



Legal Dimensions of the Knesset's Actions Against UNRWA: Criminalization, Hostility, and Strategic Responses

**The Palestinian Initiative for the Promotion of
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By: Nasser Arrayes

MIFTAH Team:

Lamis Shu'aibi Hantouli

Abdalaziz Al-Salehi

Director, Good Governance Program

Research and Studies Unit Officer

Translated by Rania Filfil

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MIFTAH Foreword:

Following the plans and measures taken by the occupation government against the United Nations Relief and Work Agency for Palestinian Refugees in the Near East (UNRWA), which is one of the main United Nations agencies that aim to safeguard the rights of the Palestinians and provide humanitarian aid to the Palestinian refugees in their different locations, the Palestinian Initiative for the Promotion of Global Dialogue and Democracy (MIFTAH) carried out a legal study on the dimensions of the war waged by the occupation authorities against UNRWA. The study comes after several resolutions by the Israeli legislative “Knesset” to criminalize UNRWA and describe it as a terrorist organization. For decades, UNRWA has been responsible for providing aid, relief, and basic services to millions of Palestinian refugees, thus representing one of the main UN pillars concerned with addressing the issue of Palestinian refugees until a fair solution is reached in accordance with UN Resolution 194.

In this research paper, MIFTAH traced the timeline of the ongoing war against UNRWA, referring to the attempts made by the occupying state to reduce the Agency’s role by drying out its funding and launching defamation and incitement campaigns against it. These attacks aimed to strip Palestinians of their rights and reject their right to return. They are part of a series of international measures that violate international laws, including UN agreements that emphasize the protection of the rights of Palestinian refugees.

MIFTAH reiterates the importance of local and international debate on the General Assembly and Security Council and their role in this context. Their mandate is to protect international law and maintain world peace and security under the United Nations Charter, which vested in them clear responsibilities regarding the imposition of global respect and compliance with the Charter’s principles and international legitimacy. They are obligated to intervene and counter the Israeli breaches and practices, namely those relating to the attacks against UNRWA, which is a UN body acting under its umbrella.

We, at MIFTAH, underscore the importance of supporting UNRWA and protecting it from all the attempts to raise suspicion of its impartiality and role. We call on the international community to shoulder its responsibilities and act against the Israeli measures that aim to abolish the right of Palestinians to return and the status of Palestinian refugees under international law. The presence of UNRWA is a living witness of this suffering and a symbol of the perseverance of the Palestinian people who continue to uphold their legitimate rights.

Dr. Tahreer Al-Aaraj
Executive Director

Executive summary:

This paper tracks the history of the war waged by the occupying state against the United Nations Relief and Work Agency for Palestinian Refugees in the Near East (UNRWA), which provides aid and protection to Palestinian refugees in Jordan, Lebanon, Syria, and the Occupied Palestinian Territories and mobilizes support to reach a solution to their suffering. Through many decades, UNRWA has been responsible for providing relief, aid, support, and health and education services to hundreds of thousands of Palestinian refugees. However, its most important role is its political stance since it was created to solve and settle the question of refugees based on Paragraph (11) of UN General Assembly Resolution 194. Consequently, preserving its existence is connected to efforts of the international community to enforce the right of the Palestinians to return

For decades, Israel has been engaged in a covert war against the Agency to influence it and undermine its role by drying up its sources of funding and, subsequently, stripping the Palestinians of its services. The aim is to create a feeling among the Palestinians that it is unimportant and helpless. As such, they would accept an alternative that is more generous and capable of fulfilling their living and service needs. Israel has also launched campaigns of incitement, defamation, and accusation to cast doubt on its impartiality and politicize its work in order to create an international public opinion that is willing to divert the Agency's role and work to other international organizations, thus terminating its existence as an international – or rather a UN – organization.

This paper presents the main reasons behind the ongoing attack, the most recent of which was the decision of the Israeli parliament, the so-called Knesset, on the second and third reading of a bill to ban the activities of the United Nations Relief and Works Agency for Palestine Refugees in the territories over which the occupying power has sovereignty. Knesset members approved the bill by a majority of 92 votes in favor and 10 against (Arab MPs)[1]. The vote indicates a near unanimity between the government coalition and the so-called opposition on this decision. The continuation of UNRWA is an obstacle to Israel's political endeavor to eradicate the right of return, UNRWA establishes the status of Palestinian refugees and their descendants born in the Diaspora, i.e., the successors of their parents to carry the status of refugee and enjoy the right to return. UNRWA as a body remains a UN witness and a key reference in documenting and exposing the violations and practices of the occupying state against the Palestinian people in the Occupied Territories.

The Knesset's decision has a number of legal implications and dimensions, most notably the revocation of UNRWA's international status as a body of the United Nations, the cancellation of the understandings and letters exchanged between it and the Israeli Foreign Ministry on June 14, 1967, which was referred to as the **“Comay-Michelmore”** Agreement, in addition to preventing UNRWA from practicing its work and closing its headquarters and all its offices. The decision also prevents UNRWA from performing its job, closes all its headquarters and offices, treats all its staff as ordinary persons without immunity, and strips its staff and headquarters of the immunity granted by the Convention on the Privileges and Immunities of the United Nations, thus making them accountable and prosecutable for any action that may be interpreted as violating the provisions of Israeli law.

[1]- Halabi, Ziad. “A near-consensus between the ruling coalition and the opposition in the Knesset passed the ban on UNRWA in Israel.” Published on the website of Radio Monte Carlo International on October 29, 2024. See the following link: <https://l1nq.com/SBY45>

* The Comay-Michelmore Agreement is the result of correspondence between the then Commissioner-General of the United Nations Relief and Works Agency (UNRWA), Lawrence Michelmore, and the political advisor to the Israeli Foreign Minister and non-resident ambassador, Michael Comay. This correspondence regulated the guarantee of

It is paramount to note that the occupying power has openly and blatantly launched a military offensive against UNRWA's headquarters. From the beginning of the Israeli aggression [on the Gaza Strip] until October 30, 2024, about 200 of the Agency's buildings were bombed, resulting in the full destruction of at least 71 schools, while another 48 schools lost at least half of their buildings. Some 161 UNRWA school buildings were either directly hit or damaged, and 237 UNRWA staff members in the Gaza Strip were killed while carrying out their humanitarian duties.[2] Moreover, at least 563 civilians were killed while about 1,600 displaced persons who sought refuge in UNRWA schools and facilities for safety and protection were injured[3].

These legislations represent a flagrant violation by the occupying state of a number of its international obligations, most notably:

1. Flagrant violation of the provisions of the UN Charter, specifically Article II, paragraph 5 of the UN Charter, and Articles 104 and 105, which obligate states to cooperate with UN agencies and facilitate their work.
2. Violation of the 1946 Convention on the Privileges and Immunities of the United Nations, which obliges states to respect the immunity of UN personnel and the facilitative treatment they must enjoy in movement and residence to ensure the proper execution of their tasks.

protection and security of UNRWA staff, installations and property, allowing the free movement of UNRWA vehicles into, within and out of Israel and the areas concerned, allowing the Agency's international staff to move into and out of Israel and the areas concerned, providing radio, telecommunications and landing facilities, allowing the Agency's local staff to move within the areas concerned under arrangements made with the military authorities, arranging to maintain existing financial arrangements with the government authorities then responsible for the areas concerned, and recognizing that the Convention on the Privileges and Immunities of the United Nations of February 13, 1946, to which Israel is a party, governs relations between the Government and UNRWA in all matters relating to the functions of UNRWA.

[2]- From the UN website. "Gaza: Dozens of casualties reported after Israeli shelling of another UNRWA school." Published July 7, 2024. See the following link: <https://feji.us/k7jjlo>

[3]- Ibid.

3. A clear violation of the understandings known as “Comay-Michelmore”, which is considered an agreement between the State of Israel and UNRWA that emphasized **ensuring the protection and security of UNRWA staff, facilities, and property and allowing the free movement of UNRWA staff and vehicles into and out of Israel and the areas concerned.**

4. A clear violation of Israel's pledges to the General Assembly regarding the inadmissibility of using its internal authority to avoid its international obligations.

5. A clear violation by Israel of the 1969 Vienna Convention on the Law of Treaties, Article 27 of which emphasizes that “a party to a treaty may not invoke the provisions of its internal law as justification for its failure to perform the treaty.”

