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## Human Rights Council

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Agenda item 3

**Promotion and protection of all human rights, civil,  
political, economic, social and cultural rights,  
including the right to development**

### **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.

[23 May 2022]

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\* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



## **Transferring the United Nations Relief and Works Agency for Palestine Refugees in the Near East Responsibilities Undermines Regional Stability**

The United Nations Relief and Works Agency for Palestinians in the Near East (UNRWA) was created through UNGA Resolution 302 (IV),<sup>1</sup>

1949 following the forced displacement of 850,000 Palestinians from their homes between 1947 and 1949. Palestinian refugees now constitute the world's largest and most enduring refugee population.

### **UNRWA and the Inalienable Right of Return**

UNRWA's mandate permits it to perform a vital role in the resolution of the Palestinian refugee issue pending the refugees' return to their homes, from which they have been expelled by the Zionist militias and the subsequent Israel State. This mandate is typically performed in cooperation with the UN Conciliation Commission for Palestine (UNCCP), made up of the United States of America, Turkey, and France, as part of Resolution 194.<sup>2</sup>

Paragraph 11 of the General Assembly's well-known resolution 194 (III) resolved "that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date". However, to this date, over 6 million Palestinian refugees remain dispersed outside of their native home.

UNRWA's existence, while vital, is an indication of the United Nation's and the international community's failure to protect the rights of Palestinian refugees, most notably their right to return to their homeland, and to implement international resolutions to that end. This is, to a large extent, due to pressure from Israel and its lobbies obstructing the effective implementation of resolution 194.

Seven decades have passed by since the Palestinian refugee issue saw the day following the expulsion of thousands from their native land and homes. Ironically enough, in the late 20th century, more than ten million refugees returned to their countries in Guatemala, Mozambique, Timor-Leste, Kosovo, Rwanda and other destinations thanks to efforts made by the UN High Commissioner for Refugees (UNHCR).<sup>3</sup>

At that time, decision-makers had no alternative but to enforce a refugee's decision to return voluntarily to his/her country after refusing resettlement in the host country or refoulement to a third country.

### **UNRWA Should Continue to Benefit from Funding by UN Member States**

UNRWA is largely funded by UN Member States. These contributions enable the Agency to provide vital services to Palestinian refugees, including providing labour opportunities to over 28,000 Palestinian staff workers, free access to education to over 500,000 students, healthcare services to thousands of patients, and other much-needed services to vulnerable refugees.<sup>4</sup>

In a message to Palestine refugees on April 23, 2022, UNRWA Commissioner-General Philippe Lazzarini, and after talking about the financial difficulties facing the UN agency that included annual shortfalls to the core program budget nearing \$100 million over the last years due to a shortage of funds from donor countries, proposed other options to continue providing the services.<sup>5</sup>

"[O]ne must realistically look at the financial forecast and acknowledge that to continue relying almost exclusively on voluntary funding from donors would not be reasonable, given the world and regional dynamics," Lazzarini said in his message. "Are there different ways to ensure that the services provided to you continue without the threat of disruption due to UNRWA's lack of financial resources?"

Lazzarini said that his priority is and remains the refugees' continued access to quality services and the protection of their rights and the UNRWA mandate. Within this framework, he said one option that is currently being explored is to maximize partnerships within the broader UN system. Central to this option is that services could be provided on behalf and under the guidance of UNRWA, and hence strictly in line with the mandate UNRWA received from the UN General Assembly.

Unraveling UNRWA's intention to transfer responsibilities to other organizations, Lazzarini has brought to the forefront fears and risks that UNRWA's mandate could be dissolved or, in the best of cases, replaced.

Lazzarini's warnings have raised fears that UNRWA's continued existence would largely hinge upon donations by UN bodies rather than member states. This option also undermines the political significance of the Palestinian refugee cause and the member states' support to it.

In order to be resolved, the refugee issue does not only need a humanitarian response but a political one as well.

True, UNRWA has a humanitarian and development mandate to provide assistance and protection to Palestine refugees pending a just and lasting solution to their plight. Yet, its mandate carries a political and moral weight as it provides a protective shield to a community that has been robbed of its inalienable rights and driven, by force, out of their motherland. There are growing concerns now that UNRWA's role would be turned into a shallow formality with no effective duties on the ground, just as has been the case with the UNCCP.

A handover or transfer of UNRWA responsibilities and programmes is an indication of attempts to tamper with the UNRWA mandate. UNRWA is and remains irreplaceable for over 6 million Palestinians expelled from their homes and turned into refugees in different places.

