is a United Nations (UN) agency established by UN General Assembly Resolution 302 (IV) of 8 December 1949.

It is mandated to “carry out . . . direct relief and works programmes” for Palestine refugees, and currently supports a population of some six million registered Palestine refugees in Jordan, Lebanon, Syria, West Bank, including East Jerusalem and the Gaza Strip.⁹ As a result of the mass expulsion of Palestinians during the establishment of the State of Israel in 1948,¹⁰ and their continued mass displacement since Israel’s illegal occupation of Palestinian territory in 1967,¹¹ the Agency’s mandate has evolved over the years to extend to the provision of emergency services to persons in its area of operations who are currently displaced and in serious need of continued assistance.

9 UNRWA, *Factsheet* <https://www.un.org/unispal/wp-content/uploads/2022/10/UNRWAFACSHHEET_150922.pdf>.

10 See Al-Haq et al, *Israeli Apartheid; Tool of Zionist Settler Colonialism* (2022) <https://www.alhaq.org/cached_uploads/download/2022/12/22/israeli-apartheid-web-final-1-page-view-1671712165.pdf>.

11 See Al-Haq, *ICJ Advisory Opinion on the Legal Consequences Arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem* (Position Paper, 2023) <https://www.alhaq.org/cached_uploads/download/2023/07/29/icj-advisory-opinion-1690635145.pdf>.



Functioning like a quasi-state, it provides direct services which encompass primary and vocational education, physical and mental health care, relief and social services, infrastructure and camp improvement, microfinance, and emergency response, including in situations of active armed conflict.¹² The range of services and facilities provided are not confined to the OPT and are available to registered Palestinian refugees throughout Syria, Jordan, and Lebanon.¹³ Palestine refugees residing in these three countries have equal access to UNRWA's Social Safety Net and Microfinance loans, and there are more than 543,000 students enrolled in Agency schools.¹⁴ In fact, over half of the Palestinians supported by UNRWA reside in 34 Palestine refugee camps outside the OPT and across the region where they operate.

12 UNRWA, 'What we do' <<https://www.unrwa.org/what-we-do>>.

13 UNRWA, 'Where we work' <<https://www.unrwa.org/where-we-work>>.

14 UNRWA, 'What we do' <<https://www.unrwa.org/what-we-do>>.



WHY IS UNRWA IMPORTANT IN THE OPT?

Gaza's socioeconomic situation has been in steady decline for nearly two decades due to the unlawful closure of the land, air and sea imposed by Israel since 2007 and the long history of oppressive laws, policies and practices which make up Israel's apartheid regime.¹⁵ In the West Bank including East Jerusalem, around a quarter of the nearly one million Palestinian refugees there live in refugee camps where UNRWA provides crucial services.

The UN General Assembly has repeatedly affirmed the necessity of the Agency's work and reiterated the "essential" and "vital" role it plays. There are over 870,000 registered refugees living in the West Bank, including East Jerusalem, which has the largest number of recognised Palestine refugee camps in the five UNRWA fields of operation.¹⁶ UNRWA provides services in all 19 of the camps, administering 96 schools, 43 primary health facilities, and 19 women centres.¹⁷

15 See Al-Haq et al, *Israeli Apartheid; Tool of Zionist Settler Colonialism* (2022) <https://www.alhaq.org/cached_uploads/download/2022/12/22/israeli-apartheid-web-final-1-page-view-1671712165.pdf>; UNRWA, 'Where we work' <<https://www.unrwa.org/where-we-work/gaza-strip>>.

16 UNRWA, 'Where we work' <<https://www.unrwa.org/where-we-work/west-bank>>.

17 *Ibid.*

More than two million people in Gaza depend on the aid UNRWA provides.¹⁸ Since 7 October 2023, over one million people, amounting to nearly half of the population, have been sheltering in UNRWA schools, clinics, tents, and other public buildings. Against the backdrop of Israel’s genocidal war and calculated humanitarian catastrophe imposed on Gaza,¹⁹ UNRWA works tirelessly — under heavy bombardment — to provide food, basic care, and even vaccinations to the Palestinian population.²⁰

With Israel either directly targeting or outright blocking the operations of nearly all humanitarian organisations, UNRWA is one of only a handful of agencies with sufficient staff and infrastructure to continue attempting to deliver and administer aid on the ground. Thus, it’s role in the survival of the Palestinian people in Gaza has never been more prominent. As stated by UN Secretary General, António Guterres, UNRWA is “the backbone of all humanitarian response in Gaza”.²¹ It truly provides a lifeline to a society facing genocide.

18 United Nations Regional Information Centre for Western Europe (UNRIC), ‘Gaza: why we must continue to support UNRWA’ (31 January 2024) <<https://unric.org/en/gaza-why-we-must-continue-to-support-unrwa/#:~:text=UNRWA%2C%20created%20in%201949%2C%20provides,Jordan%2C%20where%20Palestinian%20refugees%20live>>.

19 See UN Special Rapporteur on the situation of human in the Palestinian territory occupied since 1967, Francesca Albanese, *Anatomy of a Genocide Report of the Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967*, A/HRC/55/73, 25 March 2024 <<https://www.ohchr.org/sites/default/files/documents/hrbodies/hrcouncil/sessions-regular/session55/advance-versions/a-hrc-55-73-auv.pdf>>.

20 UNRIC, ‘Gaza: why we must continue to support UNRWA’ (31 January 2024) <<https://unric.org/en/gaza-why-we-must-continue-to-support-unrwa/#:~:text=UNRWA%2C%20created%20in%201949%2C%20provides,Jordan%2C%20where%20Palestinian%20refugees%20live>>.

21 United Nations, Meetings Coverage and Press Releases, ‘Calling Relief and Works Agency for Palestine Refugees ‘Backbone’ of Humanitarian Response in Gaza, Secretary-General Urges Member States to Continue Funding’ (31 January 2024) <<https://press.un.org/en/2024/gapal1460.doc.htm>>.



HAS ISRAEL MADE PREVIOUS ATTEMPTS TO DESTROY UNRWA?

The Israeli leadership have long been attempting to destroy UNRWA. As previously reported by Al-Haq, Israeli Prime Minister Benjamin Netanyahu already called for the dismantling of UNRWA in 2018.²² The same demands had also been made just a year prior.²³ But attacks on UNRWA go back even further. For example, during Israel's 2009 military assault on the people of Gaza, the world watched as UNRWA's field office compound sustained a number of direct hits from white phosphorus shells launched by the Israeli Occupation Forces (IOF), which set a workshop and two large warehouses filled with food and medical supplies ablaze.²⁴ During Israel's 2014 military assault on Gaza, Israeli forces attacked an UNRWA school where 3,300 people were sheltering, killing multiple civilians.²⁵

22 See Al-Haq, 'PHROC Calls on Remaining Third States to immediately and Urgently Fund UNRWA to Prevent Famine and the Genocidal Destruction of the Palestinian People' (9 April 2024) <<https://www.alhaq.org/advocacy/22890.html>>.

23 'Israeli PM calls for dismantling of UN Palestinian refugee agency' Reuters (11 June 2017) <<https://www.reuters.com/article/idUSKBN1920KQ/>>.

24 UNRWA, 'Attacks against the UN must be investigated' (25 January 2009) <<https://www.unrwa.org/newsroom/official-statements/attacks-against-un-gaza-must-be-investigated>>.

25 UNRWA, 'UNRWA strongly condemns Israeli shelling of its school in Gaza as a serious violation of international law' (30 July 2014) <<https://www.unrwa.org/newsroom/official-statements/unrwa-strongly-condemns-israeli-shelling-its-school-gaza-serious>>.

By the time Israel made its unfounded allegations in January, immediately after the International Court of Justice (ICJ) found it to be plausibly committing genocide,²⁶ 141 UNRWA installations had already been damaged and 152 UNRWA staff had been killed.²⁷

To consistently attack (both physically and figuratively) and question the credibility of an organisation that is solely responsible for the survival of a large proportion of Palestinians in the OPT reveals a larger, far more insidious objective — to strip Palestinians of all means, or chances, of survival in their homeland. Creating conditions calculated to bring about the destruction of a group in whole or in part is an act of genocide. This broader context to Israel's settler-colonial and genocidal regime is crucial to understanding the motives behind its most recent attacks.

26 *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, Order on the Request for the Indication of Provisional Measures (dated 26 January 2024) <<https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>>.

27 UNRWA, 'UNRWA Situation Report #69 on the Situation in the Gaza Strip and the West Bank, including East Jerusalem' (25 January 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-69-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>.



WHAT CLAIMS DID ISRAEL MAKE AGAINST UNRWA?