Targeting UNRWA, disrupting it and preventing it from carrying out its work entails many crimes and violations of the provisions of international humanitarian law, the most important of which are:

- Deliberately depriving the civilian population of aid, food, and health supplies, which means starving them and placing them in difficult living conditions that may lead to their death, which falls under the war crimes defined by the Charter of the International Criminal Court.
- The denial of food and medical supplies to the population of the occupied territories and the denial of international relief organizations and agencies, including UNRWA, means deliberately causing the death and destruction of civilians, patients, children, the elderly, and women who need them, which constitutes an act of genocide according to the text and content of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide.
- **Under international humanitarian law, the bombing of UNRWA's headquarters and schools is a clear violation of international humanitarian law and is plausible of war crimes within the scope of the acts described under the four Geneva Conventions, the First Geneva Protocol of 1977 and the Charter of the International Criminal Court.**

No doubt targeting UNRWA, in addition to the implications of the flagrant and explicit violation by the occupying power of its international legal obligations, also represents a clear strategy and direction to erase the right of Palestinian refugees to return to their homes and properties. Therefore, in order to prevent the Israeli occupation from achieving its goal, it is necessary to:

- Forming a body from the Department of Refugee Affairs, various official bodies, Palestinian civil society organizations, and national action forces to develop a national strategy for action at the level of the United Nations, UN organizations, and international organizations to confront the Israeli policy of ending UNRWA.
- The Palestinian adherence to the survival of UNRWA and the rejection of any proposal related to assigning or replacing this Agency with any international authority.
- Raise the issue of Israel's membership in the UN and its expulsion from the UN in response to its grave violation of its obligations arising from the Convention on the Privileges and Immunities of the United Nations.
- Move at the level of the UN General Assembly to pass a clear and explicit resolution defining the Palestinian refugee, to cut off any political pressures or international trends that may lead to the adoption of the Israeli standard and concept based on limiting the concept of refugees to the first generation of the Nakba (catastrophe).
- Enacting a Palestinian law on the right of return, similar to Israeli legislation, to strengthen and stabilize the rights of Palestinian refugees.
- The Palestinian National Council's call for Arab parliaments and the Inter-Parliamentary Union to take a clear stance towards boycotting the Israeli parliament, the Knesset, in response to its enactment of laws that violate the Convention on the Immunity of the United Nations and its personnel.
- The Palestinian civil society should mobilize to register all Palestinian refugees in the diaspora by allocating an observatory or a special body for this process to create a national Palestinian archive on the Palestinian refugee census.
- A broad campaign by civil society organizations to pressure the International Criminal Court to issue arrest warrants for Israeli war criminals.

It must be emphasized that the war on UNRWA is aimed primarily at ending the right of return of Palestinian refugees, thus putting an end to the refugee issue, as UNRWA is the only body that keeps the Palestinian refugee issue alive through its presence and services in refugee camps until Resolution 194 regarding their right of return and material and moral compensation is implemented. It should also be noted that there is correspondence between the Palestine Liberation Organization (PLO) and the Commissioner-General of UNRWA (between Yasser Arafat as Chairman of the PLO and Ilter Turkmen as the then Commissioner-General of UNRWA), which explicitly states: “To the extent that the Palestinian Authority assumes powers and responsibilities in the Gaza Strip, the Jericho area and the rest of the West Bank, I wish to confirm our agreement to this, upon request. The Palestine Liberation Organization (PLO) and the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) will continue to assist the Palestinian people in these areas... Accordingly, in order to facilitate the delivery of UNRWA's services to the Palestinian people in the West Bank and Gaza Strip and the development of new initiatives for their social and economic well-being, the PLO, as the representative of the Palestinian people, agrees that in all relations with UNRWA, Articles 100, 104 and 105 of the UN Charter and the Convention on the Privileges and Immunities of the United Nations shall apply even if it is not a party thereto[4].” This means that the Palestinian National Authority is the official body that is supposed to regulate the relationship with UNRWA in the West Bank and the Gaza Strip, and the occupying state's obstruction of this is a blatant violation, as this agreement was concluded between the PLO and UNRWA and the occupation state has no authority over this agreement.

As for UNRWA's headquarters in Sheikh Jarrah in Jerusalem, in October 1993, Shimon Peres sent a letter to Norwegian Foreign Minister Johan Holst stating that “I wish to confirm the Palestinian institutions in East Jerusalem and the interests and welfare of the Palestinians in East Jerusalem are of paramount importance and will be preserved.

[4]- Exchange of letters dated 24 June 1994 between the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and the Chairman of the Palestine Liberation Organization for the purpose of facilitating UNRWA to continue to provide its assistance to the Palestinian population in the Gaza Strip and the Jericho Area and in the remainder of the West Bank.

Therefore, all Palestinian institutions of East Jerusalem, including economic, social, educational, and cultural institutions, as well as Christian and Muslim holy sites, are performing an essential task for the Palestinian population. Needless to say, we will not hamper their activity; on the contrary, the fulfillment of this important mission must be encouraged.” Thus, the attack on Sheikh Jarrah's headquarters holds the occupying power accountable according to its prior commitment to preserve Palestinian institutions in East Jerusalem, which was announced at the time by Shimon Peres as a sign that the Israeli government at the time was serious about granting the Palestinians an independent entity as a precursor to a Palestinian state.

Introduction:

"UNRWA is the reason for the continuation of the Palestinian refugee problem, in addition to its support for the right of return, which aims to eliminate Israel."

These phrases summarize the State of Israel's view of this international institution, which means that the State of Israel's targeting of UNRWA is, on the surface, a targeting of UNRWA as a body, and on the inside, a targeting of the right of Palestinian refugees to return to their homes and properties, a right that the State of Israel has denied for more than 75 years, in light of the silence and laxity of the international community in assuming legal responsibility for the implementation of this right.

There is no doubt that UNRWA has carried the burden of relief, aid, support, healthcare, and education for hundreds of thousands of Palestinian refugees, thus alleviating their suffering and pain. However, the Agency is also important because its very existence and establishment are linked to the solution and settlement of the refugee issue in accordance with the principles set forth in paragraph 11 of UN Resolution 194. Consequently, its survival and continuation have become dependent on the international community's realization and implementation of the Palestinian right of return.

Israel's targeting of UNRWA is not a new event revealed in the course of the massive Israeli aggression against the Palestinian people in the Gaza Strip, but rather an extension of decades-long Israeli policies and trends to get rid of this body, which Israel sees as a confirmation and reminder to the international community of the Palestinian refugee issue, which continues to exist at the global level.

For decades, Israel has been engaged in a covert war against the UNRWA to influence it and minimize its role by drying up its sources of funding and thus stripping Palestinians of its services, in preparation for disseminating a sense of irrelevance among Palestinians about its existence and role. In such a case, they would accept any alternative, which may be more generous and able to meet their living and service needs. It also began to launch incitement, defamation, and accusation campaigns to question its neutrality and politicize its work, in order to create an international public opinion capable of shifting its role and work to other international organizations, to put an end to UNRWA as an international/UN agency that was established precisely because of the emergence of the Palestinian refugees' issue.

Furthering its targeting, defamation, and doubt-raising policy, on October 28, 2024, the Israeli Knesset (Parliament) passed two laws, the first of which aims to prevent the Agency from working in Israeli territory, while the second aims to strip UNRWA employees of the immunities and legal privileges granted to UN employees in Israel. With these laws, the State of Israel has entered a new stage of hostility to UNRWA in a manner that affects the Agency's survival. The laws also mark a new stage of targeting that, if successful, will reduce the Agency's role and activities and perhaps assign another international mediator in its place, as it becomes difficult and even impossible for UNRWA to continue its operations in such a situation.

Without a doubt, UNRWA and its survival are directly related to the core of the Palestinian question. Consequently, its survival and existence must be preserved. This requires the Palestinians not only to act to ensure the Agency's survival, but also to actively defend and support it in its legal and political battles to safeguard its existence, independence, mission, and role. Indeed, ending UNRWA will represent the first link in the chain held by Israel to terminate the right to return.

Israel's actions against UNRWA do not represent a new policy. They come as part of the occupying power's approach to dealing with the Palestinian question and relevant UN resolutions. This policy is visible in the Israeli Prime Minister's Office response to French President Emmanuel Macron's statement, in which he said that "Netanyahu should not forget that his country was created by a United Nations resolution," which said, 'It was not the UN decision that established the State of Israel, but the victory achieved in the War of Independence with the blood of our heroic fighters, many of whom were Holocaust survivors, including from the Vichy regime in France.' The response further added, "It would also be worthwhile to recall that in recent decades, the UN has approved hundreds of antisemitic decisions against the State of Israel, the purpose of which is to deny the one and only Jewish state's right to exist and its ability to defend itself[5]."

