UNRWA Condemns the Palestinians to Refugee Status in Perpetuity

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<http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/>

* The “United Nations Relief and Works Agency for Palestine Refugees in the Near East” (UNRWA) was established by the UN General Assembly in December 1949 as a distinctly temporary entity to assist in reintegration, repatriation, or resettlement, with a view to furthering peace.
* But according to UNRWA’s mandate, refugee status extends to cover all future generations of Palestinians, and specifically “descendants of persons who became refugees in 1948.” Rather than narrowing the problem, this definition has extended it, with refugee status now applying into the fourth generation of Palestinians, exploding the number of registered refugees from an estimated 700,000 back in 1949 (per UNRWA’s claims) to 5,000,000.[1](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn1)
* This UNRWA mandate is far beyond the accepted international definitions and criteria for refugees that are the basis for the much more successful model for international refugee relief – the UN High Commissioner for Refugees (UNHCR), formed in 1950. The UNHCR seeks to resettle refugees, not perpetuate their camp existence.
* The UNHRC operates on the basis of the 1951 Refugee Convention, which does not say a word about passing refugee status to descendants. Refugee status, according to the convention, is not permanent.
* Refugees who become naturalized in their host countries, according to the convention, lose their refugee status. In contrast, in the UNRWA system, a Palestinian refugee who was born in Zurich and has a Swiss passport is still defined as a refugee.
* Any attempt to reach a final Israeli-Palestinian peace must require a complete suspension of UNRWA funding and financing with a view to dissolving the agency and dismantling the refugee camps. New housing should replace them. Funding should be transformed into direct assistance to the appropriate agencies to carry out this task. If the goal of a future agreement is to end the Israeli-Palestinian conflict once and for all, then UNRWA’s current configuration makes a final peace impossible to achieve.

### Introduction

In all the various frameworks envisioned by the international community for reaching a peaceful settlement in the Middle East generally, and between Israel and the Palestinians in particular, the issue of refugees has been perhaps one of the most central and complex.

The refugee issue extends beyond territorial and historic issues that are the basis of the dispute. It goes beyond pragmatic considerations of security, historic and religious rights, economic relations, and social and cultural interests.

UN Security Council Resolution 242 (1967), the generally acknowledged framework for settling the dispute, placed “achieving a just settlement of the refugee problem” on an equal par with other essential requirements for peace, such as termination of belligerency, withdrawal from territory, freedom of navigation, and territorial inviolability and political independence of states within secure and defensible boundaries.

### Establishment of UNRWA as a Temporary Agency

General Assembly Resolution 212 (III) of 1948, one of the earliest UN resolutions dealing with the Middle East conflict, addressed the settlement of the refugee issue as “one of the minimum conditions for the success of the efforts of the United Nations to bring peace to that land.”[2](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn2) Resolution 302 (IV) of 1949, which established UNRWA, recognized that assistance to the refugees was necessary “to further conditions of peace and stability.”[3](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn3)

In a similar vein, General Assembly Resolution 292 (1950) considered that “reintegration of the refugees into the economic life of the Near East, either by repatriation or resettlement, is essential …for the realization of conditions of peace and stability in the area.”[4](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn4)

As such, the concept behind the establishment and functioning of UNRWA was, from the start, a temporary arrangement, integrally linked to any effort at achieving peace. This temporary character has existed since its establishment through the annual UN General Assembly review and financing mechanisms and the annual series of resolutions renewing the agency’s mandate.

### The Refugee Issue in Peace Process Documentation

With the momentum of the Middle East peace process since 1977, especially with the 1978 Camp David Accords and the 1979 Israel-Egypt Peace Treaty, the importance of solving the refugee issue figured as a central component in any ultimate framework for final settlement of the conflict.

The refugee issue was included in the invitation sent on October 19, 1991 by U.S. President George Bush and the Soviet Union’s President Mikhail Gorbachev to the parties to the Madrid Peace Conference.

A distinct multilateral negotiating group was tasked with complementing and supporting the bilateral negotiation process and addressing issues that extend beyond the two parties, as well as promoting greater contact, trust, and confidence-building among the regional parties.[5](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn5)

The Refugee Working Group, headed by Canada, convened in Moscow and Ottawa, and conducted missions to Jordan in 1994, 1996, and 1999, and within the West Bank and Gaza in 1998. Similar international missions were conducted in Lebanon in 1994 and 1997. The various missions effectively highlighted both the complexity of the Palestinian refugee problem and the necessity of resolving it.[6](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn6)

The 1993 PLO-Israel Declaration of Principles on Interim Self-Governing Arrangements (commonly known as “Oslo I”) determined that the refugee issue would be negotiated in the permanent status negotiations, together with such other central issues as borders, security, settlements, and Jerusalem.[7](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn7)

The 1994 Jordan-Israel Treaty of Peace, recognizing the centrality of solving the refugee issue and acknowledging its regional significance, reaffirmed the commitment of the parties to resolve it through the above-noted multilateral working group, as well as through the permanent status negotiations.[8](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn8)

The general recognition of the centrality of the need to settle the refugee issue in order to reach peace, as included in the Oslo Accords, was given added endorsement by those major powers that signed the Oslo Accords as witnesses, including the leaders of the United States, Russia, Egypt, Norway, and the EU, as well as the subsequent endorsement of the accords by the United Nations.