The most serious attack against the Agency came in January 2024. In a six-page dossier shared with the US and Reuters news agency, Israel claims that 12 UNRWA staff members were involved in the 7 October attacks. The dossier also alleges that UNRWA employed 190 Hamas (Al Qassam Brigades) and Islamic Jihad combatants.²⁸

Despite being one of most scrutinised UN agencies, the dossier attack on UNRWA was unprecedented in terms of both its ferocity, scope, and impact. The attack, however, is a continuation of a long-standing campaign by Israel to dismantle UNRWA. Attacks on UNRWA must be seen as a wider attack on the global refugee regime and the broader international humanitarian system. Under international law, the right to leave and subsequently return to one's country is an inherent element of the freedom of movement.²⁹ Palestinians forcibly displaced by the Nakba of 1948, the Naksa of 1967, and by Israel's settler-colonial, apartheid

28 'What is UNRWA and why are some countries suspending its funding?' *Reuters* (31 January 2024) <<https://www.reuters.com/world/what-is-unrwa-un-palestinian-refugee-agency-2024-01-29/>>.

29 Universal Declaration of Human Rights (1948), Article 13(2); ICRC, Customary International Humanitarian Law - Rule 132: Return of Displaced Persons, <<https://ihl-databases.icrc.org/en/customary-ihl/v1/rule132>>; See also UN: The Question of Palestine, 'The Right of Return of the Palestinian People' <<https://www.un.org/unispal/document/auto-insert-210170/#:~:text=A%20major%20advance%20by%20the,in%20the%20freedom%20of%20movement.>>>.

regime, have an inherent right of return. The ongoing denial of this right could even constitute a crime against humanity under the Rome Statute of the International Criminal Court.³⁰ This right of return was recently affirmed by the International Court of Justice, which held that Israel is obliged to allow ‘all Palestinians displaced during the occupation to return to their original place of residence.’³¹ Given the question posed to the Court was temporally limited to the occupation since 1967, the focus of this finding in no way limits the right of return of Palestinians made refugees prior to 1967.

By enshrining their rightful status as refugees, and the resulting rights and responsibilities this imparts, UNRWA is considered a threat to the Zionist project’s aim to eradicate all Palestinian presence in, and to expand control over, the OPT. Hence, the claims made against UNRWA were purely motivated by the intention to collectively punish Palestinians, strip them of their refugee status and, by consequence, the lifesaving assistance they receive.³² In this regard, it is important to note that UNRWA and the United Nations High Commissioner for Refugees (UNHCR) have very distinct functions. UNRWA is a direct service provider, operating as a quasi-state body. Unlike the UNHCR, it does not have a mandate to resettle Palestine refugees and has no authority to seek lasting durable solutions for refugees.³³ While a cessation of UNRWA’s ability to assist and protect Palestinian refugees would trigger the responsibility of the UNHCR, with these agencies having complementary mandates, the staff and budgets of the two agencies differ substantially.³⁴ The UNHCR, tasked with temporary protection and assistance would not be able to support the human development of Palestine

30 M Kearney, ‘The Denial of the Right of Return as a Rome Statute Crime’ 18 *Journal of International Criminal Justice* 4 (2020) 985–999; J Quigley ‘Prohibition of Palestine Arab Return to Israel as a Crime Against Humanity’ 34 *Criminal Law Forum* (2023) 1–41.

31 ICJ, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, 19 July 2024 <<https://www.icj-cij.org/sites/default/files/case-related/186/186-20240719-adv-01-00-en.pdf>> para 270.

32 UNRWA, ‘UN Press Conference – Update on UNRWA and the situation in the Middle East’ (25 April 2024) <<https://www.unrwa.org/newsroom/videos/un-press-conference-update-unrwa-and-situation-middle-east>>.

33 UN, The Question of Palestine, ‘UNRWA: Claims versus Facts – Press Release’ (February 2024) <<https://www.un.org/unispal/document/unrwa-claims-versus-facts-press-release-26feb2024/>>.

34 UNRWA, ‘Frequently Asked Questions’ <<https://www.unrwa.org/who-we-are/frequently-asked-questions>>; UNRWA, ‘Exploding the myths: UNRWA, UNHCR and the Palestine refugees’ (27 June 2011) <<https://www.unrwa.org/newsroom/features/exploding-myths-unrwa-unhcr-and-palestine-refugees>>; The Cairo Review, ‘UNRWA After October 7: Building a Comprehensive Response Framework for Palestinian Refugees’ (Spring 2024) <<https://www.thecairoreview.com/essays/unrwa-after-october-7-building-a-comprehensive-response-framework-for-palestinian-refugees/>>.

refugees, both in UNRWA's areas of operation and beyond.³⁵

Mindful of this framework, attacks against UNRWA are a precursor to eliminating the rights of Palestinian refugees, whose rights to return, property restitution, and reparations have been denied by Israel since 1948.³⁶ Moreover, Israel's attacks on UNRWA highlight the greater aim of erasing Palestinians from the region entirely by targeting their main means of existence.

35 See UNRWA, 'Frequently Asked Questions' <<https://www.unrwa.org/who-we-are/frequently-asked-questions>>; UNRWA, 'Exploding the myths: UNRWA, UNHCR and the Palestine refugees' (27 June 2011) <<https://www.unrwa.org/newsroom/features/exploding-myths-unrwa-unhcr-and-palestine-refugees>>.

36 See BADIL, 'Israel's Campaign to Defund and Dismantle UNRWA Continues Beyond the Gaza Strip into Jerusalem' (14 February 2024) <<https://www.badil.org/press-releases/14560.html>>.



DID UNRWA OR THE UN RESPOND DIRECTLY TO ISRAEL'S CLAIMS?

In a February 2024 press release, the UNRWA directly responded to Israel's "misinformation and disinformation" campaign which intensified since 7 October. Based on objective, ascertainable facts, data and firsthand information, the press release outlined UNRWA's position on some of the most frequent claims and allegations made against the Agency.³⁷

UNRWA responded that:

- Contrary to claims that 10 percent of all UNRWA staff in Gaza have links to Hamas or the Palestinian Islamic Jihad, the Agency screens its staff on a biannual basis and no evidence has been presented by Israeli authorities or any other Member State — which may receive the names, employee numbers and functions of staff members upon request — prior to January 2024.³⁸
- Stating that the "institution as a whole is a haven for radical ideology", thereby implying that all 30,000 staff are acting in contravention of the Agency's regulatory framework is a seriously damaging claim that also has no factual basis. For example, allegations that a Telegram group of

37 UN, The Question of Palestine, 'UNRWA: Claims versus Facts – Press Release' (February 2024) <<https://www.un.org/unispal/document/unrwa-claims-versus-facts-press-release-26feb2024/>>

38 *Ibid.*

3,000 UNRWA teachers allegedly supported violence, including in the 7 October attacks against Israel, is impossible to verify due to the nature of Telegram. Since 2022 there have been just 66 investigations into a range of alleged neutrality breaches, including alleged support for Hamas and other groups. Aside from not all claims being substantiated, this amounts to just 0.22 percent of all UNRWA staff. With less than a single percent of staff facing allegations, there is absolutely no basis for a blanket description of “the institution as a whole” as being “totally infiltrated.”³⁹ Furthermore, some level of engagement between Hamas (the *de facto* authorities in Gaza since 2007) and UNRWA is necessary to facilitate delivery of services and humanitarian assistance but takes place purely at an operational level to coordinate the delivery of aid and services.

- UNRWA was not aware of and had received no specific allegations of aid from the Agency being diverted by Hamas by February 2024. In fact, UNRWA’s distribution of aid is implemented through a robust system of oversight and checks. Regarding claims of UNRWA facilities being used by Hamas for weapons storage and the existence of tunnels underneath its buildings:

Every time [UNRWA] has discovered that the neutrality of its facilities has been compromised by third parties, including being used by armed groups in Gaza to cache munitions, it has protested to *de facto* authorities in Gaza, condemning the fact that these weapon components had been stored at a UN facility, in breach of their inviolability under UN Privileges and Immunities. UNRWA also immediately informs the Palestinian Authority and Israel as well as its main donors. Moreover, in its annual reports to the UN General Assembly, the UNRWA Commissioner-General has also consistently reported and described any such instances. These reports are shared with all Member States of the United Nations.⁴⁰

The same actors are informed if tunnels are discovered, which are then always sealed by injecting cement, and a public statement is released. Quarterly assessments by specially trained staff of all UNRWA’s almost 1,000 facilities across its five fields of operation (Lebanon, Jordan, Syria, the West Bank, and Gaza) are also conducted to ensure its facilities are not utilised for any purpose other than

³⁹ *Ibid.*

⁴⁰ *Ibid.*

the provision of UNRWA services.

- Claims that UNRWA schools in the OPT use textbooks that “glorify terrorists” and “promote hatred of Israel” are also untrue, as the Agency reviews all the textbooks used in its schools to identify sections that may not be in line with UN values and UNESCO standards for teaching.⁴¹ UNRWA has zero tolerance for hate speech and incitement to discrimination, or violence. Independent analysts and international education experts have even vouched for the quality and content of the education that UNRWA provides in its schools.

41 UN: The Question of Palestine, ‘UNRWA: Claims versus Facts – Press Release’, February 2024 <<https://www.un.org/unispal/document/unrwa-claims-versus-facts-press-release-26feb2024/>>.