On October 30, 2024, the representative of the State of Israel made the same statement at the Security Council meeting to discuss the issue of the State of Israel's laws regarding UNRWA, in which he pointed out that Israel was not established by an international resolution but based on its historical right to its land.

This is undoubtedly an indicator of a clear and deliberate Israeli strategy and action to overturn a set of international resolutions, especially those whose existence conflicts with its policy of expansion, annexation, and Judaization of the Palestinian land, as is the case with Resolution 181 (the Partition Plan) and Resolution 194 on the right of return.

General Context: Displacement and Ethnic Cleansing

The Arab population of Palestine in 1918, when Ottoman rule ended, amounted to about 680,000 people, including a Jewish minority of 56,000 people[6], equivalent to 7% of the total population of Palestine. This minority also owned about 650,000 dunums (a dunum is equal to 1,000 square meters), equivalent to 2.5% of the 25 million dunums of privately owned land in Palestine[7].

[5]- Russian News Agency website in Arabic, "Netanyahu responds to Macron: Israel was not established by a UN Resolution." Published on October 15, 2024. See the following link: <https://t.ly/QkdKS>

[6]- Takkenberg, Lex. "The Status of Palestinian Refugees in International Law." *Institute for Palestine Studies, Beirut, First Edition, August 2003, p. 14.*

[7]- United Nations. "The origin and evolution of the Palestine Question 1917-1988." Prepared by the *Committee on the Exercise of the Inalienable Rights of the Palestinian People: New York 1990, pp. 48-49.*

As a result of the support and encouragement of Jewish immigration by the British government, which was granted the Mandate for Palestine by the League of Nations in 1922,* the number of Jews in Palestine doubled and continued to increase, reaching about 608,000 people at the end of 1947, before the partition of Palestine. The Jewish population constituted then a third of the population in Palestine, which at that time was about 1,850,000, while Jewish ownership did not exceed 1,625,000 dunams, or 6.5% of all private ownership of land in Palestine until this date[8].

To enhance the chances of the Jews to implement the Balfour Declaration and establish a Jewish national home in Palestine, especially after its success in changing the demographic reality and raising the percentage of Jews in Palestine to one-third, the British government requested the United Nations General Assembly to consider ending its mandate over Palestine, in order to place on the United Nations the responsibility of deciding the fate of Palestine in the face of the escalation of the conflict between Jewish immigrants and Palestinians. Subsequently, the General Assembly issued Resolution No.

* The victorious countries in World War I agreed at the San Remo Conference held on April 25, 1920, to divide the Arab regions cut off from the Ottoman Empire in the aftermath of the war. Britain was given Iraq and Palestine, and France received Syria and Lebanon.

اتفقت الدول المنتصرة في الحرب العالمية الأولى في مؤتمر سان ريمون المنعقد في 25 نيسان 1920 على تقسيم الأقاليم العربية المقتطعة من الامبراطورية العثمانية في أعقاب الحرب فأعطيت بريطانيا كل من العراق وفلسطين وحصلت فرنسا على سوريا ولبنان.

[8] - The origin and evolution of the Palestinian Issue, op. cit., pp. 94 and 95.

106 in its first special session on May 7, 1947, establishing a special committee (UNSCOP) to study the situation in Palestine and make a recommendation as it deems appropriate to resolve and settle this issue within three months.*

The Committee presented two proposals, the first of which was represented by what was known as the minority project (Iran, India, Yugoslavia), a proposal for declaring the independence of Palestine as a single federal state consisting of the union of an Arab state and a Jewish state after their establishment and announcement. The second proposal of the committee members was called the majority proposal, which adopted the idea of dividing Palestine into two states, one Arab and one Jewish while placing the city of Jerusalem under a special international regime. Emphasizing the right of Arabs and Jews to acquire citizenship status in the state in which they are present after partition so that about 407,000 Palestinians and 90,000 Bedouins of Palestine become citizens of the Jewish state, whose Jewish population was estimated at the time at about 498,000, whereas 10,000 Jews were granted citizenship in the Arab state, whose Arab population was estimated at 725,000, while the population of Jerusalem was determined at about 205,000 citizens, of whom 105,000 were Arabs[9].

* The Resolution read as follows: “Whereas the General Assembly of the United Nations has been called into special session for the purpose of constituting and instructing a special committee to prepare for consideration at the next regular session of the Assembly a report on the Question of Palestine, The General Assembly resolves that:

- A Special Committee be created for the above-mentioned purpose consisting of the representatives of Australia, Canada, Czechoslovakia, Guatemala, India, Iran, Netherlands, Peru, Sweden, Uruguay, and Yugoslavia.
- The Special Committee shall have the widest powers to ascertain and record facts, and to investigate all questions and issues relevant to the problem of Palestine.
- The Special Committee shall prepare a report to the General Assembly and shall submit such proposals as it may consider appropriate for the solution of the problem of Palestine.
- The Special Committee’s report shall be communicated to the Secretary-General not later than 1 September 1947, in order that it may be circulated to the Members of the United Nations in time for consideration by the second regular session of the General Assembly.

[9]- The Right of Self-Determination of The Palestinian People, Prepared for, and under the guidance of, the Committee Exercise of the Inalienable Rights of the Palestinian on the People, United Nations, New York 1979, Sales No.E.78. I.22, P 30-23

Without delving into the background of the controversy and debate that arose during the presentation of these proposals, we note that Palestine was a mandate state at the time. Accordingly, the General Assembly does not have the right to discuss its future and fate. Under the Charter of the United Nations, in the Palestinian case, the General Assembly can either decide to declare the independence of Palestine immediately after the end of the mandate, as was done for all mandated states, or it can declare the transition from the mandate system to an alternative legal system and subject it to the trusteeship system adopted by the United Nations Charter in accordance with Article 77 of the Charter.

In discussing the partition of Palestine, the General Assembly is reproached for ignoring the limits of its powers and prerogatives under the Charter, as well as the basic principles on which the UN Charter is based, specifically Article 1, which defines the purposes and objectives of the Organization: “to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take appropriate measures to strengthen universal peace”. The General Assembly did not respect or consider these provisions when it divided and decided the fate of Palestine and its people without any respect whatsoever for their wishes, aspirations, and opinions.[10]

In discussing the partition of Palestine, the General Assembly completely ignored the voices of those who rejected it, despite the validity of the legal arguments and justifications presented by those who advocated it, including the fact that the General Assembly does not have the legal authority and power to dispose of the fate of Palestine and its partition.[11]

It also ignored the opinion of the subcommittee formed by the General Assembly itself to consider the partition proposal submitted by the Special Committee on Palestine, which explicitly declared its reservation to the idea of partition, based on a set of legal justifications supporting its position, such as the need for the General Assembly to consider the provisions and philosophy of the mandate system approved by the League Covenant and the Charter of the United Nations, as well as the explicit and unequivocal obligations of the Mandatory State under Article 5 of the Mandate Instrument not to cede any part of the land of Palestine to any foreign government, and taking into account Article 28 of the Mandate Instrument,

[10]- The Legal Status of the West Bank and the Gaza Strip, prepared by the Committee on the Inalienable Rights of the Palestinian People, United Nations, New York, 1982, p. 4 et seq.

[11]- The Right of Self -Determination of The Palestinian People, Op. Cit. P29-31

which stipulates that the land of Palestine shall revert to the Government of Palestine upon the termination of the Mandate[12].

After the evaluation of the partition proposal submitted by the majority of the members of the Special Committee on Palestine, the Subcommittee concluded that the partition is a direct violation of the principles and objectives of the Covenant of the League of Nations and the Charter of the United Nations, and that the United Nations has no authority to implement it. Not only that, but it is obligated, according to Article 1 and Article 73 of the Charter,* to act in accordance with the principles of justice and international law and to respect the principle of equal rights of peoples and their right to self-determination, as well as to promote the interests of the populations of the territories placed under mandate or trusteeship. Thus, the partition of Palestine, which contradicts the will of the majority of its people, can in no way be considered an act of respect and application by the General Assembly of the principles of the UN Charter[13].

[12]- Origin and Development of the Palestinian Question, Op. Cit., pp. 163-165

* Article (73) of the UN Charter reads, "Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount, and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter."