Instead of wondering about who will fill the underfunding vacuum, UNRWA's chief should rather work on healing the chasm through continued cooperation with the UN General Secretary, General Assembly, the Advisory Commission, host countries, and CSOs in order to raise funds for the Agency and enable Palestine refugees to live with dignity.

## **The Responsibility of the International Community**

As voting at the UN General Assembly on the renewal of the UNRWA mandate is going to take place at the end of this year, we hope that the Agency's mission would be renewed. UNRWA's programmes are a critical component for regional development, stability and security in the interest of all. These programmes are vital in offering protection and vital development support to over 6 million Palestinian refugees in Jordan, Lebanon, the Syrian Arab Republic, the West Bank, including east Jerusalem and Gaza.

UNRWA serves such an important objective through sustaining hope among Palestine refugees by running schools for over half a million boys and girls, 8.5 million primary health care consultations and life-saving emergency assistance to 1.5 million Palestinian refugees affected by conflict and humanitarian crisis, particularly in Gaza and the Syrian Arab Republic.

UNRWA must continue to operate in fulfillment of its UN mandate until a durable and just solution to the refugees issue is found in accordance with relevant UN resolutions, including resolution 194, and within the context of a comprehensive solution to the Palestinian-Israeli conflict.

All donors, member states, and UN bodies should step up their commitment to the wellbeing of Palestinian refugees and to their human development, primarily by ensuring that all UNRWA programmes continue uninterrupted.

The international community should actively support UNRWA, notably through multiyear financial commitment and core financing, to help the Agency bridge its funding gap and ensure sustainable financial support in 2022 and beyond.

Are not Palestine refugees and asylum seekers just as worthy of the donations being raised for Ukrainian nationals fleeing the war in their country? The 1,200 billion USD raised for Ukrainian refugees could also have been garnered for the Palestine refugees.

The Secretary-General reminded the ministers of UN member states of the role of UNRWA, saying, “Of course, UNRWA is a force for stability,” adding that he “afraid to imagine the enormous consequences if UNRWA was not able to act – not only the huge humanitarian toll on people, but also the grave risks that threaten peace and security in a volatile region.”<sup>6</sup>

Lazzarini’s question “who will fill the vacuum?” implies that plots are being weaved under wraps with the backup of Israel and the United States of America to thwart the Agency’s mission and undermine Palestinian refugees’ right of return.

The international community should maintain trust in the ability of UNRWA to deliver on the critical mandate of protecting and providing essential services to the millions of Palestine refugees under its care in the West Bank, including East Jerusalem, Gaza, Lebanon, Jordan and the Syrian Arab Republic until a just and lasting solution is reached.

We warn against any attempts to “fill the vacuum ” that may arise as a result of the chronic financial crisis that UNRWA suffers from. Such attempts will only be understood as trying to get rid of the agency and gradually replace it, these proposals are consistent with the Israeli vision that has been working on for decades to get rid of the UN agency as a prelude to ending the right of return for refugees.

Ignoring the UNRWA’s financial deficit and its failure to play its role for the Palestinian refugee community in particular, will have serious repercussions on regional and international security and stability.

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1 <https://www.unrwa.org/ar/who-we-are/advisory-commission/general-assembly-ares302-iv>

2 Though its mandate is current, the General Assembly routinely “notes with regret” that the UNCCP has been “unable to find a means of achieving progress in the implementation of paragraph 11 of General Assembly resolution 194 (III), and reiterates its request to [it] to continue exerting efforts towards the implementation of that paragraph”.

3 <https://www.un.org/ar/global-issues/refugees>

4 [https://www.unrwa.org/sites/default/files/content/resources/unrwa\\_in\\_figures\\_2019\\_ara\\_v1\\_april\\_2019\\_final\\_0.pdf](https://www.unrwa.org/sites/default/files/content/resources/unrwa_in_figures_2019_ara_v1_april_2019_final_0.pdf)

5 <https://www.unrwa.org/ar/newsroom/official-statements/-الى-اللاجئين-العام-للاونروا-رسالة-من-المفوض-العام-للاونروا-الى-اللاجئين-الفلسطينيين>

[https://www.omvarlden.se/intervjuer/unrwa-chefen-vi-star-pa-randen-till-ett-stup?fbclid=IwAR1N3gejLoVxewVkmQKiStl3Vopue6s\\_sys13UJ-BgPfBTG767Xr-UdGWg](https://www.omvarlden.se/intervjuer/unrwa-chefen-vi-star-pa-randen-till-ett-stup?fbclid=IwAR1N3gejLoVxewVkmQKiStl3Vopue6s_sys13UJ-BgPfBTG767Xr-UdGWg)

6 <https://news.un.org/ar/story/2019/09/1040422>