In February 2024, UN Secretary-General Antonio Guterres, in consultation with UNRWA's Commissioner-General, appointed an Independent Review Group to identify and assess the mechanisms and procedures that the Agency currently has in place to ensure neutrality and to respond to Israeli allegations of breaches thereof. The Independent Review Group was led by Catherine Colonna, former Minister of Foreign Affairs of France, who worked with the renowned research organizations: The Raoul Wallenberg Institute of Human Rights and Humanitarian Law (Sweden); the Chr. Michelsen Institute (Norway); and the Danish Institute for Human Rights.

The report, released on 20 April 2024, found:

- Israel has yet to provide any evidence to support its accusations.
- Beneficiaries, contractors, vendors, non-State donors, or any other individual or organisation affiliated with UNRWA are screened annually using UN and the World Bank sanctions lists — no matches have been documented to date, meaning no one has been implicated in unlawful activity.
- UNRWA has several mechanisms and procedures in place to ensure compliance with humanitarian principles, in particular regarding neutrality,

due to the diligence required when operating in such a complex situation of recurring conflicts, violence, and poor socioeconomic conditions.

- These mechanisms are more developed than the approach of other similar UN agencies or NGOs.⁴²

As regards the UN Office of Oversight Services (OIOS) investigation launched earlier this year, the OIOS was “unable to independently authenticate information” relied upon by Israel to support the allegations.⁴³ However, based on the evidence available — reliability and credibility issues notwithstanding — investigators made findings in relation to 19 UNRWA staff alleged to have been involved in the attack. As UN Deputy Spokesperson Farhan Haq told journalists in New York:

In one case, no evidence was obtained by OIOS to support the allegations of the staff member’s involvement, while in nine other cases, the evidence obtained by OIOS was insufficient to support the staff members’ involvement.⁴⁴

The Spokesperson further emphasised that “that since information used by Israeli officials to support the allegations have remained in Israeli custody, OIOS was not able to independently authenticate most of the information provided to it”.⁴⁵

With respect to the remaining nine cases, the evidence obtained by the OIOS — if authenticated and corroborated — *could* indicate that the UNRWA staff members may have been involved in the 7 October attacks.⁴⁶ Still, the probative value of the evidence upon which this finding is based has not been assessed. Nonetheless, UNRWA Commissioner-General Philippe Lazzarini, has terminated the contracts of all nine staff members in the interests of quashing any future unfounded allegations against the Agency.⁴⁷

42 *Final Report for the United Nations Secretary-General: Independent Review of Mechanisms and Procedures to Ensure Adherence by UNRWA to the Humanitarian Principle of Neutrality* (20 April 2024) <https://www.un.org/sites/un2.un.org/files/2024/04/unrwa_independent_review_on_neutrality.pdf>.

43 UN News, Global Perspective Human Stories, ‘Nine UNRWA staff to be fired for potential role in 7 October attacks on Israel’ (5 August 2024) <<https://news.un.org/en/story/2024/08/1152841>>.

44 UN, Meetings Coverage and Press Releases, ‘Daily Press Briefing by the Office of the Spokesperson for the Secretary-General’ (5 August 2024) <<https://press.un.org/en/2024/db240805.doc.htm>>.

45 *Ibid.*

46 UNRWA, ‘Investigation completed: allegations on UNRWA staff participation in the 7 October attacks’ (5 August 2024) <<https://www.unrwa.org/newsroom/official-statements/investigation-completed-allegations-unrwa-staff-participation-7-october>>.

47 *Ibid.*



HOW HAVE STATES RESPONDED?

In the days and weeks following Israel's unsubstantiated claims, 16 UN Member States suspended or paused funding,⁴⁸ including the United States (US), the United Kingdom (UK), Germany, Italy, the Netherlands, and Switzerland.⁴⁹ This amounted to approximately 450 million dollars in lost donations. Arab governments, on the other hand, such as the United Arab Emirates, Qatar, Kuwait, and Saudi Arabia, remained steadfast in their support for UNRWA. Qatar and Iraq each pledged donations of 25 million dollars to the Agency in a show of solidarity.⁵⁰ The government of Japan resumed funding mid-April, donating 35 million dollars on the basis of UNRWA's "indispensable role in Gaza".⁵¹ A number of European countries also signalled their continued support, with Ireland, Spain, and Norway

48 See *Final Report for the United Nations Secretary-General: Independent Review of Mechanisms and Procedures to Ensure Adherence by UNRWA to the Humanitarian Principle of Neutrality*, 20 April 2024 <https://www.un.org/sites/un2.un.org/files/2024/04/unrwa_independent_review_on_neutrality.pdf>.

49 'What is UNRWA and why are some countries suspending its funding?' Reuters (31 January 2024) <<https://www.reuters.com/world/what-is-unrwa-un-palestinian-refugee-agency-2024-01-29/>>

50 'Iraq pledges \$25m to UNRWA' *Middle East Eye* (6 March 2024) <<https://www.middleeasteye.net/live-blog/live-blog-update/iraq-pledges-25m-unrwa>>.

51 UNRWA, 'Japan resumes funding to UNRWA with contribution of US\$ 35 million in support of Palestine refugees' (18 April 2024) <<https://www.unrwa.org/newsroom/news-releases/japan-resumes-funding-unrwa-contribution-us-35-million-support-palestine-refugees>>.

promising donations of 20 million euro and 26 million dollars,⁵² respectively, to ensure UNRWA can continue its crucial, life-saving work. Belgium has also signed a new multi-year funding agreement with UNRWA, totalling 27.5 million euro over the next three years. Critically, the entire amount is fully flexible meaning UNRWA can choose to address the most critical needs across its programme budget.⁵³

Since the Colonna report, 15 countries have resumed funding. The US, formerly UNRWA's biggest donor, has suspended all donations to the Agency until March 2025. Hence, the situation remains financially precarious.⁵⁴

52 Irish Aid, 'Ireland commits additional €20 million to UNRWA' (15 February 2024) <[https://www.ireland.ie/en/irish-aid/news-and-publications/latest-news/news-archive/ireland-commits-additional-20-million-to-unrwa/#:~:text=Ireland%20has%20pledged%20a%20further,now%20in%20its%20fourth%20month.](https://www.ireland.ie/en/irish-aid/news-and-publications/latest-news/news-archive/ireland-commits-additional-20-million-to-unrwa/#:~:text=Ireland%20has%20pledged%20a%20further,now%20in%20its%20fourth%20month.;)>; 'Spain pledges extra 20 mln euros in aid to UNRWA' *Reuters* (7 March 2024) <<https://www.reuters.com/world/europe/spain-pledges-extra-20-mln-euros-aid-unrwa-2024-03-07/>>; 'UNRWA donors likely to resume funding soon, Norway says' *Reuters* (6 March 2024) <<https://www.reuters.com/world/unrwa-donors-likely-resume-funding-soon-norway-says-2024-03-06/>>.

53 UNRWA, 'Belgium signs new EUR 27.5m agreement with UNRWA' (19 April 2024) <<https://www.unrwa.org/newsroom/news-releases/belgium-signs-new-eur-275m-agreement-unrwa>>.

54 UNRWA, 'Press Conference UNRWA Commissioner-General Philippe Lazzarini' (27 May 2024) <<https://www.unrwa.org/newsroom/official-statements/press-conference-transcript-delivered-unrwa-commissioner-general>>.



HAS ISRAEL CONTINUED ITS ATTACK ON UNRWA?

Apart from agitating for the international defunding of UNRWA, Israel has attempted to cripple UNRWA through military attacks on UNRWA's premises, through forcing the evacuation of UNRWA's buildings, along with passing legislation domestically to close UNRWA, remove its immunities designating it as a terrorist organisation.

1. Physical attacks on the Agency

On 9 May 2024, not even three weeks after the release of the Colonna report, Israeli settlers set fire to the perimeter of the UNRWA headquarters in occupied East Jerusalem. This took place while UNRWA and other UN staff were on the compound. Due to the delay in the arrival of emergency services — a tactic often employed by Israeli officials — staff were put at even greater risk as they were forced to extinguish the fire themselves. This dangerous situation was compounded by a crowd of Israelis, accompanied by armed men, which gathered outside the compound chanting “burn down the United Nations”.⁵⁵ The protest became violent when demonstrators threw stones at UN staff, who have been

⁵⁵ UNRWA, ‘This evening, Israeli residents set fire twice to the perimeter of the UNRWA headquarters in occupied East Jerusalem’ (9 May 2024) <<https://www.unrwa.org/newsroom/official-statements/evening-israeli-residents-set-fire-twice-perimeter-unrwa-headquarters>>.

subjected to harassment, intimidation, and even threats at gunpoint.⁵⁶ This violent incident, the second in less than a week, resulted in the closure of the compound until proper security is restored.⁵⁷ It is the responsibility of Israel, as an Occupying Power, to ensure that UN personnel and facilities are protected at all times. Despite this obligation, Israeli activists had been staging protests outside the UNRWA compound in Jerusalem since March.