[13]- The Right of Self-Determination of The Palestinian People, Op. Cit. P31

The General Assembly's disregard for international law and the UN Charter in its handling of the Palestinian issue at the time of the partition also emphasizes the General Assembly's rejection of a proposal to form a legal committee submitted by Syria's representative to the UN to examine the legal aspects arising from the termination of the British Mandate and the powers and limits of the General Assembly's legal authority to decide on the fate of Palestine. The Assembly also refused to refer the matter to the International Court of Justice to request its opinion on the limits and powers of the General Assembly regarding the partition of Palestine, which was rejected under the pretext that the situation in Palestine requires rapid intervention and there is no room for steps that may delay or postpone this intervention[14].

As evidence of the political dimensions and the policy of pressure that was driving the General Assembly towards advocating for the partition of Palestine as the only option and solution, without any consideration of procedures or any consultation with delegations, the words “independent Palestinian state” were deleted and replaced from the body of the draft resolution mandating and forming the Special Committee on Palestine with the phrase the question of Palestine. Thus, the option of establishing an independent Palestinian state was deliberately omitted from the solutions and proposals that the Committee might present, consequently, limiting its role to working on the partition option only[15].

On this basis, the partition option became the main and only approach of the General Assembly, which adopted it and succeeded in confirming it by its famous Resolution 181, issued at its second session on November 29, 1947, entitled “Recommending a plan for the partition of Palestine” for two states, one for the Jews, the majority of whom represent immigrants brought and settled in Palestine, who were granted 56% of the total area of Palestine although at the time they did not exceed 30% of the population, and their ownership of the lands of Palestine did not exceed 10%.

[14]- Origin and Development of the Palestinian Question, Op. Cit., p. 163

[15]- Ibid, p. 153, see also:

W. Thomas Mallison, And Sally.V. Mallison, An International Law Analysis of The Major United Nations Resolution Concerning The Palestine Question, United Nations, New York 1979 Sales No.E.79.I.119, P 12-13

On the other hand, the legitimate owners of the land and more than two-thirds of its population (70%), the Palestinian Arabs, who owned 90% of its private land, were granted an Arab state on 43% of the total area of Palestine[16].

Despite the shortcomings of the Partition Resolution, it was subsequently recognized and adopted both by the United Nations and its various agencies and by states, including the Palestinians, who explicitly recognized it as the legal basis and authority revealing the State of Palestine, which existed and legally existed before its issuance. The Resolution is also recognized for creating the State of Israel from nothing, as it had no legal existence before its issuance. * This resolution is considered the legal basis and authority to be invoked by the General Assembly in resolving and settling the Palestinian issue, both in terms of determining the legal framework of the geographical boundaries and scope of the State of Palestine and the legal framework of the allocated territory to the Palestinian people's exercise of their inalienable rights and right to self-determination and sovereignty over resources and wealth, in addition to being the scope and boundaries for resolving and settling the refugee issue and determining the scope and place of their return.

Returning to the Partition Resolution and the legal obligations it contains at the level of the parties addressed by it, we stand on the resolution's requirement that any of the two states, upon their establishment, submit a declaration to the United Nations that includes, among other things, that the conditions contained in the declaration are considered fundamental laws of the state, and that no law, regulation or official procedure conflicts with or interferes with these conditions, and no law, regulation or official procedure precedes them.

[16]- From the United Nations website. "Question of Palestine". See the following link: <https://t.ly/Sbimg>

* The Palestine National Charter/ Declaration of Independence issued by the Palestinian National Council in its (19) session on November 15, 1988, stated: "...and with the historical injustice that has befallen the Palestinian Arab people through their displacement and deprivation of the right to self-determination, as a result of General Assembly Resolution No. 181 of 1947, which divided Palestine into two states, Arab and Jewish, this resolution still provides conditions for international legitimacy that guarantee the right of the Palestinian Arab people to sovereignty and national independence... and based on the natural, historical and legal right of the Palestinian Arab people to their homeland Palestine and the sacrifices of their successive generations in defense of the freedom and independence of their homeland and based on the decisions of the Arab summits, and the strength of international legitimacy embodied in the United Nations resolutions since 1947..."

Among the most important conditions of the resolution are the preservation of the rights of minorities in both states, the preservation of property, free access to holy sites in both states, non-discrimination in any form due to origin, religion, language, or gender, and that all persons under the jurisdiction of the state have the right to the protection of the law. Palestinian and Jewish citizens residing in Palestine outside Jerusalem become citizens of the state in which they reside and enjoy all civil and political rights once the state's independence is recognized. This is what Israel explicitly declared its commitment to on the day of its declaration of independence in an explicit letter to the United Nations: "...the State of Israel will promote the development of the country for the benefit of the entire population, will be based on the principles of freedom, justice, and peace, will uphold full equality among all citizens without discrimination as to race, faith or gender, unreservedly accepts the obligations of the United Nations Charter, and will be ready to cooperate with United Nations bodies and representatives in implementing General Assembly resolution of November 29, 1947 (181)... Accordingly, on behalf of the Provisional Government of the State of Israel, I hereby declare its readiness to sign the declaration and commitments outlined in the Assembly resolution...[17]"

Finally, it may be said in this regard that the partition of a territory and changing its legal nature is one of the issues related to the right of the inhabitants of the territory to self-determination, as it has the effect of bringing about territorial changes to their territory, as well as altering their legal status as individuals and groups. Therefore, we believe that before the General Assembly adopts its decision to partition Palestine, it should ascertain through a direct referendum the true position and desire of the people and rightful owners of Palestine regarding the nature of The Assembly's disposition of the fate of their geographical territory and its disposition of their status as people who became fragmented.

[17]- The Right of the Palestinian People to Return, United Nations Publications, New York 1978, Sales No. (21 A.78.I) p. 17

Diaspora, Refugeehood, Annexation, and Judaization

Immediately after the end of the British Mandate over Palestine on May 14, 1948, the leadership of the Zionist movement declared the establishment of the State of Israel the following day. The same date marked the beginning of its record of violating international law and the principles of the United Nations Charter. The State of Israel ignored the Partition Plan from the first moment of its establishment, as a result of its control, acquisition, and forcible annexation of half of the lands allocated to the Arab state, such that it actually controlled approximately 77.4% of the lands of historic Palestine[18], or about (20,770 square kilometers) of the total area of Palestine, which amounted to (27,023 square kilometers), including the western part of the city of Jerusalem, which was considered an international zone according to the Resolution.

Resolution 181 explicitly stated that the Security Council considered any change by force to the geographical reality defined by the partition resolution a threat to international peace and security*. Nonetheless, the Security Council remained silent about exercising its legal responsibility under Resolution 181, and also under the United Nations Charter, which mandates and requires it in this case to intervene by friendly means and use force if the situation requires it to compel the State of Israel to respect the borders of the Arab state and refrain from attacking it. Not only that, but the General Assembly also remained silent and did not move at all to demand that the Council activate and implement the legal obligations it placed on the Council under its resolution.

The Israeli violations and transgressions were not limited to the annexation of more than half of the area of the Arab state, but rather to the implementation of a systematic and pre-planned scheme and policy for the ethnic cleansing of the Palestinians, and the expulsion and displacement of most Palestinians from the areas controlled by the Jewish state.

[18]- From the United Nations website. "Question of Palestine". See the following link:<https://t.ly/Sbimg>

* In paragraph (c) of the Partition Resolution's preamble, it reads, "The Security Council determines a threat to peace, breach of peace or act of aggression, in accordance with Article 39 of the Charter, any attempt to alter by force the settlement envisaged by this resolution.

Approximately 526,000 Palestinians[19] were forced, by killing, force, violence, and intimidation, to leave their lands and properties, and flee to seek refuge in the areas that did not reach Jewish control of what remained of Palestine. About 200,000 people were also forced to seek refuge in the Arab countries neighboring Palestine[20] , such as Jordan, Lebanon, Syria, and Egypt.[21]

There is no doubt that when the State of Israel was established, it achieved its plans regarding the displacement and expulsion of the Palestinians. Consequently, the ethnic cleansing of the Arabs from the lands allocated to it, as only 50,000 Palestinians[22] remained in the Palestinian lands on which the State of Israel was established, out of 407 thousand Palestinians who were granted the right of citizenship in the Jewish state by the partition resolution.