Later developments and proposals within the ongoing peace process acknowledged the importance of solving the refugee issue:

* The “Clinton Parameters” of December 23, 2000 suggested possible options of absorption in a Palestinian state of those refugees wishing to settle there, rehabilitation of others in their host countries, immigration to third-party countries, and settlement of a limited and agreed number in Israel.[9](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn9)
* The 2003 “Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict” proposed by the Quartet (United States, Russia, UN and EU) called for an international conference at which there parties would renew the multilateral engagement on the central issues including regional water resources, environment, economic development, refugees, and arms control. This would be followed by a second international conference to reach a permanent status agreement on the major issues, including refugees.[10](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn10)

### The Anomalous Nature of UNRWA

Unlike its sister organization, the UN High Commission for Refugees (UNHCR), mandated since 1950 to coordinate the handling of all refugee communities worldwide, UNRWA was established in that same year to deal exclusively with Palestinian refugees, thereby excluding them from the protection of the UNHCR.[11](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn11)

While the aims and operations of the UNHCR are based on international instruments – mainly the 1951 Convention Relating to the Status of Refugees[12](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn12) – UNRWA was never provided with a specific statute or charter. It has operated since its inception under a general mandate, renewed every three years by the General Assembly.

The major distinction and main reason for the establishment of a separate agency to deal with Palestinian refugees, was to crystallize their sole aim – not rehabilitation and resettlement, as was the aim of UNHCR – but solely “return.” Inclusion of Palestinian refugees under the general UNHCR definition of “refugees” would have been interpreted as a waiver of their claim that “return” was the sole solution.[13](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn13)

### The Political Character of UNRWA

It is widely acknowledged that the unrealistic and often artificial character of UNRWA, with its bloated rolls of refugees, serves its aim as a self-generating agency.

As observed by Assaf Ramirowsky, co-author of the book “Religion, Politics, and the Origins of Palestine Refugee Relief”:

UNRWA is an international agency that is effectively managed by the interests that it is intended to serve. The full weight of the organization’s coercive “soft power” and halo effect have been brought to bear on local and international political and media processes in order to shield it and keep the rent-seeking cycle in operation. This has been done in large part by members of the “refugee” population itself working within UNRWA, with the help of the senior international managerial staff. By acting as a pressure group, the organization has thus been able to extend its mandate, and ward off oversight and reform.[14](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn14)

Similarly, James G. Lindsay, former General Counsel of UNRWA and attorney with the U.S. Department of Justice and the Multinational Force and Observers observed:

“The vast majority of UNRWA’s registered refugees have already been ‘resettled’ (or, to use the UN euphemism, ‘reintegrated’),” and the “only thing preventing citizens from ceasing to be ‘refugees’ is UNRWA’s singular definition of what constitutes a refugee.”

Even though the Agency keeps records of over five million Palestinians whom it “refers to” as Registered Refugees that does not mean that under international law there actually are five million Palestine refugees. This distinction is ignored on the many occasions when UNRWA, or the U.S. State Department for that matter, makes mention of five million Palestine refugees.

For UNRWA Refugees, refugee status persists solely because UNRWA pretends persons who are protected by a state (the oxymoronic “citizen refugees”) are still refugees and, for those who really are refugees, refuses to make any effort to end their refugee status, as (in the absence of the possibility of repatriation) by resettlement or local integration. UNRWA has made no effort toward resettlement or local integration since the 1950s. Indeed, since that period UNRWA has purposefully chosen not to make any effort to end the refugee status of UNRWA Registered Refugees – or even to remove from the list of Registered Refugees those who, through their own efforts and/or the actions of host states, have been resettled or locally integrated and, thus, are no longer refugees under established international refugee law and practice.[15](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn15)

Lt. Gen. Sir Alexander Galloway, director of UNRWA in Jordan, commented in 1952:

It is perfectly clear that Arab nations do not want to solve the Arab refugee problem. They want to keep it as an open sore, as an affront against the United Nations and as a weapon against Israel. Arab leaders don’t give a damn whether the refugees live or die.[16](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn16)

In his book “The UN and the Palestinian Refugees,” Prof. Edward Buehrig, a former State Department official and visiting professor at the American University of Beirut, stated:

UNRWA’s manner of dealing with refugee problems has been quite different from UNHCR’s, inasmuch as the Agency has directly financed and administered programs of public works, economic rehabilitation, relief, health and education. Yet, despite the depth and intimacy of UNRWA’s involvement, the result has not been to dissipate the Arab refugee problem, whereas UNHCR has reached solutions in many situations.