In Gaza, attacks on UNRWA premises are even more frequent. However, unlike in the West Bank, UNRWA buildings have been transformed into shelters housing hundreds to thousands of displaced Palestinians relying on the legal protection afforded by the UN flag.⁵⁸ As of 27 November 2024, over 100 UNRWA school buildings in the Gaza Strip are being used to shelter more than 415,000 displaced people.⁵⁹ Since the Colonna report, UNRWA sites have been targeted on almost a daily basis. In the UNRWA ‘wrap-up’ for the month of May, the Commissioner-General posted that all of UNRWA’s 36 shelters in Rafah are now empty and the Agency had to stop health and other critical services.⁶⁰

On 6 June, Nuseirat Boys’ Preparatory School, an UNRWA facility where nearly 6,000 internally displaced persons (IDPs) were staying, was directly hit. At least 40 Palestinians were killed, with dozens more sustaining serious injuries.⁶¹ Many of the people residing there had been forcibly displaced from Al-Bureij and Al-Maghazi refugee camps.

On 23 June, the main gate of UNRWA’s headquarters in Gaza, a compound in Gaza City, was hit by an Israeli air strike, killing at least 8 people. Like in the majority of UNRWA premises, hundreds of displaced Palestinians were sheltering inside.

On 6 July, another UNRWA school in An Nuseirat refugee camp was hit, killing at

⁵⁶ *Ibid.*

⁵⁷ UNRWA, ‘This evening, Israeli residents set fire twice to the perimeter of the UNRWA headquarters in occupied East Jerusalem’ (9 May 2024) <<https://www.unrwa.org/newsroom/official-statements/evening-israeli-residents-set-fire-twice-perimeter-unrwa-headquarters>>.

⁵⁸ See ICRC, ‘Protected objects’ <https://casebook.icrc.org/a_to_z/glossary/protected-objects>.

⁵⁹ UNRWA, ‘UNRWA Situation Report #149 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (27 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-149-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

⁶⁰ UNRWA, ‘Wrap-up of the month of May in Gaza’ (4 June 2024) <<https://www.unrwa.org/newsroom/official-statements/wrap-month-may-gaza>>.

⁶¹ UN OCHA, ‘Humanitarian Situation Update #176 | Gaza Strip’ (7 June 2024) <[24](https://www.unocha.org/publications/report/occupied-palestinian-territory/humanitarian-situation-update-176-gaza-strip#:~:text=On%206%20June%2C%20a%20World,commodities%20in%20the%20Gaza%20Strip.>>.</p></div><div data-bbox=)

least 16 people with 50 others injured.⁶² The school was sheltering 2,000 displaced Palestinians.⁶³ In the three days following, another three schools were targeted.⁶⁴

On 13, 14, 15, 16 and 18 July, a detonation was carried out completely destroyed a school and missiles were fired at multiple UNRWA schools throughout Gaza.⁶⁵ An estimated 39 displaced persons were killed and more than 163 were injured in the four separate incidents.⁶⁶ Two clearly marked UNRWA vehicles were also hit on 27 and 28 July by IOF shooters and a quadcopter.⁶⁷

Between 19 and 22 August, three schools in Deir El Balah and Gaza City were targeted with drone and missile strikes, with military personnel entering the school and open firing at persons in the area on at least one occasion.⁶⁸ On 2 September, the IOF carried out a “controlled” explosion of another school in Rafah.⁶⁹

62 UN OCHA, ‘Humanitarian Situation Update #188 | Gaza Strip’ (8 July 2024) <<https://www.ochaopt.org/content/humanitarian-situation-update-188-gaza-strip>>.

63 *Ibid.*

64 UN News, Global Perspective Human Stories, ‘Schools ‘bombed-out’ in latest Gaza escalation, says UNRWA chief’ (10 July 2024) <<https://news.un.org/en/story/2024/07/1151921>>.

65 UNRWA, ‘UNRWA Situation Report #121 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (16 July 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-121-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>; UNRWA, ‘UNRWA Situation Report #122 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (19 July 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-122-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>; UNRWA, ‘UNRWA Situation Report #123 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (24 July 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-123-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>.

66 UNRWA, ‘UNRWA Situation Report #121 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (16 July 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-121-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>; UNRWA, ‘UNRWA Situation Report #122 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (19 July 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-122-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>; UNRWA, ‘UNRWA Situation Report #123 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (24 July 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-123-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>.

67 UNRWA, ‘UNRWA Situation Report #125 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (31 July 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-125-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>.

68 UNRWA, ‘UNRWA Situation Report #130 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (23 August 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-130-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>; UNRWA, ‘UNRWA Situation Report #131 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (28 August 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-131-situation-gaza-strip-and-west-bank-including-east-Jerusalem>>.

69 UNRWA, ‘UNRWA Situation Report #135 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (11 September 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-135-situation-gaza-strip-and-west-bank-including-east>>.

By 6 September, some 161 UNRWA school buildings had either suffered a direct hit or were damaged since the beginning of Israel's assault on 7 October 2023. This represents 86.1 percent of all UNRWA school buildings in Gaza.⁷⁰

Yet, clearly unsatisfied with the unprecedented level of destruction already wrought on UNRWA's infrastructure, the IOF has continued its campaign against the Agency and the population it is mandated to protect. Less than a week later, on 11 September 2024, the IOF carried out multiple airstrikes targeting an UNRWA school in Nuseirat camp. These strikes killed 18 people, six of whom were UNRWA staff members, and injured another 18.⁷¹

Another mass casualty incident took place on 21 September, when the IOF struck a school in the Zaitoun neighbourhood, in Gaza City. Significant damage was reported, and based on initial information, 22 persons were killed, including 14 children, and at least 30 others have been injured. A health centre in Nuseirat was also damaged by an IOF tank shell the very next day.⁷²

Within the first week of October, five UNRWA schools were targeted across Beit Lahiya, Gaza City, Nuseirat and Maghazi. At least 21 Palestinians were killed, and 69 others were injured.⁷³

Since the IOF began its siege of northern Gaza and its raid of Jabalia, the number of attacks against UNRWA buildings and facilities have only intensified. On 14 October, the Israeli army fired shells inside and outside an UNRWA distribution centre while civilians were trying to get food after two weeks of no food aid entering North Gaza. This distribution centre has now been severely damaged by

70 UNRWA, 'UNRWA Situation Report #141 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (4 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-141-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

71 UNRWA, 'UNRWA Situation Report #136 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (13 September 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-136-situation-gaza-strip-and-west-bank-including-east>>.

72 UNRWA, 'UNRWA Situation Report #139 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (23 September 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-139-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

73 *Ibid*; UNRWA, 'UNRWA Situation Report #142 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (11 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-142-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

Israeli troops.⁷⁴ On the same day, two schools in Jabalia were directly fired upon by Israeli unmanned aerial vehicles and tanks.⁷⁵

On 17 October, Israeli Forces conducted an airstrike hitting a tent inside an UNRWA school in Jabalia. 25 displaced Palestinians were killed, and initial estimates indicate that 150 others were injured.

On 19 October, an Israeli tank fired at an UNRWA school in Jabalia camp. A fire broke out and damage was reported to the tents inside the school. On 20 October, the IOF fired tank shells at two UNRWA schools in Jabalia camp.

On 24 October 2024, Israel directly struck an UNRWA school in Jabalia, again hitting tents used by IDPs causing them to be set ablaze.⁷⁶ Displaced Palestinians sheltering in the school and its courtyard suffered injuries as a result. The following day, the IOF fired artillery shells at two other schools, before subsequently evacuating both premises.⁷⁷

On 7 November 2024, UNRWA received reports of severe destruction of the Jabalia Health Centre, including signs that it had been burnt. This took place during Israel's ongoing raid, which began over a month prior.⁷⁸

Strikes also continued elsewhere during this time. For example, on 19 October 2024, an UNRWA school west of Gaza City was hit with an aerial missile. 11 people were killed, and several others injured, along with three classrooms on the southern side of the school being destroyed. On 21 October, Israeli Forces destroyed another classroom in the northern building of an UNRWA school in

74 UNRWA, 'UNRWA Situation Report #144 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (20 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-144-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

75 *Ibid.*

76 UNRWA, 'UNRWA Situation Report #145 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (25 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-145-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

77 UNRWA, 'UNRWA Situation Report #146 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (3 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-146-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

78 UNRWA, 'UNRWA Situation Report #147 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (12 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-147-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

Beit Hanoun.⁷⁹

On 22 October 2024, an UNRWA school-turned-shelter in Beit Lahiya was forcefully evacuated and then set ablaze by Israeli troops on the ground.⁸⁰ Two schools in Gaza City were targeted on 27 October, causing serious damage to both.⁸¹ By the end of October, UNICEF reported that 64 attacks against schools had been recorded.⁸²

November has sadly followed a similar pattern. On 7 November 2024, another set of dual attacks on two separate schools in Gaza City took place. The aerial strikes on both locations killed at least 16 people and severely damaged the school buildings.⁸³ On 11 November 2024, an IOF tank fired upon an UNRWA maintenance office in Nuseirat, and staff and IDPs had to be evacuated from the installation.⁸⁴