It is important in this regard to point out that the seizure of half of the land allocated to the Arab state, the displacement of Palestinians from their land, and the ethnic cleansing that took place were not incidental acts necessitated by the reality of the fighting. Rather, these practices came in the implementation of a policy and plan drawn up by the armed Jewish organizations (Plan Dalet) to deal with the reality upon the end of the mandate, which was based on controlling 78% of the land of historical Palestine, in addition to the displacement and expulsion of the largest possible number of Palestinians, whether by intimidation and fear or by systematic killing and destruction of their villages, neighborhoods, and homes, to prevent them from returning to them, and so that they would feel that hope was lost and that there was no point in returning[23].

What also confirms this scheme, that is, the Zionist movement and the State of Israel's efforts to acquire and annex most of the lands of the Arab state, is Ben-Gurion's letter, which was written in February 1948, three months before the establishment of the State of Israel: "...if we receive in time the weapons we have purchased... we will not only be able to defend ourselves, but also deal the Syrians fatal blows in the mind of their home, and occupy all of Palestine...[24]"

[19]- Ilan Pappé, *Ethnic Cleansing in Palestine*, translated by Ahmed Khalifa, published by the Institute for Palestine Studies, first edition, Beirut, July 2007, p. 56.

[20]- Ilan Pappé, *Op. Cit.*, pp. 93 seq.

[21]- Takkenberg, Lex. "The Status of Palestinian Refugees in International Law." Institute for Palestine Studies, Beirut, First Edition, August 2003, p. 19.

[22] - *The Right of the Palestinian People to Return*, *Op. Cit.*, p. 10

[23] - Ilan Pappé, *Op. Cit.*, p. 92 seq.

[24] - *The origin and evolution of the Palestinian Question*, *Op. Cit.*, p. 184

Moreover, a letter published in the New York Times on September 28th, 1947 by the President of the Hebrew University of Jerusalem, Magnes, confirms this scheme too. In this letter, he said, “Partition would not stop the terrorist activities of Jewish groups, and that having secured partition through terror, they would attempt to secure the rest of the country for the Jews in the same way.” This was proven true by the days, as the State of Israel subsequently occupied the remaining Palestinian lands in its aggression that took place on June 5, 1967, and subsequently also announced its annexation of East Jerusalem on July 30, 1980, through a vote by the members of parliament (the Israeli Knesset) on the decision “Basic Law: Jerusalem, the Capital of Israel,” which considers the city of Jerusalem in its two parts the unified capital of the State of Israel and the seat of the presidency, government, Knesset, and Supreme Court. On January 2, 2018, the Israeli Knesset approved the “United Jerusalem” law, which prevents any government from negotiating any part of Jerusalem, without the approval of a parliamentary majority of no less than eighty members out of 120.

It also came to control more than 62% of the West Bank lands, which are classified as Area (C), which is subject to security and administrative control by the occupation authorities under the Oslo Accords, which seek to control it and annex it to the State of Israel, in addition to establishing until the beginning of 2023 about (151) settlements inhabited by more than 745 thousand Israeli settlers[25], which is currently equivalent to a quarter of the population of the West Bank, to create a Jewish demographic reality in the Occupied Palestinian Territory. With these measures, the occupying power triggers a conflict between Palestinian Arabs and Jews on this land, similar to what happened during the British Mandate period, which is now publicly confirmed by the facts, along with many official and unofficial statements by political leaders and representatives of Israeli parties explicitly intending to annex the West Bank and displace as many Palestinians as possible from there.

[25]- Palestinian Central Bureau of Statistics, 2023, Israeli Settlements in the West Bank, Annual Statistical Report 2022, Ramallah, Palestine, p. 21 seq,

Explicit International Recognition of the Right of the Palestinian Refugees to Return: Internationalization of the Right to Return

It became clear to the United Nations mediator for Palestine, Count Folke Bernadotte, from the first days of the establishment of the State of Israel, that there was a clear intention and plan for the State of Israel to evade its commitment to the Partition Resolution (181), whether concerning the borders approved by the resolution, or regarding the approval and acceptance of the return of the displaced Arabs to whom the resolution granted the right of citizenship in the Jewish state.

The Count summarized his view and impression of this shift in the position of the Jews after the establishment of the State of Israel, and the extent of their readiness to abide by the obligations arising from Resolution (181) by saying, “The talks made it clear to a large extent that the Israeli position had hardened...

and that the Israeli demands in the settlement would be more ambitious, and that Jewish opinion was less prepared to accept mediation, and a feeling of greater confidence had emerged as a result of the Jewish military efforts, and reliance on the United Nations had decreased and the tendency to criticize its shortcomings with regard to Palestine had increased.”[26]

Perhaps the international mediator’s conviction was affirmed by the State of Israel’s rejection of his proposals for the return of specific categories of Palestinian refugees. During his address to the Israeli Ministry of Foreign Affairs on July 26, 1949, the mediator presented the first international proposal for the return of the Palestinians to their homes and properties from which they were displaced. Perhaps the most important point of this address was:

The Security Council resolution... urges the parties to continue their talks with the mediator to settle the points of disagreement by peaceful means... One of the points of disagreement is the return of the Arab refugees who fled their homes in the Jewish-controlled area of Palestine... For humanitarian reasons and because I consider this principle to be sound and represents a slight danger to Jewish security, I make the following proposals:

A. Without prejudice to the final right of all Arab refugees to return to their homes in Jewish-controlled Palestine if they so wish, it is agreed that a limited number of those wishing to return, to be decided in consultation with the Mediator... as of 15 August 1948.

B. A distinction may be made among those wishing to return, including men of military age and all other persons, in recognition of security considerations[27]...

The Israeli Foreign Ministry explicitly rejected this proposal, although it specified that those who could return were people who could be considered elderly, women, children, or people who could not represent a threat to its security and safety. Not only that, but in order for the State of Israel to close this file, and to procrastinate the issue of refugees and link it to the unknown, it declared in a letter responding to the international mediator on August 1, 1949: "We are not, as I said before, in the interview that took place between us that we are indifferent to the plight of the Arabs who found themselves uprooted from their homes as a result of the war... This issue will remain on the table for discussion until the Arab countries are prepared to conclude a peace treaty with the State of Israel... taking into account our counter-demands regarding the lives and property of Jews that were destroyed... The long-term interests of the Jewish and Arab populations, the stability of the State of Israel and the permanence of peace between it and its neighbors, the actual status and fate of the Jewish communities in the Arab countries, the responsibility of the Arab governments for the aggressive war they waged and their responsibility for compensating for the damages, will all be closely related to the question of whether the former Arab residents of the territory of Israel will be permitted to return[28]...

A shocking and absurd point in the Israeli Foreign Minister's response to the international mediator is the claim that Israel cannot provide the financial capabilities and living conditions for the returnees, because housing them, employing them, and ensuring their normal living constitute insurmountable difficulties[29], as if Israel was not the cause of their tragedy, and that it and its military organizations and subjects were not the ones who seized their homes, properties, and capabilities, especially since they are the owners and proprietors of 90% of the private lands in the areas on which the State of Israel was established.

[27]- The Right of Palestinian People to Return, Op. Cit., p. 13

[28] - *ibid*, p. 13

[29] - *Ibid*, Annex 1, Response of the Israeli Foreign Minister Shertok to Count Bernadotte, p. 50

There is no doubt that the Foreign Ministry's response to the international mediator's letter is clear in meaning and indication of Israel's intention and explicit evasion of the return of the refugees. Moreover, its suspension of the proposal and discussion of the return of the refugees on extremely complex conditions such as general reconciliation with its Arab neighbors and deciding the fate and issue of the Jewish communities and their properties in the Arab countries, and the Arab countries bearing responsibility for the 1948 war and compensating Israel for its damages as a prelude to Israel considering the refugee issue and whether it will allow them to return, means in practice that Israel is placing obstacles that are extremely difficult to overcome. Not only that, but even if these conditions are met, Israel, as stated in its letter, retains the authority to decide whether or not it will accept the return of the refugees. Therefore, this letter is a clear expression and explicit acknowledgment of the State of Israel's evasion of its international legal obligation under its declaration submitted to the United Nations in conjunction with its Declaration of Independence, which stipulates respecting the right of Arabs to acquire citizenship in the Jewish state and their right to preserve their property and protect their rights. This letter is also considered an explicit declaration by the State of Israel to transform the issue of Palestinian refugees from an international legal obligation on the State of Israel to an optional issue that depends on Israel's desire and will.