Another difference between the Arab refugee problem and comparable problems handled by UNHCR is the simple fact that the refugees in the former instance, unlike those typically dealt with by UNHCR, have not and do not welcome an alternative to repatriation.[17](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn17)

Clearly, refugee status has been all along a distinct political tool for continuing diplomatic warfare against Israel.

When the Palestinian Authority, as part of its administration of the Gaza Strip and the West Bank areas under its jurisdiction, had the opportunity to dismantle the refugee camps and resettle their residents within their towns and villages, they demanded that the refugees be settled in Israel and not in any possible future Palestinian state.

### International Perpetuation of the Refugee Issue

Surprisingly, and despite acknowledging the centrality of the need to resolve the refugee issue, the international community has acted in a distinctly conflicting manner by perpetuating the refugee issue.

Through the ongoing support, financing, and enhancement of UNRWA, the organized international community together with the individual countries financing the budget of UNRWA are undermining and neutralizing efforts to resolve the refugee issue.

UNRWA has gradually evolved from being an agency intended to alleviate starvation and distress among refugees. Its mandate and character have been extended both temporally and geographically to cover local Bedouin tribes and non-refugee villagers adversely affected by the influx of refugees. It was further extended to third and later generations of family members. Its functions were widened to cover reintegration, repatriation, and resettlement as part of an enhanced effort toward regional economic development.

UNRWA’s first Commissioner General John Davis, in a report from 1960, went as far as to place the refugee problem and UNRWA’s function at the center of “every aspect of life and human endeavor” in the Middle East.[18](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn18) This served as a basis and impetus for further extending the agency’s mandate to cover education and vocational training, thereby placing UNRWA on the front line of social activity within Palestinian society.

With the enhancement of the UN’s activism, ongoing support, and involvement in the Palestinian issues, as evidenced in annual UN resolutions and the establishment, UNRWA has expanded exponentially.[19](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn19)

As such, UNRWA, by its own admission, has proudly evolved from a temporary relief and works program into a broad social welfare organization within Palestinian society. It has become an independent political body, based solely on the continuing existence of the refugee issue. It maintains its own independent political interests, policies, and funding mechanisms.

UNRWA employs 30,000 people, almost all Palestinian and some complicit in acts of violence and terror against Israel such as allowing Hamas rockets to be stored in and fired from UNRWA schools or grounds. In one case, after the weapons’ discovery, UNRWA handed the rockets to Gaza government officials – in other words, back to Hamas officials.

Grad rockets were found in a Gazan school, July 17, 2014. (IDF Spokesman) UNRWA issued a statement that the incident “endangered civilians including staff and put at risk UNRWA’s vital mission to assist and protect Palestinian refugees in Gaza.”[20](http://jcpa.org/article/unrwa-condemns-palestinians-refugee-status-perpetuity/" \l "_edn20)

The enhanced and bloated corpus of Palestinian refugees that it purports to serve represents the sole factor enabling it to maintain its influence as an essential part of Palestinian society and as an essential player in the international political scenario in all concerning the Palestinian issue.

### Conclusion and Recommendations

Through donations by states, budget appropriations from the UN, annual resolutions passed by an automatic majority, and considerable political lobbying, UNRWA has developed its own, self-generating persona.

As long as the refugee issue is being perpetuated and UNRWA remains the international community’s institution officially tasked with perpetuating Palestinian “refugee-ism,” there can be no chance of achieving a bona-fide resolution of the refugee issue within any renewed peace negotiation process.

Any return to negotiations would be dependent on the following minimal requirements regarding the refugee issue:

* A complete suspension of UNRWA financing and the concomitant transfer of its funds by the UN and the 27 states that maintain UNRWA through their donations, to directly finance the full absorption of refugees within Palestinian towns and villages or in countries where they live or are employed, as well as the dismantling of the refugee camps. An absurd situation exists today where overcrowded and festering refugee camps exist within or adjacent to Palestinian cities inside the Gaza Strip and the Palestinian Authority-controlled “Area A” in the West Bank.

Aerial photograph of the Balata refugee camp in Nablus. Note its density and the empty fields around it.

* Transfer of UNRWA’s educational, social and political functions, and budgets to the appropriate Palestinian governing bodies.
* Concomitant with the return to negotiations, the dissolution of the agency by the UN.