Between 14 and 16 November, two more schools in Gaza City were targeted — one of which caused a nearby medical point to catch fire. Nearly 50 people were injured, and at least 17 Palestinians (including two children) were killed.⁸⁵

All the attacks outlined above involve direct hits on UNRWA facilities and premises. Damage to UNRWA buildings caused by Israeli military activity in the area are not even mentioned, but there have now been 464 incidents impacting UNRWA

79 UNRWA, 'UNRWA Situation Report #145 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (25 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-145-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

80 *Ibid.*

81 UNRWA, 'UNRWA Situation Report #146 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (3 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-146-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

82 UNRWA, 'UNRWA Situation Report #148 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (20 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-148-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

83 UNRWA, 'UNRWA Situation Report #147 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (12 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-147-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

84 *Ibid.*

85 UNRWA, 'UNRWA Situation Report #148 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (20 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-148-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

premises and the people inside them.⁸⁶ More than two thirds of UNRWA buildings have been hit and deemed unusable, the vast majority while sheltering displaced people under the UN flag.⁸⁷

2. Emptying UNRWA premises

In Gaza, rather than evicting UNRWA, Israel is forcibly evacuating its premises. From late September, there has been a rapid rise in forced evacuations of UNRWA buildings and facilities. In particular, evacuations of buildings in North Gaza have increased substantially in recent months as Israel completes its forced displacement and genocide in the area. On 22 September 2024, two UNRWA schools in North Gaza were forced to evacuate. Both schools served as Designated Emergency Shelters.⁸⁸ During Israel's violent raid of Jabalia, several UNRWA premises were forcefully emptied. A number of these raids occurred on 8 October 2024,⁸⁹ followed by a further three shelters being evacuated on 16 October — forcing hundreds of men, women and children out onto the streets, making them flee for their lives under fire.⁹⁰

On 18 October 2024, Israeli tanks surrounded three UNRWA schools-turned-shelters with displaced Palestinians inside, while the very next day the IOF entered another three UNRWA schools and forcefully evacuated all displaced Palestinians sheltering inside.⁹¹ Initial reports indicate that the IOF arrested men and ordered women to head west of Gaza City, with reports of mass detentions of

86 UNRWA, 'UNRWA Situation Report #148 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (20 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-148-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

87 UNRWA, 'UNRWA Situation Report #142 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (11 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-142-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

88 UNRWA, 'UNRWA Situation Report #139 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (23 September 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-139-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

89 UNRWA, 'UNRWA Situation Report #142 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (11 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-142-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

90 UNRWA, 'UNRWA Situation Report #144 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (20 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-144-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

91 UNRWA, 'UNRWA Situation Report #149 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (27 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-149-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

civilians.⁹² On 21 October 2024, the IOF besieged and forcefully evacuated another seven UNRWA schools in Jabalia Camp serving as designated emergency shelters. The Israeli military even shelled one of the UNRWA schools while displaced Palestinians were evacuating. Seven people were killed, and several others were injured. The same day, the IOF opened fire and surrounded an UNRWA school in Beit Lahiya, ordering the displaced Palestinians sheltering inside to evacuate and threatening that they would be killed if they did not comply.⁹³ A health centre and a school, both sheltering displaced Palestinians, were also forcefully evacuated on 23 October.⁹⁴

November began with an unlawfully issued evacuation order which covered an area in which 19 UNRWA installations are located.⁹⁵ On 12 November 2024, the IOF besieged an UNRWA school in Beit Hanoun with tanks and unmanned aerial vehicles, forcefully evacuating displaced Palestinians sheltering inside and ordering them to move south. They were then forced to undergo head scanning at an IOF checkpoint, where several men were detained.⁹⁶

92 UNRWA, 'UNRWA Situation Report #145 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (25 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-145-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

93 UNRWA, 'UNRWA Situation Report #148 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (20 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-148-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

94 UNRWA, 'UNRWA Situation Report #145 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (25 October 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-145-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

95 UNRWA, 'UNRWA Situation Report #147 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (12 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-147-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

96 UNRWA, 'UNRWA Situation Report #148 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (20 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-148-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

3. Legislative efforts to dismantle the Agency

Legislative efforts to cripple UNRWA accompany long-standing attempts to evict the Agency from their premises in the West Bank. In February 2024, Israel's attempted to close UNRWA's Jerusalem office operations in Sheikh Jarah (Ma'alot Dafna) and Kufr 'Aqab (Kafr Akab) through an immediate directive for its eviction from Jerusalem, along with halting further lease agreements.⁹⁷ While these attempts are not new, the campaign is now bolstered at both governmental and grassroots levels. On 29 May 2024, the Israel Land Authority (ILA) reportedly informed UNRWA that it must vacate its Jerusalem premises in the Sheikh Jarrah (Ma'alot Dafna) neighbourhood.⁹⁸ These acts have a range of effects, from intimidating UNRWA staff to causing Palestinians to lose confidence in the ability of the Agency to provide protection and support.

On the same day, a bill aimed at designating UNRWA as a terrorist organisation passed a preliminary reading in Israel's parliament. A second bill that would lead to the severing of all ties with the Agency and would strip it of various immunities was also proposed and passed a preliminary reading. These two bills not only forbid UNRWA from operating in Israel entirely but go as far criminalising the Agency, its activities, and its staff.⁹⁹ As Christopher Lockyear, Secretary General of MSF International, stated:

By branding the UN agency created to aid Palestinian refugees as a terrorist entity, Israeli authorities would be perpetuating a narrative that vilifies and marginalises an entire population and those who provide them with assistance.¹⁰⁰

97 'Israeli minister: Remove UNRWA's offices from Israeli territory immediately' *The Jerusalem Post* (12 February 2024) <<https://www.jpost.com/israel-hamas-war/article-786604>>.

98 'Israel Land Authority tells UNRWA to evacuate Jerusalem premises for breaching lease' *The Times of Israel* (30 May 2024) <<https://www.timesofisrael.com/israel-land-authority-tells-unrwa-to-evacuate-jerusalem-premises-for-breaching-lease/#:~:text=The%20Israel%20Land%20Authority%20has,land%20it%20is%20currently%20occupying>>.

99 UNRWA, 'Statement from the Secretary General of MSF, Christophe Lockyear, in support of UNRWA', (5 June 2024) <<https://www.unrwa.org/newsroom/news-releases/statement-secretary-general-msf-christophe-lockyear-support-unrwa>>.

100 UNRWA, 'Statement from the Secretary General of MSF, Christophe Lockyear, in support of UNRWA', 5 June 2024 <<https://www.unrwa.org/newsroom/news-releases/statement-secretary-general-msf-christophe-lockyear-support-unrwa>>.

Five months later, during the opening plenum session of the Knesset’s winter legislative session, on the evening of 28 October 2024, lawmakers approved two bills barring UNRWA from operating in Israeli territory and curtailing its activities in the Gaza Strip and the West Bank by prohibiting state authorities from having any contact with the Agency.¹⁰¹ This has major consequences, as passage of aid into Gaza and the West Bank requires close coordination between UNRWA and the Israeli authorities. If the bills are implemented, UNRWA will be prevented from continuing its essential work as Israel will no longer issue the agency’s staff with work or entry permits, and coordination with the Israeli military, essential for the safe passage of aid, will no longer be possible.¹⁰²

Responding to the Knesset’s unprecedented vote, UNRWA Commissioner-General Philippe Lazzarini warned that the decision “opposes the UN Charter and violates the State of Israel’s obligations under international law”,¹⁰³ adding that failing to push back against these bills would weaken the multilateral system established after World War II. Notably, Lazzarini reiterated the same point that has been highlighted throughout the present document — that attacks, both legal and physical, against the Agency all form part of an ongoing campaign to discredit UNRWA and “delegitimize its role towards providing human-development assistance and services to Palestine refugees, whose status would remain unchanged even if UNRWA were to stop operating”.¹⁰⁴

The reaction by the UN to the Knesset’s overwhelming support for the two bills has been equally swift and unequivocal. On the same evening as the vote, UN Secretary-General Guterres issued a statement warning that if implemented the laws would have devastating consequences for Palestine refugees since the Agency cannot be replaced.¹⁰⁵ Echoing these sentiments, UN High Commissioner for Human Rights, Volker Türk, head of the UN World Health Organization

101 The Times of Israel, ‘Knesset approves laws barring UNRWA from Israel, limiting it in Gaza and West Bank’, 29 October 2024 <<https://www.timesofisrael.com/knesset-approves-laws-barring-unrwa-from-israel-limiting-it-in-gaza-and-west-bank/>>.

102 UN News, ‘Israeli laws blocking UNRWA – devastating humanitarian impact for Palestinians?’, 31 October 2024 <<https://news.un.org/en/story/2024/10/1156326>>; see António Guterres (@antonioguterres) on X, 29 October 2024 <<https://x.com/antonioguterres/status/1851081213412532374>>.

103 Philippe Lazzarini (@UNLazzarini) on X, 28 October 2024 <<https://x.com/UNLazzarini/status/1850989621401837855>>.

104 Philippe Lazzarini (@UNLazzarini) on X, 28 October 2024 <<https://x.com/UNLazzarini/status/1850989621401837855>>.

105 António Guterres (@antonioguterres) on X, 29 October 2024 <<https://x.com/antonioguterres/status/1851081213412532374>>.

