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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.

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The importance of UNRWA for Palestinian Refugees

The mandate of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is set to expire on 30th June 2020. Considering the upcoming General Assembly session to vote for its renewal and considering the recent backlash faced by the Agency, the Palestinian Return Centre (PRC) would like to stress the importance of the role that UNRWA plays in the lives of over 5 million Palestinian refugees.

UNRWA was established after the 1948 war with the aim of providing assistance to the Palestinians who became internally displaced and who were expelled from Palestine after the creation of the state of Israel. UNRWA periodically receives regular voluntary donations by member states of the United Nations that allow the Agency to keep providing vital services to the Palestinians in need inside the State of Palestine and in the neighbouring countries that host refugees.¹

Attacks on UNRWA

The United States of America cut all funding to UNRWA in 2018, as the State Department spokesperson Heather Nauert declared that, according to the US, the business model on which the Agency is based makes it an 'irredeemably flawed operation'.²

This statement came in the aftermath of a series of steps taken by the Trump administration to support Israeli policies, such as recognising Jerusalem as the capital of Israel and signalling that the US would endorse the Israeli annexation of the settlements built in the West Bank.³ However, it is important to stress the illegality of both actions as the settlement model is considered illegal under international humanitarian law by the 4th Geneva Convention, its 1st additional protocol and the ICJ⁴ and as the city of Jerusalem is established as a *corpus separatum* under international regime according to the UN Resolution 303.⁵

The US has been campaigning against the renewal of UNRWA's mandate while advocating in favour of the Kushner-led 'Peace to Prosperity Plan'. The Plan was presented in Bahrain last June as a new ground-breaking alternative to resolve the ongoing Israeli-Palestinian conflict. The idea behind the Plan is to allocate \$50 billion to the West Bank, Gaza, Jordan, Lebanon and Egypt to boost the local economy and provide monetary aid for the neighbouring countries to settle Palestinian refugees.⁶

Within this framework, the Israeli Prime Minister Benjamin Netanyahu stated that: 'It is time the UNRWA be dismantled and merged with the United Nations High Commissioner for Refugees [UNHCR]'.⁷

¹ UNRWA, Who We Are. Available at: <https://www.unrwa.org/who-we-are>.

² Reuters, U.S. halts funding to U.N. agency helping Palestinian refugees. Available at: <https://uk.reuters.com/article/uk-usa-palestinians-unrwa/u-s-halts-funding-to-u-n-agency-helping-palestinian-refugees-idUKKCN1LG2ES>.

³ The Independent, Trump to unveil long-awaited peace plan at summit Israelis and Palestinians will not attend. Available at: <https://www.independent.co.uk/news/world/middle-east/trump-israel-palestine-peace-plan-bahrain-summit-conference-a8973131.html>.

⁴ UN, *Israel's Settlements Have No Legal Validity, Constitute Flagrant Violation of International Law*, Security Council Reaffirms. Available at: <https://www.un.org/press/en/2016/sc12657.doc.htm>, Diakonia, Israeli Settlements- IHL Analysis. Available at: <https://www.diakonia.se/en/IHL/where-we-work/Occupied-Palestinian-Territory/Administration-of-Occupation/Israeli-Settlements-policy/>.

⁵ UN, Resolution 303. Available at: <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/051/22/IMG/NR005122.pdf?OpenElement>.

⁶ White House, Peace to Prosperity Plan. Available at: <https://www.whitehouse.gov/peacetoprospersity/overview/>.

⁷ Al Jazeera, Why is Netanyahu trying to disband the UNRWA?. Available at: <https://www.aljazeera.com/indepth/opinion/2017/06/saving-unrwa-means-saving-palestinian-refugees-170619101047716.html>.

