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Position Paper

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UNRWA Closure as Prelude to the Elimination of Palestinians' Right of Return

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November 2024



Mada al-Carmel

Arab Center for
Applied Social Research

Position Paper

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This paper is one in series of position papers that is jointly published by Mada al-Carmel and the Arab Center Washington DC (ACW)

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The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established in 1949 by a UN General Assembly resolution. Its main mission was to provide temporary assistance to Palestinian refugees displaced during the Nakba of 1948.¹ In 1967, Israel signed a formal agreement recognizing UNRWA activity in the West Bank and Gaza² and committing not to interfere in the affairs of the UN agency in the humanitarian field. The government of Israel agreed to ensure the protection and security of UNRWA staff, installations, and property, to allow the free movement of its vehicles into Israel and the occupied territories, and to maintain pre-existing financial arrangements with Egyptian and Jordanian governmental authorities that had been administering the territories prior to the occupation in 1967.

Israel began inciting against UNRWA since the beginning of the current war on Gaza. It has worked diligently and in variable ways to disrupt the agency's work. For example, Israel has claimed that Hamas uses the organization's assets in the Gaza Strip as military facilities and rocket launching bases, and that a number of agency employees participated in the Hamas attack on Israel on October 7, 2023. Israel also continued to incite against the agency's education system under the pretext that its curricula agitate against Israel and encourage violence. The utmost incitement and hostility came with the passage of two laws by the Knesset at the end of October 2023 to end and prevent UNRWA's work in the areas under Israeli sovereignty, including East Jerusalem.

This position paper argues that, beyond its claims and declarations, Israel's goals in escalating its campaign against UNRWA, enacting laws to close the agency's work in areas under its control, and preventing communication with it are essentially political goals. Israel aims to close UNRWA permanently in order to close the file of Palestinian refugees in general and abolish the right of return for Palestinians. This helps Israel resolve the Palestinian issue in accordance with its own vision, impose a fait accompli, and normalize the occupation.³

These goals are not new, and Israel has previously tried to push in this direction. Many Israeli studies have clarified these goals in recent years. This paper will review some of them.

Closing the Palestinian Refugee Dossier and Eliminating the Right of Return

At the beginning of its winter session on Monday, October 28, 2024, the Israeli Knesset approved, in a third and final reading, two bills banning UNRWA's work and preventing dealing with it in areas under the so-called "Israeli sovereignty."⁴

The first law, "Suspension of UNRWA in the Territory of the State of Israel, 2024," aims

to prevent the agency from operating any representative office, or providing any service, and to prohibit it from carrying out any activity, directly or indirectly, in the territory of the State of Israel; i.e., the territories located under the sovereignty of the State of Israel, including East Jerusalem.⁵ Ninety-two Knesset members supported the bill banning UNRWA and its activities in Israel, while only 10 opposed it.

The second law, "Termination of the Activities of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) 2024,"⁶ provides for the abrogation of the existing treaty between Israel and UNRWA, signed on June 14, 1967.⁷ Eighty-seven Knesset members supported the bill banning dealings with UNRWA, and 9 opposed it.

These laws prohibit any representative of the Israeli government from making any contact with UNRWA, prevent the Israeli Ministry of Interior from issuing entry visas to UNRWA staff, and block customs officers from allowing goods imported by UNRWA into the Gaza Strip or the West Bank. They also end the agency's tax-exempt status in Israel.

The Relationship Between the State of Israel and UNRWA: A Brief History of Hostility

Israel's relations with UNRWA in the last two decades have been characterized by hostility and tension, and Israel has actively sought to reduce or replace the agency without success because of the absence of an alternative.⁸ In order to justify its policies toward UNRWA and to enact laws banning it, Israel claims that there are indications that the agency's activities are being used by Hamas as a cover for "terrorist" acts and that it encourages and perpetuates the conflict with the State of Israel, in particular through the UNRWA education system.