(WHO) Tedros Adhanom Ghebreyesus, and acting head of the UN Office for the Coordination of Humanitarian Affairs (OCHA) Joyce Msuya called the development “troubling for many reasons”, “intolerable”, and “dangerous and outrageous”, posing potentially “dire impacts on the human rights” and lives and health of those who depend on UNRWA.¹⁰⁶ The dangers posed by the Knesset’s vote led UNICEF to state: “[a] new way has been found to kill children”.¹⁰⁷

The reality is that UNRWA “is indispensable in delivering the urgent, life-saving assistance that 2.2 million people in Gaza urgently need” — a responsibility which no UN agency can take over.¹⁰⁸ The UN Security Council, after emphasising the vital role of UNRWA in providing life-saving humanitarian assistance to Palestinian refugees through essential education, health, relief and social services programmes and emergency assistance, underscored that the Agency remains the backbone of all humanitarian response in Gaza.¹⁰⁹ Crucially, it affirmed that no organization can replace or substitute UNRWA’s capacity and mandate to serve Palestine refugees and Gaza’s urgent need of life-saving humanitarian assistance.¹¹⁰ Moreover, rather than give lip service to Israel’s baseless claims against the Agency, the Security Council expressed appreciation for the work of UNRWA’s staff and demanded that all parties enable it to carry out its mandate, as adopted by the General Assembly, in all areas of operation, with full respect for the humanitarian principles of humanity, neutrality, impartiality and independence, and to respect international humanitarian law including the protection of UN and humanitarian facilities.¹¹¹

106 See Volker Türk (@volker_turk) on X, (29 October 2024) <https://x.com/volker_turk/status/1851191407207121329>; Tedros Adhanom Ghebreyesus (@DrTedros) on X, (28 October 2024) <<https://x.com/DrTedros/status/1851028508329349400>>; Joyce Msuya (@JoyceMsuya) on X, (28 October 2024) <<https://x.com/JoyceMsuya/status/1851009795655884959>>.

107 United Nations Geneva (@UNGeneva) on X, (29 October 2024) <<https://x.com/UNGeneva/status/1851284974286057783>>.

108 United Nations Geneva (@UNGeneva) on X, (3 November 2024) <<https://x.com/UNGeneva/status/1853033136319336855>>.

109 UNRWA, ‘United Nations Security Council press statement on the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)’ (30 October 2024) <<https://www.unrwa.org/newsroom/news-releases/united-nations-security-council-press-statement-united-nations-relief-and>>.

110 *Ibid.*

111 UNRWA, ‘United Nations Security Council press statement on the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)’ (30 October 2024) <<https://www.unrwa.org/newsroom/news-releases/united-nations-security-council-press-statement-united-nations-relief-and>>.

Even Israel's greatest ally, the US, has expressed its concern and disapproval of the legislation. A State Department spokesperson told The Times of Israel that the US was "deeply troubled" by the legislation as it could force UNRWA to discontinue all of its operations in Gaza and the West Bank, including East Jerusalem, while US Secretary of State Antony Blinken and Defence Secretary Lloyd Austin also expressed their concern over the bills, stating that the "enactment of such restrictions would devastate the Gaza humanitarian response" as well as the provision of "vital" services in East Jerusalem.¹¹²

This deadly decision, made in the context of a genocide and one of the gravest humanitarian crises in recent history,¹¹³ puts the Agency at breaking point. Moreover, as warned by 15 UN and humanitarian organisations in a statement issued by the Principals of the Inter-Agency Standing Committee (IASC), the legislation adopted by the Israeli Parliament would be "a catastrophe for the humanitarian response in Gaza", where "there is no alternative to UNRWA".¹¹⁴

112 'Knesset approves laws barring UNRWA from Israel, limiting it in Gaza and West Bank', The Times of Israel (29 October 2024) <<https://www.timesofisrael.com/knesset-approves-laws-barring-unrwa-from-israel-limiting-it-in-gaza-and-west-bank/>>.

113 United Nations Geneva (@UNGeneva) on X, (3 November 2024) <<https://x.com/UNGeneva/status/1853033136319336855>>.

114 IASC, 'Statement by Principals of the Inter-Agency Standing Committee - Stop the assault on Palestinians in Gaza and on those trying to help them' (1 November 2024) <<https://interagencystandingcommittee.org/inter-agency-standing-committee/statement-principals-inter-agency-standing-committee-stop-assault-palestinians-gaza-and-those-trying>>.



WHAT ARE THE CONSEQUENCES OF ISRAEL'S ATTACK ON UNRWA FOR PALESTINIANS IN GAZA?

Since Israel began its genocidal assault on Gaza in October 2023, UNRWA's schools and other facilities throughout the Gaza Strip have been transformed into emergency shelters for Palestinians seeking refuge and safety. Some 1.9 million people have been displaced by the war, most of them multiple times, and shelters are massively overcrowded.¹¹⁵ The schools intentionally targeted are just a few examples of the more than 190 UNRWA installations damaged since the start of the war in over 464 separate incidents.¹¹⁶ Furthermore, at least 563 people sheltering in UNRWA facilities have been killed and over 1,790 injured.¹¹⁷ A staggering 249 UNRWA staff have been killed in Gaza as they carry out their humanitarian work.¹¹⁸

115 UN OCHA, 'Reported impact snapshot | Gaza Strip' (26 November 2024) <<https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-26-november-2024>>.

116 UNRWA, 'UNRWA Situation Report #149 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (27 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-149-situation-gaza-strip-and-west-bank-including-east-jerusalem>>; UNRWA, 'UNRWA Situation Report #148 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (20 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-148-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

117 *Ibid.*

118 UNRWA, 'UNRWA Situation Report #149 on the situation in the Gaza Strip and the West Bank, including East Jerusalem' (27 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-149-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

UNRWA installations, like all UN facilities, are inviolable. Despite their protected status, and the fact that UNRWA shares the coordinates of all its installations and operations with the Israeli authorities and other parties to the conflict, the humanitarian space in Gaza continues to shrink. Across the enclave, just seven out of 27 UNRWA health centres (amounting to a mere 26 percent) are operational.¹¹⁹ This has severely hampered UNRWA’s ability to deliver comprehensive primary healthcare, as well as personalised maternal healthcare, at a time when it is most needed. The destruction of its health centres is compounded by the constant evacuation orders which force it to close and restart its operations.

Education, UNRWA’s largest programme, has been systematically targeted. By April 2024, 5,800 students and teachers had been killed.¹²⁰ A complete physical reconstruction of educational infrastructure is now required. This textbook case of scholasticide — the systemic obliteration of education through the arrest, detention or killing of teachers, students and staff and the destruction of educational infrastructure — has led UN experts to warn of the far-reaching impact of attacks on education in Gaza:

The persistent, callous attacks on educational infrastructure in Gaza have a devastating long-term impact on the fundamental rights of people to learn and freely express themselves, depriving yet another generation of Palestinians of their future . . . When schools are destroyed, so too are hopes and dreams.¹²¹

In spite of 87 percent of schools in Gaza being entirely or partially destroyed,¹²² in August 2024 UNRWA launched a “Back to Learning” programme at their remaining schools and shelters in Gaza City, Deir al Balah and Khan Younis governates. Aimed at providing safe spaces for children to play, learn and cope with trauma, the first phase was focused on expanding psychosocial support activities, creating spaces for children to reunite with old friends and make new ones, and raising awareness

119 *Ibid.*

120 UN News, Global Perspective Human Stories, ‘Gaza: UN experts decry ‘systemic obliteration’ of education system’ (18 April 2024) <<https://news.un.org/en/story/2024/04/1148716>>.

121 UN News, Global Perspective Human Stories, ‘Gaza: UN experts decry ‘systemic obliteration’ of education system’ (18 April 2024) <<https://news.un.org/en/story/2024/04/1148716>>.