Moreover, the recent allegations of misconduct involving the top management of UNRWA⁸ have been used by the United States and Israel as a further argument to legitimise their campaign against the Agency and consequently push states to suspend their funding. Switzerland, Netherlands and Belgium have already suspended their donations to the Agency pending the results of the internal investigation.⁹

UNRWA is a fundamental tool against the invisibility of Palestinian Refugees

PRC would like to stress that the role of UNRWA is vital for Palestinian refugees. UNRWA provides essential healthcare, education and social services to Palestinians in 61 refugee camps spread across Lebanon, the Syrian Arab Republic, Jordan, West Bank and the besieged Gaza Strip. In addition to building infrastructures of crucial importance and providing vital services, UNRWA also provides Palestinian refugees with international visibility.¹⁰ For this reason, suppressing or defunding UNRWA would mean embracing the US-Israel-led campaign against the Agency, it would mean committing an act that will completely liquidate the cause of the Palestinian refugees.

By cutting its funding to UNRWA, the US is trying to delegitimise the agency and the refugee status of the Palestinians expelled during the Nakba and their descendants.¹¹ Suspending or defunding UNRWA would be a further step towards normalising the criminal policies of Israel and the breaches of human rights law, international law and humanitarian law committed by the government. The absence of UNRWA will not provide a concrete solution to the conflict but rather just hide the Palestinian refugees from the eye of the international community. Dismantling or defunding UNRWA equates with disregarding international law; it would mean targeting the most important organisation that is responsible for over 5 million Palestinian refugees.

PRC is deeply concerned by the recent allegations of misconduct in the top management of UNRWA; however, it is crucial to take into account that the investigation is still ongoing and in the eventuality in which these allegations of misconduct should prove to be true, personnel's improper behaviour should not be considered as a valid reason to defund the Agency. PRC affirms that it is essential for those responsible of mismanaging the Agency to be held accountable; however this should not happen at the expenses of the Palestinian refugees that rely on the support of UNRWA.

Conclusion

PRC highlights the importance to urgently find a political solution for the matter of Palestinian refugees. The humanitarian crisis is nothing but a consequence of the absence of a concrete political plan to allow the Palestinians to enjoy their Right of Return as well as their internationally recognised human rights.

PRC also calls on the states member of the Human Rights Council not to follow the footsteps of the Netherlands, Switzerland and Belgium which hastily halted their funding to UNRWA pending the final result of the investigation. PRC firmly believes that Palestinian refugees should not suffer from UNRWA budget crisis and from mistakes of the Agency's personnel.

⁸ Al Jazeera, Ethics report accuses UNRWA leadership of abuse of power. Available at: <https://www.aljazeera.com/news/2019/07/ethics-report-accuses-unrwa-leadership-abuse-power-190726114701787.html>.

⁹ Al Jazeera, Belgium suspends UNRWA funding over leaked ethics report. Available at: <https://www.aljazeera.com/news/2019/08/belgium-suspends-unrwa-funding-leaked-ethics-report-190802111730035.html>.

¹⁰ UNRWA, Where We Work. Available at: <https://www.unrwa.org/where-we-work>.

¹¹ The Guardian, US confirms end to funding for UN Palestinian refugees. Available at: <https://www.theguardian.com/world/2018/aug/31/trump-to-cut-all-us-funding-for-uns-main-palestinian-refugee-programme>.

The existence of UNRWA grants international protection to Palestine refugees, which encompass physical protection, legal protection and humanitarian assistance. PRC believes that the dismantlement of UNRWA would lead to a dramatic increase of the poverty rate and lack of international protection. Dismantling the agency will not make the problem disappear; only providing a political solution will.¹²

We therefore urge the international community to carefully consider the crucial relevance of the work of UNRWA for the lives and Right of Return of the Palestine refugees in Lebanon, Syria, Jordan, West Bank and The Gaza Strip and to keep providing funds to the Agency.

¹² Badil, Position Paper on the Current Funding Crisis of UNRWA, International Responsibility and a Framework of Short and Long-term International Interventions Necessary for Maintaining the Functioning of UNRWA, and Ensuring Fundamental Rights of Palestine Refugees. Available at: <http://www.badil.org/phocadownloadpap/badil-new/resources/human-rights-org/phroc/PHROC-PositionPaper-UNRWA-Crisis-eng.pdf>.