

Position paper on UNRWA

(by ex UNRWA Gaza Director Matthias Schmale – June 14, 2024)

1. History and context

In 1949 the UN General Assembly – in other words the Member States of the UN – gave UNRWA an initial 3-year mandate to provide humanitarian assistance to Palestine refugees who were pushed off their land until a Palestinian State would be created for them. Since a just solution has not been agreed and implemented, the General Assembly has since then renewed the mandate for UNRWA every three years.

The offer of services to Palestine refugees has over time been adjusted to include the provision of quasi government like education, health and social services in all five areas of operation (Gaza, West Bank, Jordan, Lebanon and Syria).

* What major challenges and changes has UNRWA faced over the years, with a particular focus on the political situation in Gaza?

One of the if not the main challenge for UNRWA has been that a just solution has not been agreed and implemented in more than 70 years. UNRWA and its services will not be needed once the Palestine refugees have a country they can call their own and return to.

Aside from this political dimension, predictable and sufficient funding to enable UNRWA to continue providing its vital services have continued to be a challenge in particular in recent years.

The main day to day challenges for UNRWA in Gaza have been the occupation and the blockade (in its 17th year). And after Hamas took over the running of Gaza, there have been periods of intense tensions with Hamas related to ensuring that UNRWA has the independent and neutral space to provide its humanitarian and basic services. These tensions with de facto authorities are not unique to Gaza, but the case in numerous challenging environments in which the UN aids vulnerable people around the globe (including in recent years in Afghanistan, Myanmar, and Sudan).

* How does the control of Hamas over Gaza affect UNRWA's daily operations and what are the main obstacles UNRWA faces in Gaza?

Needless to state it is not possible for any humanitarian or development actor including UNRWA to operate in Gaza without establishing a “pragmatic working relationship” with the de facto authorities. It must be underlined that “pragmatic relationship” does not mean at all agreement with either ideology or actions of Hamas; it means ensuring that UNRWA can operate neutrally impartially and independently. While Hamas has in general left UNRWA to provide its services without interference, there has been regular pressure from Hamas (and other political factions including Fatah) on what services to provide and to whom.

It is important to underline that it is not only Hamas control of Gaza that affects UNRWA’s daily operations there but in the first instance the Israeli blockade. Israel tightly controls movement of people and goods, and there have been frequent tensions with the concerned Israeli authorities over allowing senior UNRWA Palestinian staff to travel (to, for example, attend meetings at HQ in Jerusalem and Amman) as well as over importing so called dual use items (e.g. construction material for the building of schools and health centers, which cannot be brought into Gaza without explicit Israeli approval of type and volume of material). A further aspect of this is that no international

UNRWA staff member can work in Gaza without being issued a work permit by the Israeli Ministry of Foreign Affairs.

2. Possible involvement/entanglement of UNRWA with Hamas

The basic relationship is already described above under point 2. Over the years, there have been a comparatively minor number of incidents of Hamas abusing UNRWA resources and facilities. All of these have been discovered by UNRWA staff. Examples include finding weapons in an unused school during the 2014 war, and some tunnels under UNRWA installations (two during my time). Once these were discovered, both the de facto authorities in Gaza as well as the relevant Israeli authorities were immediately notified, and the misuse was corrected (e.g. tunnels were closed with liquid cement, and the weapons were removed).

UNRWA has rigorous neutrality and management mechanisms in place that have been tested and proved over time to effectively prevent both abuse of resources and facilities as well as neutrality violations by staff. These include regular neutrality inspections of UNRWA installations, staff signing the UN's code of conduct upon employment as well as regular training and reminders to staff of their obligations by senior management. It also includes having dedicated investigation capacities and clear disciplinary measures. In my time as UNRWA Director in Gaza over almost 4 years, I fired 8 employees (less than 1 percent of our 13000 employees in Gaza) on the basis of internal investigations proving violations of norms and standards (mostly linked to UNRWA's zero tolerance for corporal punishment in schools as well as sexual abuse). The recent investigation report (produced under the leadership of former French Foreign Minister Colonna by independent of the UN organisations) acknowledged that – while there is always room for improvement – UNRWA has more rigorous neutrality control procedures in place than most if not all other UN Agencies.

* What are the views and reactions of the international community and involved countries and organizations on allegations of cooperation with or support for Hamas by UNRWA?

During my time with UNRWA in Gaza, visitors from our international partners and Member States always showed much understanding for the challenge of working in Gaza as well as appreciation for the effectiveness of UNRWA systems and actions to manage these challenges.

3. Alternatives to UNRWA's role in Gaza

While there are both national organisations (like the Palestine Red Crescent Society) and international organisations (ICRC, MSF, WFP and OCHA) that can and are contributing to the relief effort, only UNRWA has the capacity and experience to deliver humanitarian aid on the scale that is needed after 8 months of relentless bombardment and fighting.

There is no other actor that has the capacity and experience to in any meaningful way take over UNRWA's core development services in education and health.

* What are the potential advantages and disadvantages of transferring UNRWA's responsibilities to other entities, including the practical and logistical challenges?

Apart from burden sharing responsibilities for humanitarian aid (e.g. the provision of food and water) I see no advantage of transferring responsibilities from UNRWA to others in view of the scale of what is needed. As an example, UNRWA's 22 Health Centers provide on average 1 million PHC consultations per quarter and 280000 children have been given education verified for instance by the World Bank as meeting

international standards. It does not make much sense for the international community to throw away decades of investments into building capacities and the expertise of 13000 staff. Any other organisation would have to use the services of Palestinian staff to reach the needed scale and impact, and it is unreasonable to assume that other organisations would not face the same pressures and neutrality challenges that UNRWA is confronted with. So why not use what already exists and improve it further?

Needless to state, what must happen in the medium to long term is that a Palestinian State is established (with leadership elected fairly and freely) that takes care of its own people. It may be of interest to note that after Oslo, UNRWA established working groups to prepare for an eventual handover to a Palestinian authority. In my overall 7 years with UNRWA I met no staff who wanted UNRWA to exist for ever and no refugee who voluntarily wanted to continue their dependence on UNRWA services – their common and strong desire was and is to have a just solution for their plight.