122 UN OCHA, ‘Reported impact snapshot | Gaza Strip’ (26 November 2024) <<https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-26-november-2024>>

on the risks of explosive ordnance.¹²³ A second phase is intended to focus on reading, writing and math lessons, among other informal learning activities, “until conditions allow for the resumption of formal education”.¹²⁴

Between May and late September 2024, less than a fifth of pre-7 October numbers of trucks filled with humanitarian aid were granted permission to enter Gaza. Even the few trucks that are allowed entry are often prevented from distributing the aid they carry. This was highlighted by Philippe Lazzarini, the UNRWA Commissioner-General, who posted on 27 May:

[O]f the 200 trucks with humanitarian supplies offloaded on the Palestinian side yesterday, only 30 trucks were picked up due to heavy movement restrictions + ongoing Israeli Forces airstrikes + the launch of rockets by Hamas + delays [and] limitations on the routes that can be used.¹²⁵

World Food Programme Deputy Executive Director, Carl Skau, noted on 14 June that staff spend five to eight hours waiting at checkpoints every day.¹²⁶ These additional challenges and restrictions strangle UNRWA’s humanitarian operation on which two million people depend.¹²⁷ In October 2024, Commissioner-General Lazzarini announced that only around 30 humanitarian trucks were getting into Gaza every day — just six percent of the amount allowed in before Israel commenced its genocide.¹²⁸

Although Israel has routinely blocked aid agencies from entering North Gaza since the start of its genocidal campaign, it has imposed a total siege since the beginning of October 2024. The calculated combination of withholding food aid, forcing the closure of bakeries and kitchens that were already only supplying Palestinians in the North with a fraction of the food they need to survive, and targeting all existing means of food production or distribution has caused a man-made famine

123 UN OCHA, ‘Gaza Humanitarian Response Update | 22 July-4 August 2024’ (7 August 2024) <<https://www.ochaopt.org/content/gaza-humanitarian-response-update-22-july-4-august-2024>>

124 *Ibid.*

125 UNRWA, ‘The scenes coming out of #Rafah last night are harrowing’ (27 May 2024) <<https://www.unrwa.org/newsroom/official-statements/scenes-coming-out-rafah-last-night-are-harrowing>>.

126 UN OCHA, ‘Humanitarian Situation Update #180 | Gaza Strip & West Bank’ (19 June 2024) <<https://www.ochaopt.org/content/humanitarian-situation-update-180-gaza-strip-west-bank>>.

127 UNRWA, ‘The scenes coming out of #Rafah last night are harrowing’ (27 May 2024) <<https://www.unrwa.org/newsroom/official-statements/scenes-coming-out-rafah-last-night-are-harrowing>>.

128 UN News, ‘How has the war in Gaza affected UNRWA’s ability to support Palestinians?’ (6 November 2024) <<https://news.un.org/en/story/2024/11/1156606>>.

in the area.¹²⁹ The Famine Review Committee has reported that “it can now be assumed that starvation, malnutrition, and excess mortality due to malnutrition and disease, are rapidly increasing”.¹³⁰ The dire situation in North Gaza is exacerbated by critical shortages of medication and non-food items (NFIs) such as tents, tarpaulins, mattresses and cleaning materials across UNRWA shelters, and the forced evacuation of UNRWA shelters and facilities.¹³¹ For example, on 25 November, the Israeli authorities issued an evacuation order for the areas of Beit Lahiya and Jabalia in which 43 UNRWA installations are located.¹³²

Obstructing, or outright denying, the distribution of aid not only frustrates UNRWA’s ability to carry out its humanitarian role, the total deprivation of all means necessary for survival serves the ulterior purpose of eliminating Palestinians from the area entirely. Palestinian residents and the displaced desperate for food, water, and medical care are driven towards “safe zones” where they are subsequently targeted with greater effect. However, not even in the south of the Gaza Strip can Palestinians hope to find conditions necessary for their survival. The targeting of UNRWA vehicles, staff, and distribution centres has made it almost impossible to adequately provide for the more than two million people that depend on lifesaving aid provided by the Agency.¹³³ NFIs and food supplies, particularly flour, are scarce in shelters throughout southern Gaza. Limited access has made distribution points unsafe, especially for women and girls, those with disabilities, female heads of households and elderly women.¹³⁴

129 The Famine Review Committee (FRC) stating on 12 November 2024 that famine thresholds may have already been crossed UN OCHA, ‘Humanitarian Situation Update #237 | Gaza Strip’ (12 November 2024) <<https://www.ochaopt.org/content/humanitarian-situation-update-237-gaza-strip>>. This comes after UN World Food Programme Director Cindy McCain stating that “full-blown famine” had set in by the beginning of May. In July, UN experts had also declared that famine had now spread from northern Gaza into central and southern Gaza. See Euronews, ‘Northern Gaza in ‘full-blown’ famine: Senior UN official’ (4 May 2024) <<https://www.euronews.com/2024/05/04/northern-gaza-in-full-blown-famine-senior-un-official>>; UN OHCHR, ‘UN experts declare famine has spread throughout Gaza strip’, 9 July 2024 < <https://www.ohchr.org/en/press-releases/2024/07/un-experts-declare-famine-has-spread-throughout-gaza-strip>>.

130 UN OCHA, ‘Humanitarian Situation Update #237 | Gaza Strip’ (12 November 2024) <<https://www.ochaopt.org/content/humanitarian-situation-update-237-gaza-strip>>.

131 UN OCHA, ‘Gaza Humanitarian Response Update | 10- 23 November 2024’ (26 November 2024) <<https://www.ochaopt.org/content/gaza-humanitarian-response-update-10-23-november-2024>>.

132 UNRWA, ‘UNRWA Situation Report #149 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (27 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-149-situation-gaza-strip-and-west-bank-including-east-jerusalem>>.

133 UNRIC, ‘Gaza: why we must continue to support UNRWA’ (31 January 2024) < <https://unric.org/en/gaza-why-we-must-continue-to-support-unrwa/>>.

134 UN OCHA, ‘Gaza Humanitarian Response Update | 10- 23 November 2024’ (26 November 2024) <<https://www.ochaopt.org/content/gaza-humanitarian-response-update-10-23-november-2024>>.



It is clear we are witnessing a decisive period for UNRWA. Over the past 75 years of its existence, UNRWA has assumed many functions normally performed by a national state. Because of its vital role, it is facing physical, legal, political, and rhetorical attacks from Israel — all of which put the power and position of the Agency, as well as people’s trust and faith in its processes, in serious jeopardy.

Through its aerial bombardment, violent ground operations, unlawful evacuation orders, and creation of a situation of mass starvation, disease, and complete physical and psychological devastation, Israel is committing the genocidal acts of killing, causing serious bodily and mental harm, and creating conditions of life calculated to bring about the destruction of Palestinians in Gaza. It is arguably also committing the genocidal act of imposing measures intended to prevent births, in light of the shocking rates of malnutrition among expectant and breastfeeding mothers,¹³⁵ as well as the intense stressors they are experiencing on a daily basis which have caused miscarriage rates to skyrocket by 300 percent.¹³⁶

The ICJ found that Israel is plausibly committing genocide already in January

135 Over 160,000 pregnant and breastfeeding women require feeding and micronutrient supplements. See UN OCHA, ‘Reported impact snapshot | Gaza Strip’ (7 August 2024) <<https://www.ochaopt.org/content/reported-impact-snapshot-gaza-strip-7-august-2024>>.

136 Care, ‘The long shadow of starvation in Gaza’ (23 January 2024) <<https://www.care.org/news-and-stories/news/the-long-shadow-of-starvation-in-gaza/>>.

2024,¹³⁷ while a report released on 19 June 2024 by the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem and Israel, confirmed that Israel is committing war crimes — including starvation as a method of war — crimes against humanity and violations of IHL and IHRL.¹³⁸ The report subsequently recommended that Israel lift its siege on Gaza and ensure that necessities crucial for the health and wellbeing of the civilian population immediately reach those in need.

On 19 July 2024, the ICJ, issued an Advisory Opinion in *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem* concluding that Israel must bring end its unlawful presence in the occupied Palestinian territory as rapidly as possible; that it must cease all settlement activity and evacuate settlers; and make reparations for damage caused to natural and legal persons; and that Third States are not to recognise as lawful the unlawful presence of Israel in the occupied Palestinian territory to render aid or assistance to maintain the unlawful situation.¹³⁹

The abundance of evidence on mass atrocities committed by Israel, combined with various authoritative and impartial findings on the commission of international crimes, strips Third States of the ability to lawfully stand-by — let alone support — Israeli crimes against both UNRWA and Palestinians generally. Rather, States must fulfil their positive obligations under international law by depriving Israel of the means and resources to commit genocidal acts and other international crimes and ensuring UNRWA can continue its invaluable work. This is crucial to preventing Israel's genocide in Gaza and ultimate annexation of the OPT. With ultra-nationalist, far right Israeli officials such as Finance Minister Smotrich and Minister of National Security Ben-Gvir already ordering preparations for West Bank

137 ICJ, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel)*, Order on the Request for the Indication of Provisional Measures (26 January 2024) <<https://www.icj-cij.org/sites/default/files/case-related/192/192-20240126-ord-01-00-en.pdf>>.

138 UN HRC, *Report of the Independent International Commission of Inquiry on the Occupied Palestinian Territory, including East Jerusalem, and Israel*, A/HRC/56/26, (27 May 2024) <<https://www.un.org/unispal/wp-content/uploads/2024/06/a-hrc-56-26-auv.pdf>> 18-19.

139 ICJ, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem* (19 July 2024), para. 285.

annexation and the resettlement of Gaza,¹⁴⁰ the international community must immediately fulfil its *erga omnes* obligations enshrined in Article 1 of both the Convention on the Prevention and Punishment of the Crime of Genocide (1948) and the Fourth Geneva Convention Relative to the Protection of Civilian Persons in Time of War (1949) which requires States to prevent and punish genocide and respect and ensure respect for the Geneva Conventions.