At the end of 2023, some Israeli media outlets published reports that the army and the security establishment were working to completely dismantle UNRWA. The Israeli Army has begun to look for realistic, practical, and actual alternatives to the agency that delivers aid to displaced people in Gaza. According to such reports, the security establishment claims that UNRWA has exceeded the limits of its authority in the Gaza Strip, and that its dismantling will weaken Hamas's civilian tools and capabilities to provide services to the people of Gaza.⁹

This report was preceded by the publication of a confidential document by the Israeli Ministry of Foreign Affairs outlining the Israeli government's plan to end the work of the agency in the Gaza Strip after the war.¹⁰ The document contains a plan of three phases: the first includes a comprehensive report on UNRWA's alleged cooperation with Hamas; the second calls for reducing the agency's operations in the besieged enclave and searching

for an alternative organization to provide education and social welfare services; and the third transfers UNRWA's tasks and duties to the alternative body that Israel will agree will govern Gaza after the war.

Israel's campaign has included concrete steps to pressure UNRWA, including restricting the agency's accounts in Israeli banks, revoking tax exemptions granted to it, and withdrawing visas for its staff.¹¹ It has also pressured funding countries to reduce the agency's budgets. Indeed, in February 2024, 15 western countries suspended budgets allocated to UNRWA, including the United States, Japan, Canada, Australia, and the United Kingdom.¹² Israel had previously undertaken a similar campaign after the 2014 Protective Edge Operation, pressuring the US administration and some European countries to stop funding the agency.¹³ These pressures succeeded when former President Donald Trump responded to the demands of the Israeli government, froze funding in 2018 and tried to shut the agency down or at least dry up its financing sources.¹⁴

Ready Charges Against UNRWA

Israel's prosecuting UNRWA, preparing charges of supporting terrorism, failing to perform its mission, and accusing it of perpetuating the Palestinian refugee issue are not new. Israeli research centers (some of which have a significant influence on policymaking circles) have devoted dozens of dossiers and position papers, as well as legal advice, on how to deal with UNRWA and abolish it.¹⁵

A review of some of these studies and articles published in the last decade shows that the allegations and accusations against the agency were ready before the current war on Gaza and Operation al-Aqsa Flood. The research shows that Israel's goals are farther and broader than simply reducing Hamas's civilian capabilities in Gaza.

For example, in 2015, Amichai Magen and Uri Akavia prepared a study titled "UNRWA: Supporting Refugees or Supporting Terrorism?"¹⁶ for the Kohelet Policy Forum, which is known for its proximity to right-wing parties in Israel and its influence on government policymakers. The study focused on "preparing evidence indicating the involvement of UNRWA in inciting Palestinian terrorism against the State of Israel," and proposed practical political and legal measures for dismantling the agency.

In 2015 also, Nir Amran, an Israeli Army reserve officer and lecturer in the Department of Conflict Resolution at Bar Ilan University, published an article with The Institute for Zionist Strategies titled "The Time Has Come to Terminate the Activity of UNRWA in Judea, Samaria, and Gaza."¹⁷ Amran claims that UNRWA was born in sin, and that the time has come to dismantle it. The sin, according to him, was born with the response to pressure from Arab countries on the United Nations to establish a special and exclusive agency for Palestinian refugees although there was a United Nations

Higher Commissioner for Refugees (UNHCR) that was doing its job successfully and effectively since the Second World War and providing hope and an economic and social horizon for refugees.

Amran adds that the danger of UNRWA's existence lies in the fact that the agency has its own definition of a refugee, contrary to the definition of the Commissioner that describes a refugee on the basis of risks to his/her life and freedom. UNRWA, he says, defines a Palestinian refugee as anyone expelled from Mandatory Palestine in 1948. Since this definition is based on the past, the refugee will continue to be considered as such forever. Refugee status is also granted to the descendants of the original refugees, together with their descendants until the end of time, although they now live comfortably in Chile or Australia. In fact, he writes, it is impossible to withdraw the refugee status according to the UNRWA definition. Subsequently, the number of Palestinian refugees never decreases, but only increases—even if they obtain citizenship in their countries of residence. Thus, Amran suggests that the solution to the refugee issue should be through the abolition of UNRWA's definition of who is a refugee, especially for the new generations, rather than by granting them the right to return.