Thus, Count Bernadotte's impression and conviction of Israel's dereliction and lack of seriousness in dealing with the issue of Palestinian refugees, and his fear of losing their right to return and recover their property and homes, had a clear impact on the pressure and push for the United Nations to adopt a clear and explicit resolution on the Palestinians' right to return, which he confirmed explicitly in his report submitted to the United Nations: "The right of innocents who have been uprooted by the present terror and horrors of war... to return to their homes and properties, is something that must be affirmed and implemented... The United Nations should affirm the right of Arab refugees to return to their homes under Jewish control at the earliest practicable date, and a United Nations committee should supervise and assist in their return to their homeland and their resettlement and economic and social rehabilitation[30]..."

Count Bernadotte's demands were fulfilled by the General Assembly issuing its resolution No. 194 of 11 December 1948, entitled "Establishment of a United Nations Conciliation Commission, determination of the status of Jerusalem within a permanent international regime, and determination of the right of refugees to return to their homes", which confirmed in its eleventh paragraph Count Bernadotte's demands and orientations in affirming the right of return for the Palestinians under paragraph eleven, which reads (It is decided that refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under the principles of international law and equity, should be made good by the Governments or authorities responsible).

Perhaps what needs to be pointed out is that the issuance of the return resolution (194) coincided with the UN Security Council's rejection, on December 17, 1948, of Israel's application for membership in the United Nations, which it had submitted on November 29, 1948, due to its failure to comply with UN resolutions, specifically Partition Resolution 181. This prompted it to submit a new application on February 24, 1949, in which the General Assembly found an opportunity to obtain categorical assurances from the State of Israel regarding the obligation of the State of Israel to respect and implement both Resolution 181 and Resolution 194.

In this regard, the Political Committee of the General Assembly directed several questions to the Israeli government, the most important of which were: Does Israel accept or reject paragraph (11) of Resolution (194), and can the representative of the State of Israel tell us whether the State of Israel, if accepted into the United Nations, will accordingly accept cooperation with the General Assembly of the United Nations in settling the issue of Jerusalem and the refugee issue, or whether, on the contrary, it will invoke paragraph 7 of Article 2 of the Charter.

Following the numerous questions raised by the Ad Hoc Political Committee, the Committee concluded that Israel had affirmed its commitment to respecting the issues of borders, the internationalization of Jerusalem, and the Arab refugee problem[31]. For the General Assembly to frame the Israeli government's answers in a manner that would prevent Israel in the future from circumventing or evading its commitments made before the General Assembly when discussing the issue of Israel's membership in the United Nations, the General Assembly explicitly included the assurances demanded from the State of Israel in the text of its resolution No. 273 issued on 11 May 1949 regarding approval of the State of Israel's admission to membership in the United Nations. The preamble and text of the resolution stated:

“ Having received the report of the Security Council on the application of Israel for membership in the United Nations, Noting that, in the judgment of the Security Council, Israel is a peace-loving State and is able and willing to carry out the obligations contained in the Charter, Noting that the Security Council has recommended to the General Assembly that it admit Israel to membership in the United Nations, Nothing furthermore the declaration by the State of Israel that it “unreservedly accepts the obligations of the United Nations Charter and undertakes to honor them from the day when it becomes a Member of the United Nations”, Recalling its resolutions of 19 November 1947 “Resolution 181” and 11 December 1948 “Resolution 194” and taking note of the declarations and explanations made by the representative of the Government of Israel before the ad hoc Political Committee in respect of the implementation of the said resolutions, the General Assembly:

Acting in discharge of its functions under Article 4 of the Charter and Rule 125 of its rules and procedures,

- 1.** Decides that Israel is a peace-loving State which accepts the obligations contained in the Charter and is able and willing to carry out those obligations;
- 2.** Decides to admit Israel to membership in the United Nations

Thus, it can be concluded that the right of the Palestinians to return to their home and properties is an obligation that the State of Israel must respect and implement based on the Partition Plan and the assurances and pledges made by the State of Israel to the United Nations in its declaration submitted to enforce the Partition Plan, as well as in its responses to the General Assembly in the debate on its membership in the United Nations.

[31]-The Right of the Palestinian People to Return, Op. Cit., pp. 17 seq.

Perhaps the most important thing in Resolution 194 is its emphasis in Article 11 on “refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property...”, which means that the only one who has the choice and decision regarding the right to return or compensation for not returning is the Palestinian refugee. Neither the State of Israel nor any other party, whether the United Nations or even the representatives of the Palestinians themselves, has the authority or right to act or decide on this choice. In addition, the right of those who choose to return is not limited to its realization and implementation only, as every refugee, whether he decides to return or not, has the right to receive fair and just compensation for the damage he suffered as a result of displacement and loss of property.

On the other hand, as long as the citizenship status of the Arab Palestinians, whose center of residence was determined by the partition resolution in the Jewish state, was recognized by Resolution 181, they possessed the legal status of citizens with explicit recognition by the United Nations and also the State of Israel, which recognized the both the Partition and Return Resolutions for those of these citizens who became refugees. Accordingly, they possessed the rights of citizens in their state, which means the right of these people as individuals and also as groups to demand the protection of the international human rights law charters to which the State of Israel has acceded, as is the case with the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Elimination of All Forms of Discrimination against Women, and the Convention on the Elimination of All Forms of Discrimination. All of these charters and others emphasize:

- No one shall be arbitrarily deprived of entry into his country.
- To respect and guarantee the rights contained in these covenants for all citizens and individuals within its territory and subject to its jurisdiction, without any discrimination based on race, color, sex, language, religion, political or other opinion, national or social origin, wealth, birth, or other status.

The State of Israel has denied the rights of these persons to return and has enacted local legislation to reinforce, perpetuate, and enforce this denial on the Palestinians. It has also adopted a clear policy of racial discrimination (apartheid) against their right to return and citizenship. While it deprived the Palestinians of this right, in 1950 it passed a special law for the return of Jews, the “Law of Return,” which stipulated the right of any person born to a Jewish mother or who converted to Judaism to immigrate to Israel and obtain its citizenship. This law was amended in 1970 to expand the scope of its beneficiaries to include the “grandchild clause,” which also grants the right to immigrate to the children and grandchildren of Jews and their spouses, even if they are not Jews.

The United Nations is noticeably silent regarding the right of the Palestinians to return to their home and properties and the violations, breaches, and non-compliance by the State of Israel with Resolution 181. The Organization does not refer to these resolutions or the assurances made by the State of Israel to the General Assembly upon its declaration of independence. The United Nations dropped in its agenda the status of the Palestinians as a people with the right to self-determination and establishment of its independent state within the regional framework that it had previously determined to deal with the Palestinian issue from 1952 until 1969 and started to deal with them as groups and individuals of refugees whose issue is raised within the framework of humanitarian and relief efforts and without any reference to their rights as a people.

The United Nations continued to address the issue of the Palestinian people as refugee groups and as a humanitarian issue until December 10, 1969, when the General Assembly issued its famous resolution No. 2535/B/ issued at its twenty-fourth session, which explicitly recognized, for the first time, the Palestinians as a people, stating: “The General Assembly, recognizing that the problem of the Palestine Arab refugees arises from the denial of their inalienable rights as established in the Charter of the United Nations and the Universal Declaration of Human Rights, and deeply concerned at the aggravation of this denial of their rights...”

1- Reaffirms the inalienable rights of the Palestinian people..."

In the session following the previous session, the General Assembly's position evolved on the issue of the Palestinian people, as the General Assembly of the United Nations, by virtue of Resolution 2672/C/ dated December 8, 1970, approved its explicit recognition for the first time of the right of the Palestinian people to self-determination by stating: "... Bearing in mind the principle of equal rights and self-determination of peoples enshrined in Articles 1 and 55 of the Charter and more recently reaffirmed in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations..."

2- Recognizes that the people of Palestine are entitled to equal rights and self-determination, in accordance with the Charter of the United Nations

Then, annual resolutions followed to affirm these rights. These resolutions considered the Palestinians' right to return to their homes and properties a condition and a basic component that must be achieved to enable the Palestinians to effectively implement their right to self-determination.

Nonetheless, in reality, Israel, since it obtained recognition of its membership in the United Nations, has refused to abide by any of the United Nations resolutions and even all the assurances it provided to the General Assembly when discussing the issue of its membership. In addition, it has disregarded its statement submitted to the United Nations based on Resolution 181, as all these obligations were violated, breached, and ignored. Over its 76 years, it has not at all respected or enforced any of the United Nations resolutions.