It is absolutely essential that Third States actively ensure that Israel permits and facilitates the rapid and unimpeded passage of humanitarian relief for all civilians in need. Israel cannot be allowed to continue to hamper humanitarian assistance by attacking UNRWA's staff, operations, and buildings. In order to permit UNRWA to effectively carry out its mandate, States must take all measures necessary to re-open all of Gaza's crossings and guarantee the entry of all necessary aid. Without the re-opening of these crossing and routes, the unprecedented humanitarian catastrophe will persist. Land routes remain the most viable, effective, efficient, and safest aid delivery method,¹⁴¹ and all roads — in Gaza and the West Bank — must be available for use by UNRWA and other humanitarian actors. Humanitarian relief teams also need safe and free movement to access those in need of assistance and protection wherever they may be.

Contributions from UN member states account for around 90 percent of the Agency's funding. Therefore, challenging false allegations and misinformation is paramount and States must resume, and increase their donations to address the grave humanitarian needs in Gaza. UN experts had noted the adverse impact of various States pausing funding for the Agency in the aftermath of Israel's baseless claims, stating that UNRWA's capacity has been "severely curtailed" at an time when it is needed most.¹⁴² As expressed in the statement, "[n]o other entity has the capacity to deliver the scale and breadth of assistance that 2.2 million people

140 'Far-right Israeli minister orders preparations for West Bank annexation' *Al Jazeera* (11 November 2024) <<https://www.aljazeera.com/news/2024/11/11/far-right-israeli-minister-orders-preparations-for-west-bank-annexation>>; 'Israeli minister calls for 'migration' of Palestinians from Gaza' *Al Jazeera* (22 October 2024) <<https://www.aljazeera.com/program/newsfeed/2024/10/22/israeli-minister-calls-for-migration-of-palestinians-from-gaza>>.

141 See UNRWA, 'Once again, nearly half of the population of Rafah or 800,000 people are on the road, having been forced to flee since the Israeli forces started the military operation in the area on 6 May' (18 May 2024) <<https://www.unrwa.org/newsroom/official-statements/once-again-nearly-half-population-rafah-or-800000-people-are-road>>.

142 UN OHCHR, 'Relief agency UNRWA targeted politically over partiality claims, funding must resume: UN experts' (17 May 2024) <<https://www.ohchr.org/en/press-releases/2024/05/relief-agency-unrwa-targeted-politically-over-partiality-claims-funding-must>>.

in Gaza urgently need”.¹⁴³ Considering the extent of assistance required as a result of Israel’s unprecedented destruction of critical infrastructure, including health centres, water treatment and waste management facilities, as well as the near complete shortage of food, medicine, and fuel, UNRWA is seeking 1.21 billion dollars to address the crisis in Gaza Strip and respond to needs in the West Bank as violence increases. The Agency’s emergency appeal covers its humanitarian response until the end of 2024 and the most urgent needs of Palestinians in the Gaza Strip given the ongoing war, and more than 200,000 Palestine Refugees in the West Bank, including East Jerusalem.¹⁴⁴

More generally, however, there is an urgent need to demonstrate that Israel’s wholesale attack on UNRWA and its ability to continue to operate within the OPT will not be tolerated by the international community. In the wake of the Israel’s Knesset approval of two detrimental bills which could end UNRWA’s operations in the OPT in less than three months, the Agency is now on the brink of collapse. Like various other UN officials, UNRWA Commissioner-General Philippe Lazzarini, has stressed that “UNRWA has been a lifeline for the people of Gaza. It is the only pillar of their lives left standing” and Israel’s legislation will have disastrous consequences for millions of Palestinians.¹⁴⁵ Speaking to the UN General Assembly, Lazzarini has warned that “in Gaza, dismantling UNRWA will collapse the United Nations humanitarian response, which relies heavily on the Agency’s infrastructure”, adding that “in the West Bank, UNRWA’s collapse would deprive at least 50,00 children of education, and hundreds of thousands of Palestine Refugees of healthcare.”¹⁴⁶

Because of its fundamental role in protecting Palestine refugees in the OPT, States must: prevent the implementation of the legislation; ensure that any plan for a political transition delineates UNRWA’s role; and maintain funding to UNRWA without withholding or diverting funds on the assumption that the Agency can no longer operate.¹⁴⁷

143 *Ibid.*

144 UNRWA, ‘Nearly 2 million people depend on assistance from UNRWA as war in Gaza enters 200 days and violence increases in the West Bank’ (24 April 2024) <<https://www.unrwa.org/newsroom/news-releases/nearly-2-million-people-depend-assistance-unrwa-war-gaza-enters-200-days>>.

145 United Nations (@UN) on X, (6 November 2024) <<https://x.com/UN/status/1854298215497015438>>.

146 UNRWA, ‘UNRWA Situation Report #147 on the situation in the Gaza Strip and the West Bank, including East Jerusalem’ (12 November 2024) <<https://www.unrwa.org/resources/reports/unrwa-situation-report-147-situation-gaza-strip-and-west-bank-including-east-jerusalem>>

147 *Ibid.*

Respect for the rule of law and legally binding provisions is a critical condition to any equitable and just international system. By granting Israel impunity, policies and practices which involve the targeting, killing, and destruction of humanitarian actors and facilities risk becoming a norm that is tacitly accepted by States. Israel's genocide against Palestinians — and its targeting of UNRWA as both a means of accelerating its genocide and erasing what it perceives as the Palestine refugee problem — makes the global humanitarian system overall more susceptible to manipulation. The UN and its Member States cannot allow disinformation and a deadly smear campaign that has already cost thousands of lives to go unpunished. It is imperative that the UN and international community recognise and consistently reaffirm through words and actions that there is no replacement or alternative to UNRWA.¹⁴⁸ The reputation, activities, and personnel of a UN agency of such crucial importance cannot be tarnished, impeded or directly targeted by a settler-colonial power committing genocide against the very people the agency is mandated to protect, without receiving a proportionate punitive response by the international community.

In order to avert this reality and restore hope in the international legal system, as well as the very ability of the UN to carry out its mandate, the international community must increase the pressure it exerts on Israel through economic sanctions, a two-way arms embargo, support for the proceedings at the International Criminal Court through financial contributions, cooperation, and the sharing of evidence, and intervention in South Africa's case against Israel at the ICJ.

Israeli officials and illegal settlers must finally be shown that there are consequences to their actions. The failure to permit sufficient aid enter Gaza and allow its unhindered distribution into all parts of the Gaza Strip, as well as the continued targeting of UNRWA and other humanitarian organisations, requires a clear, tangible, and punitive response. States must abide by the Agency's calls for an independent international investigation into the disregard for UN facilities for all those responsible to be held accountable.¹⁴⁹

Finally, and above all, it is time to implement a lasting ceasefire, to end Israel's

148 UNRWA, 'Nearly 2 million people depend on assistance from UNRWA as war in Gaza enters 200 days and violence increases in the West Bank' (24 April 2024) <<https://www.unrwa.org/newsroom/news-releases/nearly-2-million-people-depend-assistance-unrwa-war-gaza-enters-200-days>>.

149 PhilippeLazzarini(@UNLazzarini)onX,6June2024<<https://x.com/UNLazzarini/status/1798681289052283206>>.



unlawful presence in the occupied Palestinian territory, and dismantle the Israeli settler colonial apartheid regime on both sides of the Green Line, which is the root cause of the continuing genocidal assault on the Gaza Strip.



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About Al-Haq

Al-Haq is an independent Palestinian non-governmental human rights organisation based in Ramallah in the Occupied Palestinian Territory (OPT). Established in 1979 to protect and promote human rights and the rule of law in the OPT, the organisation has special consultative status with the United Nations Economic and Social Council.

Al-Haq documents violations of the individual and collective rights of Palestinians in the OPT, irrespective of the identity of the perpetrator, and seeks to end such breaches by way of advocacy before national and international mechanisms and by holding the violators accountable. Al-Haq conducts research; prepares reports, studies and interventions on the breaches of international human rights and humanitarian law in the OPT; and undertakes advocacy before local, regional and international bodies. Al-Haq also cooperates with Palestinian civil society organisations and governmental institutions in order to ensure that international human rights standards are reflected in Palestinian law and policies. Al-Haq has a specialised international law library for the use of its staff and the local community.

Al-Haq is the West Bank affiliate of the International Commission of Jurists - Geneva, and is a member of the Euro-Mediterranean Human Rights Network (EMHRN), the World Organisation Against Torture (OMCT), the International Federation for Human Rights (FIDH), Habitat International Coalition (HIC), ESCR-Net - The International Network for Economic, Social and Cultural Rights, the Palestinian Human Rights Organizations Council (PHROC), and the Palestinian NGO Network (PNGO). In 2018, Al-Haq was a co-recipient of the French Republic Human Rights Award, whereas in 2019, Al-Haq was the recipient of the Human Rights and Business Award. In 2020, Al-Haq received the Gwynne Skinner Human Rights Award presented by the International Corporate Accountability Roundtable (ICAR) for its outstanding work in the field of corporate accountability. Al-Haq was awarded the prestigious Bruno Kreisky Prize and the MESA Academic Freedom Award in 2022.