Amran continues to incite against UNRWA and accuses it of working to create an alternative to governments in countries that have received Palestinian refugees, because it goes beyond the mandate given to it by the United Nations, which only provides for humanitarian assistance, development, and the provision of employment. Today, the reality is that UNRWA is carrying out political education and incitement, managing economic interests, providing legal representation, and working on infrastructure and construction.

Amran surmises that 67 years after its establishment, UNRWA clearly failed miserably in providing a solution for Palestinian refugees. Their number has risen from about 700,000 to more than five and a half million. He concludes that UNRWA perpetuates conflict and creates dependency among refugees.¹⁸ To be sure, Amran's study is purely political, as its aim is to falsely incite against the agency, distort its image in order to dismantle it, and propose solutions to the refugee issue by revoking the Palestinians' refugee status.

These goals are highlighted in another lengthy (98-pages) study titled "Seventy Years to UNRWA: Time for Structural and Functional Reforms" by Kobi Michael and Michal Hatuel-Radoshitzky that was published in 2020 by The Institute for National Security Studies at Tel Aviv University.¹⁹ Similar to previous studies, this one seeks to provide justification and judicial pretexts for Israel's attempts to shut down UNRWA. It starts with the need to seriously think about the pretexts to prevent the continuation of the agency's work, which include failure to resettle Palestinian refugees and their increasing numbers. The study also uses the Trump administration's 2018 decision to cut off funding to UNRWA—the United States being its largest funder—for dismantling it altogether.

The study claims that UNRWA has failed to achieve its objectives and to integrate refugees into development and reconstruction projects in host countries, improve their economic and social conditions, and change their stereotype as refugees. In other words, the study finds that the agency contributed to preventing Palestinians' resettlement in host countries, which, naturally, is Israel's preferred solution.

As in Amran's study, this one also criticizes the failure to shift responsibility for the issue of Palestinian refugees to the UNHCR, as is the case with other refugees around the world. The writers call for transforming the Palestinian refugee issue into an "ordinary" one, like others around the world, to be solved using economic and social instruments, and to absolve the State of Israel of the responsibility to find a solution and thus finally abrogate the right of return.

From a practical perspective, this study proposes three possible alternatives for UNRWA: a comprehensive reform effort that includes restructuring and reorganizing its modus operandi and its institutional transparency, changing the status of refugees, and significantly reducing the number of those eligible for follow-up by the organization; transferring the agency's powers and budgets to governments in its various areas of operation, including the Palestinian Authority; and/or merging UNRWA and UNHCR.

Since, as the writers claim, the three alternatives have shortcomings, they propose to merge them in order to produce an alternative that could replace UNRWA, serve Israel's interests, and end the Palestinian refugee issue by procedural and administrative means and by rethinking the definition of a refugee. This means that they propose to normalize the refugee situation and integrate as many of them as possible in host countries. In essence, the primary objective is political and seeks to provide justifications for terminating the Palestinian refugee file and abolishing the right of return.

In February 2024, lawyer Talia Einhorn, a Professor Emeritus at the Faculty of Law at Ariel University, published a study titled "Close UNRWA, Save the State,"²⁰ that reiterates previous studies and stresses the need to work to dismantle the agency. Einhorn argues that "the exceptionally broad definition of Palestine refugees for which UNRWA is responsible, as well as the powers and manner in which it acts, may perpetuate the Palestinian refugee cause." Therefore, it is time for Israel to move to shut it down and treat Palestinian refugees with the same tools and standards as the United Nations treats all refugees from all other wars around the world.

A week before the Knesset's enactment of its October 2024 laws suspending and terminating UNRWA's work, lawyer Adi Schwartz of the Misgav Institute for National Security and Zionist Strategy published a paper titled "'The Day After' in Gaza: Without Refugees and Without UNRWA,"²¹ in which he advocated the agency's dismantlement.