This is what the United Nations itself confirms through the condemnation resolutions it issued, whether related to the State of Israel's violation of the rights of the Palestinians, or in terms of its breach of the Charter of the United Nations and its principles related to the prohibition of annexation and acquisition of territories by force and respect for the right of peoples to self-determination. It has also ignored all resolutions regulating the permanent sovereignty over resources and wealth and has not refrained from using or threatening to use force.

Indeed, the State of Israel is almost the only one in the history of the United Nations that has been described as a non-peace-loving state, as is the case with UN General Assembly Resolution No. 42/209 dated December 11, 1987, which stated: “Noting that Israel's record, policies and actions establish conclusively that it is not a peace-loving Member State and that it has not carried out its obligations under the Charter of the United Nations or its obligations under General Assembly resolution 273 (III) of May 11, 1949...”, and the same content was stated and confirmed by Resolution No. 43/54 dated December 6, 1988, Resolution 44/40 issued on December 4, 1989, and Resolution No. 45/83 dated December 13, 1990.

Many resolutions issued by the United Nations General Assembly have also described, in a unique case, the violations and actions committed by the State of Israel as war crimes and an affront to humanity, as is the case with UN General Assembly Resolution No. 43/58 issued on December 6, 1988, “Declares once more Israel’s grave breaches of that Convention are a war crime and an affront to humanity...” These are the same descriptions used and emphasized by Resolution No. 44/48 dated December 8, 1989, Resolution No. 45/74 dated December 11, 1990, and Resolution No. 46/47 dated December 9, 1990. Such descriptions were issued as an expression of the international community’s rejection of the State of Israel’s violation of its obligations that it pledged to fulfill before the General Assembly, specifically respecting and implementing Resolution (181) and Resolution (194).

In light of Israel’s persistence and systematic policy of violating the Charter of the United Nations and the resolutions of international legitimacy, the General Assembly is required and demanded, at a minimum, to implement and apply Article (6) of the United Nations Charter, which states that “A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.” Moreover, the General Assembly should use its legal powers and authorities to confront Israeli violations and practices based on Resolution 377 (Uniting for Peace).

UNRWA's Establishment and Scope of Services

Given the suffering of the Palestinian refugees, the absence of a horizon for their return, and even their protracted state of refugeehood and displacement after the establishment of the State of Israel, the General Assembly issued Resolution 212 in its third session on November 19, 1948, which stipulates the establishment of a special fund for the Palestinian refugees, the “United Nations Relief and Works Agency for Palestine Refugees”, to cover and finance relief needs, provided that its funding is from voluntary contributions from member and non-member states of the United Nations. On December 8, 1949, the United Nations General Assembly issued Resolution 302 in its fourth session, which established the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA): “The General Assembly, recalling its resolutions No. 212 (III) of November 19, 1948, and No. 194 (III) of December 11, 1948, which particularly affirm the provisions of paragraph 11 of the latter resolution...

7- The United Nations Relief and Works Agency for Palestine Refugees in the Near East shall be established:

- (a)** To cooperate with local governments in direct relief and employment programs, as recommended by the Economic Survey Mission.
- (b)** To consult with interested governments in the Near East, on measures to be taken by these governments in preparation for the time when international relief and business assistance is no longer available.”

Since the beginning of May 1950, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) has been carrying out humanitarian and relief work. Today it provides vital services to all Palestinian refugees registered with it exclusively in their areas of refuge, specifically in Palestine, Jordan, Syria, and Lebanon. According to UNRWA's classification, not every Palestinian refugee can be registered in its records but is considered a refugee only based on its operational definition, i.e. the Agency's services, and not the legal definition of the holder of this status, the Palestinian Arabs who were residing in Palestine during the period between June 1, 1946 and May 15, 1948, and who lost their homes and livelihood as a result of the 1948 war[32].

[32]- UNRWA website. "About Us". See the following link: <https://t.ly/ty2B0>

The refugee definition was also amended to include the descendants of male refugees who also have the right to register with the Agency, as persons born after May 14, 1948, to parents registered with the Agency, were considered refugees[33], which undoubtedly raises many questions about the UN agency's transgression and failure to take gender into account and thus its exclusion of females from the circle of descendants.

On the other hand, although the establishment of UNRWA came as a response from the United Nations to the issue of Palestinian refugeehood and the right of refugees to return to their homes and properties, the General Assembly did not include in the resolution establishing UNRWA or any other UN resolution any specific definition of who is a Palestinian refugee, which left the issue to UNRWA's efforts to limit and define the concept of the refugee who benefits from its operations. As a result, a significant number of Palestinian refugees were dropped. Therefore, resolving the meaning of the term Palestinian refugee and challenging it accurately is extremely important to establish a definition that prevents any negative impact on the status and position of refugees in the future. Therefore, the Palestinians need to mobilize to have the United Nations General Assembly adopt an international resolution to define and determine the Palestinian refugee, in order to establish this status and ensure the protection of refugees in the future from any attempt to describe or interpret who is considered a refugee to block any political projects aiming at manipulating the term and definition of this status.

In terms of the services provided by UNRWA to Palestinian refugees, the Agency today provides its health, social, economic, and relief services to approximately 5.9 million Palestinian refugees[34], who are present in the occupied Palestinian territory, Jordan, Syria, and Lebanon, of whom approximately (2,305,034) refugees are in the occupied Palestinian territory, including Jerusalem. In the Palestinian Territories, it serves approximately 1,476,706 in the Gaza Strip and 828,328 refugees in the West Bank[35], who represent approximately 44% of the total number of Palestinians in the Occupied Palestinian Territory.

[32]- UNRWA website. "About Us". See the following link: <https://t.ly/ty2B0>

[33]- Takkenberg, Lex. op. cit., pp. 85 seq. See also the unified eligibility and registration instructions adopted in the latest update by UNRWA in 2009.

[34]- Badil Resource Center for Palestinian Residency and Refugee Rights. "Palestinian Refugees and Internally Displaced Persons: The Comprehensive Survey 2012-2019." Tenth Edition, published by Badil, Bethlehem, Palestine, p. 55

[35]- Data from UNRWA's website

Palestinian refugees, distributed across 19 refugee camps in the West Bank, including Jerusalem, and eight refugee camps in the Gaza Strip, receive educational, health, economic, and relief services from UNRWA, which has 183 schools in the Gaza Strip, providing basic education (primary, preparatory) to approximately 286,645 male and female students, while 96 schools in the West Bank provide this service to approximately 48,192 male and female students[36].

Data from UNRWA and the Palestinian News and Information Agency show the extent of the Gaza Strip population's dependence on UNRWA services, whereby the Agency provides education services to about 50% of the total number of Palestinian students in the Gaza Strip[37]. In comparison, UNRWA's contribution to education in the West Bank is about 7%[38].

Regarding health, UNRWA has about 22 health centers in the Gaza Strip that provide primary health care, receiving about 3.4 million visits in 2022, while it has 43 health centers in the West Bank, receiving about 895,000 visits in 2022[39]. UNRWA also provides cash assistance and food aid to the poorest refugee category in the Gaza Strip and the West Bank, with about 100,000 refugees[40] benefiting from this program in the Gaza Strip and 36,000 in the West Bank[41].

In 1982, as a result of the Israeli invasion of Lebanon and the measures to which Palestinian refugees were subjected, the General Assembly, by resolution 120/37 "J" issued on 16 December 1982, expanded UNRWA's mandate to include ensuring the safety, security, and legal and human rights of Palestinian refugees in the occupied territories, based on the human rights standards adopted by the United Nations.

In this regard, it is important to note that UNRWA operates in the occupied Palestinian territory and in all other areas of its operations based on the principles and orientations of the United Nations "Guiding Principles" approved by General Assembly Resolution No. 46/182, issued on 19 December 1991, including the Agency's commitment to providing humanitarian assistance in accordance with the principles of humanity, impartiality, integrity, and respect for the sovereignty and territorial integrity of states.

