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Human rights situation in Palestine and other occupied Arab territories

Written statement* submitted by The Palestinian Return Centre Ltd, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[8 February 2019]

* Issued as received, in the language(s) of submission only.



UNRWA under attack

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) currently provides services to around 5.5 million refugees in the West Bank, the Gaza Strip, Jordan, Lebanon, and the Syrian Arab Republic.¹ The UNRWA is vital to those refugees as well as the Palestinian population as a whole, as refugees represent 42.5% of the Palestinian population.²

The UNRWA is important in various field for Palestinian refugees, especially education and health care. In July 2018, the UNRWA said it would provide education to half a million students³. Currently, around three million refugees access UNRWA's health facilities⁴. Additionally, UNRWA rebuilds homes on refugee camps and provides social services to Palestinian refugee in different camps.

Palestinian refugees today suffer from high unemployment rates and in 2017, 39% of Palestinian refugees were poor.⁵ Problems related to quality of life, access to food and drinkable water, and proper infrastructure, are very frequent in refugee camps, where life conditions hardly improve. Demand for the UNRWA services is constantly increasing, as is the number of Palestinian refugees and their deepening poverty.⁶

The UNRWA is currently going through a financial crisis that decreases its capability to fulfil its mandate and its responsibility towards refugees. The government of the United States of America, the largest donor to the agency, decided to cut 300 million US\$ in aid in 2018.⁷ This will lead the UNRWA to take measures that will affect the services it provides to different groups of refugees, including the most vulnerable ones. While the UNRWA has managed to find alternative funding, it does not present a sustainable situation.

The UNRWA is also facing pressure from the Israeli government. Recently, the Mayor of Jerusalem stated that UNRWA schools in East Jerusalem would be shut down. Closing down UNRWA schools would be another obstacle to vital the efforts of UNRWA. Additionally, it would be a violation of the 1946 Convention on Privileges and Immunities of the United Nations and of the bilateral agreements between UNRWA and the state of Israel.⁸

The government of Israel falsely accuses UNRWA of perpetrating the problem of refugees and even of cooperating with Hamas in the Gaza strip.⁹ The American congress also has a history of attempts to delegitimize the agency¹⁰, and more recently the US State Department justified the cut in aid to the UNRWA by criticizing the “expanding community of entitled beneficiaries”¹¹.

¹ UNRWA, Where we work. *unrwa.org*. Available at: <https://www.unrwa.org/where-we-work>.

² IMEMC, Bureau of Statistics: 42.5% of Palestinian Population are Refugees. *imemc.org*. Available at: <http://imemc.org/article/bureau-of-statistics-42-5-of-palestinian-population-are-refugees/>.

³ UN, 2018. UNRWA Statement on Implications of Funding Shortfall on Emergency Services in the OPT. *un.org*. Available at: <https://www.un.org/unispal/document/unrwa-statement-on-implications-of-funding-shortfall-on-emergency-services-in-the-opt/>.

⁴ UNRWA, What we do. *unrwa.org*. Available at: <https://www.unrwa.org/what-we-do/health>

⁵ Palestinian Central Bureau of Statistics, 2018. The International Day of Refugees 2018.

⁶ UN, 2018. UNRWA Statement on Implications of Funding Shortfall on Emergency Services in the OPT. *un.org*. Available at: <https://www.un.org/unispal/document/unrwa-statement-on-implications-of-funding-shortfall-on-emergency-services-in-the-opt/>.

⁷ Ibid.

⁸ UNRWA, 2019. UNRWA was not notified of any decision to close down schools it operates in East Jerusalem. *unrwa.org*. Available at: <https://www.unrwa.org/newsroom/official-statements/unrwa-was-not-notified-any-decision-close-down-schools-it-operates-east>.

⁹ Ahren, R., 2014. UN agency handed rockets back to Hamas, Israel says. *timesofisrael.com*. Available at: <https://www.timesofisrael.com/un-agency-handed-rockets-back-to-hamas-israel-says/>.

¹⁰ Friedman, L., 2018. Congressional Attacks on UNRWA: A History. *fmep.org*. Available at: <https://fmep.org/resource/congressional-attacks-unrwa-history/>.

¹¹ Eglash, R., 2018. Head of Palestinian refugee agency rejects U.S. criticism, says his organization will survive. *washingtonpost.com*. Available at: https://www.washingtonpost.com/world/middle_east/unrwa-head-rejects-us-criticisms-says-refugee-

In attacking the UNRWA in this way, different actors challenge the rights of Palestinian refugees and the right to return in particular. They also undermine the moral duty of the international community in supporting the UNRWA and recognizing the right of return of Palestinian refugees. It also challenges the international consensus on the importance of the UNRWA and funding it, best embodied in the UN General Assembly Resolution 302.¹²

The decision of cutting aid is also a clear step by the Trump Administration towards unilaterally taking decisions related to the Israel-Palestine conflict and pressuring the Palestinian leadership to accept terms that will violate the rights of the Palestinian people and the rights of refugees in particular, and which as a result provide Israel with impunity concerning its violation of Palestinian individual and common rights.

The current situation in which UNRWA finds itself, between a lack of funds and delegitimizing attacks on the one hand, and an increasing need for its services by Palestinian refugees on the other hand, serious threat to all Palestinian refugees and the Palestinian people.

The Palestinian Return Centre would like to draw the attention of the Human Rights Council to two specific areas of operation of the UNRWA where the financial crisis will have irreversible consequences; Syria and the Gaza Strip.