He explained that this goal should be part of the effort to close the file on the right of return and on refugees, and that it is no less important than the military resolution in Gaza and the elimination of Hamas's military capabilities.

"Any Israeli vision for the 'day after' in Gaza must directly address the Palestinian motivation to destroy the State of Israel," Schwartz said. If Israel is really serious about saying that "what was is not what will be," it must not be satisfied with the Palestinians' military capabilities or the technical and operational arrangements to manage life in the Strip... As part of Israel's vision for the day after in Gaza, and in parallel with other deradicalization operations (e.g., in the education system), Israel must insist that in Gaza, or in any part of it, there will be no refugees, no refugee recognition, and no more distribution of refugee cards... Israel must also insist on the dissolution of UNRWA. Since there will be no more refugees in Gaza, there will also be no need for a refugee agency."²²

Thus, the author proposes to "get rid of" the problem of Palestinian refugees by revoking their refugee status, which necessitates the closure of UNRWA. He writes that "it is important to remember that, in the eyes of Palestinians, refugees and UNRWA are the most explicit expression of their refusal to recognize the results of the 1948 War of Independence and the establishment of the State of Israel. Precisely for this reason, the long journey of Palestinian society toward reconciliation with the existence of the Jewish state must begin with the dissolution of UNRWA and the abolition of the refugee phenomenon.

About the same time, journalist Ben-Dror Yemini published another article²³ in which he again explained the need to revoke refugee status by closing the agency. "There was no need to wait until the seventh of October [2023] to discover that under the auspices of UNRWA a monster that supports terrorism was erected. Numerous testimonies have been collected about the involvement of UNRWA staff in the massacre of October 7, and about Hamas's prior use of UNRWA facilities... Historically, none of the goals of the United Nations behind UNRWA's establishment have been achieved. Today there are no more refugees, there are refugee grandchildren. The Arab states have opposed any decision to integrate Arabs [i.e., Palestinians] who are their own flesh and blood into Arab societies, in order to perpetuate the refugee situation."²⁴

Conclusion

These articles and studies, especially from research centers with great influence on Israel's policies, illustrate the extent to which Israel—in both the security and political establishments—is interested in the issue of UNRWA, highlighting its risks to the State of Israel, and proposing alternatives to the services it provides. A review of these studies also shows that the interest in and suggestion of alternatives to the agency were not the result of the al-Aqsa Flood Operation and the current war on Gaza. It also shows that the central goal behind the attempts to close or replace UNRWA is to close the file on the refugee issue, not only in Gaza, but throughout the region, especially in East Jerusalem, by revoking the refugee status of the largest possible number of Palestinians with administrative tools, and by working to settle them in host countries. Thus, the right of return of Palestinian refugees will be abolished as part of Israel's efforts to close the file on its occupation, end the Palestinian cause, and impose a fait accompli.

The efforts to close UNRWA reflect the Zionist consensus in Israel regarding the refugee issue and the rejection of the right of return through promulgation of laws. But the danger of closing the agency lies not only in ending the right of return, but also in Israel's attempt to replace UNRWA in the Gaza Strip with new Village Leagues akin to those of the 1980s in the occupied West Bank, Israeli proxies, or regional or even Israel-controlled international institutions. In doing so, Israel is trying to control the entry of humanitarian aid, food, and medicine into the Gaza Strip, both during and after the war. Dismantling UNRWA or replacing it with Palestinian or non-Palestinian tools and organizations subject to Israel's desires and objectives means more Israeli control over the civilian aspects of Gaza after the war and the return of occupation and indirect military rule. The proposed laws passed by the Knesset at the end of last October are another step in this direction.

Mtanes Shihadeh is the Director of the Israel Studies Program at Mada al-Carmel. This Situation Assessment was first [published](#) in Arabic on November 28, 2024, by Mada al-Carmel, Arab Center for Applied Social Research in Haifa, Israel. It is one in a series of position papers jointly published by Mada al-Carmel and Arab Center Washington DC.

Endnotes

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