Syria

As of December 2017, more than 3600 Palestinian refugees were killed as a consequence of the conflict in Syria.¹³ The situation in which the country found itself made it extremely difficult for the UNRWA to provide Palestinian refugees with protection. Today, it is estimated that around 95% of Palestinian refugees in Syria depend on the UNRWA's humanitarian assistance for survival, while 93% are categorized as vulnerable or extremely vulnerable.¹⁴

Additionally, the UNRWA estimates that the number of Palestinian refugees who left Syria since the start of the conflict in 2011 at around 120,000.¹⁵ Those became refugees twice rather than once and today live in extremely poor conditions, especially those of them who remain in Syria.^{16 17}

The lack of funding to the UNRWA would therefore be catastrophic to Palestinian refugees in Syria. It would not only leave them with scarce resources for survival but also deny them the rights they are entitled to as refugees, and the services and goods they should benefit from under the UNRWA's mandate. Immediate action is required to improve the capability of the UNRWA in Syria to provide refugees with critical assistance.

agency-for-palestinians-will-survive/2018/09/03/cba5f010-af49-11e8-a20b-5f4f84429666_story.html?noredirect=on&utm_term=.d3aaced4fefe.

¹² United Nations General Assembly. *Resolution 302 (IV) (19 December 1949)*. [Online]. A/RES/302 (IV). [accessed 23 January 2019]. Available from:

<https://unispal.un.org/DPA/DPR/unispal.nsf/0/AF5F909791DE7FB0852560E500687282>

¹³ Action Group for Palestinians of Syria, 2018. *Palestinians of Syria: Life under Restrictions*. Annual Field Report on the Situation of the Palestinians of Syria in 2017. Available from:

<http://www.actionpal.org.uk/en/reports/special/prslifeunderrestrictions2017.pdf>

¹⁴ UNRWA (2018) Syria regional crisis emergency appeal 2018.

¹⁵ UNRWA, Where we work, Syria. *unrwa.org*. Available at: <https://www.unrwa.org/where-we-work/syria>

¹⁶ <http://www.actionpal.org.uk/en/post/8149/agps-alarm-sounded-over-tragedy-of-displaced-palestinians-north-of-syria>

¹⁷ UNRWA (2018) Lack of UNRWA Funding Exacerbates Housing Crisis for Palestine Refugees Displaced from Yarmouk. *unrwa.org*. [Online]. Available from: <https://www.unrwa.org/newsroom/press-releases/lack-unrwa-funding-exacerbates-housing-crisis-palestine-refugees-displaced>.

The Gaza Strip

There are around 1.9 million Palestinians living in the Gaza Strip, among which 1.4 million are refugees.¹⁸ The UNRWA is vital to around 70 percent of the population in the Gaza strip. The situation in the Gaza strip is extremely harsh. The Israeli total blockade, which is now entering its 12th year, left the Gaza strip in a humanitarian crisis. Gazans experience acute shortage in drinkable water, with 96% of the water in Gaza being undrinkable, and electricity, with an average of 4 hours of electricity a day depending on the neighbourhood¹⁹. The movement of necessary goods like medicine and building materials is also obstructed by the Israeli authorities.

The rates of unemployment and poverty are extreme. 53% of the Gaza population is poor, with 34% living in extreme poverty. The rate of poverty in refugee camps is higher than other communities inside the Gaza strip. Unemployment is also a problem as 44% of Gaza residents were unemployed in 2017.²⁰ In 2000, the number of refugees in Gaza who relied on UNRWA's food aid was 80,000, and it rose to one million today, what highlights the importance of the UNRWA to the majority of the population in the Gaza Strip.²¹

The blockade imposed by Israel on the Gaza Strip, which is a form of collective punishment, illegal under international humanitarian and human rights laws, will only worsen the numbers and deepen the crisis. Added to the cut on its funds and the attacks against it, the blockade on Gaza decreases the scope of UNRWA's sustainability. It is important to stress that what is at stake is not a political benefit to a party or another in the larger Palestine-Israel conflict, but the lives of more than a million refugee, and a recognition of their right to live with dignity, enshrined in the UN Charter.

Conclusion

Millions of Palestinian refugees depend on the UNRWA to lead a decent life. The situation in which Palestinian refugees find themselves today in all their host countries, and particularly in Syria and the Gaza Strip, requires continuous and adequate action by the UNRWA. However, with the extreme cuts in material support to the UNRWA, its ability to reach all entitled beneficiaries is placed in jeopardy.

A lack in service provision from the UNRWA is a challenge to the refugees' right to live with dignity, which can be realized only through the provision of basic services and human rights like education, health, non-discrimination, and adequate housing, all of which are deeply affected by the cut in funding.

Additionally, what will perpetuate the problem of refugees is not the existence of the agency as some actors claim, but the constant refusal of the state of Israel to recognize the Palestinian right to return and to offer compensation, the refusal of other states and actors to support the UNRWA in a more substantial manner, and their attempts to delegitimize the humanitarian and moral importance of the work undertaken by the UNRWA.

The PRC calls on states to continue supporting the UNRWA in accordance with the UNGA resolution 302 and international customary law, as well as principles present in the UN Charter. PRC calls on states, specifically the United States of America and Israel, to recognize the importance of the work of the UNRWA with refugees and recognize the right of Palestinian refugees to return.

¹⁸ UNRWA, Where we work, Gaza Strip. *unrwa.org*. Available at: <https://www.unrwa.org/where-we-work/gaza-strip>

¹⁹ Oxfam (n.d.) *Timeline: the humanitarian impact of the Gaza blockade*. [Online]. *oxfam.org*. Available from: <https://www.oxfam.org/en/occupied-palestinian-territory-and-israel/timeline-humanitarian-impact-gaza-blockade>.

²⁰ <https://www.worldbank.org/en/country/westbankandgaza/publication/economic-outlook-april-2018>

²¹ UNRWA, Where we work, Gaza Strip. *unrwa.org*. Available at: <https://www.unrwa.org/where-we-work/gaza-strip>