Its employees also conduct their work in accordance with clear ethical controls and rules approved and defined by the scope, controls, and restrictions of the Code of Conduct approved by UNRWA, which focuses on the importance of respecting and adhering to the rules of independence in work *"Our actions must be autonomous from political, economic, military, or other objectives. UNRWA formulates its own policies and implementation strategies. We must actively avoid implementing – intentionally or negligently – the policy or objectives of any government or other political or military actor, except those objectives with independent humanitarian objectives, and are based on the needs of affected people."*

UNRWA also operates in the occupied Palestinian territory based on the understandings and letters exchanged between it and the Israeli Foreign Ministry on 14 June 1967, which are known as the "Comay-Michelmores" Agreement, named after the names of the Commissioner-General of UNRWA and the General Adviser of the Israeli Foreign Ministry. This exchange of letters included the following Israeli commitments and guarantees: "The Israel Government will facilitate the task of UNRWA to the best of its ability, subject only to regulations or arrangements which may be necessitated by considerations of military security. On this understanding, we are prepared to agree in principle:

(a) To ensure the protection and security of the personnel, installations and property of UNRWA;

(b) To permit the free movement of UNRWA vehicles into, within and out of Israel and the areas in question;

(c) To permit the international staff of the Agency to move in, out and within Israel and the areas in question; they will be provided with identity documents and any other passes which might be required;

(d) To permit the local staff of the Agency to move within the areas in question under arrangements made or to be made with the military authorities;

(e) To provide radio, telecommunications and landing facilities;

Pending a further supplementary agreement, to maintain the previously existing financial arrangements with the governmental authorities then.

(f) Pending a further supplementary agreement, to maintain the previously existing financial arrangements with the governmental authorities then responsible for the areas in question, concerning:

- (i) Exemptions from customs duties, taxes, and charges on importation of supplies, goods and equipment.
- (ii) provision free of charge of warehousing, labor for offloading and handling, and transport by rail or road in the areas under our control.
- (iii) such other costs to the Agency as were previously met by the governmental authorities concerned.

(g) To recognize that the Convention on the Privileges and Immunities of the United Nations of 13 February 1946, to which Israel is a party, shall govern the relations between the Government and UNRWA in all that concerns UNRWA's functions*.

Israel's Targeting of UNRWA and Pressure to End its Existence

The forms and methods of Israel's targeting of UNRWA have varied, going beyond preventing, obstructing, and influencing the proper functioning of this agency, to public incitement against it, raising doubts about its integrity and neutrality, and deliberately targeting it directly militarily and bombing and destroying its headquarters and institutions. Israel further breached all legal principles and norms by adopting domestic laws to prevent the Agency from working in Israel and also to revoke its immunity and the protection of international law.

* The Israeli Ministry of Foreign Affairs and UNRWA exchange letters in which Israel, as the occupying power, declares its agreement to cooperate fully with UNRWA to facilitate its assistance to Palestinian refugees; allows "in principle" and "subject to military security considerations" freedom of movement for UNRWA staff; and recognizes the privileges, tax exemptions and facilities enjoyed by the Agency under previous governments. For its part, UNRWA agrees to continue its assistance to Palestine refugees in the West Bank and Gaza Strip areas "under the basis proposed" in the Israeli letter, and hopes that "the restrictions currently imposed on the full use of those facilities will be removed as soon as military security considerations permit." For more details see the following link: <https://t.ly/cdJtJ>

Incitement and Raising Doubts about UNRWA's Impartiality and Accusing it of Terrorism:

UNRWA is not only crucial for its services but also because of its particular relevance and importance for the question of refugees since it is the place that addresses the question of Palestinian refugees and ensures its internationalization. Maintaining UNRWA represents an indicator and evidence of the protraction of the Palestinian refugee problem the ongoing suffering and the failure to reach a solution and settlement of this issue in accordance with the provisions of paragraph 11 of Resolution 194 regarding the return of refugees to their homes, and the necessity of paying compensation for the property of those who decide not to return.

Therefore, the UNRWA's dissolution and termination has become an Israeli demand and policy, as the occupying power believes that the dissolution of this organization is the basic procedure and step that must be taken to end and abolish the right of return. This policy is increasingly visible and public, as revealed by many Israeli positions and statements. For example, in 1994, Shlomo Gazit, who served for a period as head of military intelligence, coordinator of activities in the occupied territories, and Israeli negotiator during the negotiations of the Oslo Accords, demanded that the issue of abolishing UNRWA and transferring responsibility for the camps to the host countries be raised because dissolution and abolition of UNRWA will mark the official end of the refugees question[42]. Similarly, adopting the same stance, in 2005, Israeli Foreign Minister Silvan Shalom demanded the termination of UNRWA's work and the transfer of its powers to the Palestinian National Authority[43].

[42]- Al-Sayyad, Ayman. "Humanitarian crisis: Israelis don't target UNRWA". Published on February 19, 2024 on Orian21. See the following link: <https://t.ly/urCBV>

[43]- Kuwaiti newspaper Al-Qabas. "Shalom calls for dismantling UNRWA and transferring its powers to the Palestinian Authority; Quartet calls on Israel to immediately reopen Rafah crossing". Published on November 9, 2005. See the following link: <https://feji.us/bsafsr>

In 2017, Israeli Prime Minister Benjamin Netanyahu explicitly announced during his meeting with US President Trump his position calling for the termination of UNRWA's work, as it is a reason for the continuation and perpetuation of the Palestinian refugee problem, in addition to its support for the right of return, which aims to eliminate Israel[44]. Moreover, Israeli Foreign Minister Israel Katz stated during the current war (2023 aggression), on the social media platform "X": "We have been warning for years: UNRWA perpetuates the refugee issue[45]."

As for Einat Wilf, a former Labor Party representative in the Israeli Knesset and one of the Israeli figures hostile to UNRWA, she declared: "UNRWA must go... Close it down in order to send a message to the Palestinians that the 1948 war is over, that the State of Israel is here to stay and that there is no right of return for them[46]."

On top of all these acts, the pro-Israel NGO UN Watch held a secret conference in Switzerland, to which a group of figures, including former Special Coordinator for the Middle East during the Clinton administration, Dennis Ross, were invited to discuss ways to dismantle and end the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) because its existence perpetuates the Israeli-Palestinian conflict and the refugee issue[47]. In its latest report, the Organization considered UNRWA to be no different from Hamas in its quest to eliminate Israel, because it supports the narrative of the "right of return" for millions of Palestinians to the State of Israel, which is considered terrorism similar to October 7[48].

During the ongoing aggression on the Gaza Strip, the Chief of Staff of the Occupation Army, Halevi, submitted a proposal to the Secretary-General of the United Nations, Antonio Guterres, on March 23, 2024, to dismantle UNRWA,

[44]- Hamdan, Ayat. "The War on UNRWA and Attempts to End the Refugee Cause". Institute for Palestine Studies, p. 55, March 18, 2024. See the following link: <https://feji.us/hdrumm>

[45] -Ibid.

[46]- Erekat, Said. "Israel and its allies are working to dissolve UNRWA in order to liquidate the Palestinian cause." Published on September 12, 2024 on Al-Quds News. See the following link: <https://feji.us/rOvzcO>

-[47] Abdelwahab, Inji. "Zionist organization leads moves to abolish UNRWA and freeze its activities forever." Published on February 28, 2024 on Al-Masry Al-Youm website. See the following link: <https://feji.us/dnj27d>

[48] -Submission by United Nations Watch to the Independent Review Group on UNRWA Neutrality, Submitted By: Hillel Neuer and Dina Rovner, 9 April 2024, P21.

while Israel undertakes the responsibility of distributing aid in the Gaza Strip. The letter also proposed transferring a group of UNRWA employees either to another agency affiliated with the United Nations, such as the World Food Program or to a new organization created specifically to distribute food aid in Gaza[49].

Israel's hostility towards UNRWA may have risen due to the accusation of inflating the number of refugees and expanding their eligibility criteria to grant refugee status to generations born after displacement and refugeehood. Israel rejects this definition of refugees, as it believes that refugee status is limited to the first generation only and should not be transferred to generations born and raised in the diaspora[50]. This hostility also doubled after UNRWA's powers were expanded to shift from a relief and employment role to a protection role that the agency performs through monitoring and documenting Israeli practices, violations, and crimes in the Occupied Palestinian Territory. This role has become a source of concern and anger for the Israelis, especially since the UNRWA reports and communications submitted to international authorities have become an international and UN witness to the occupying power's breaches of international law. Consequently, the Israelis see this role as an encroachment and deviation from UNRWA's powers, which compels the international community to act and correct it by shrinking UNRWA's mandate to its relief role.

Israel's hostility towards UNRWA intensified as Israel held the Agency responsible for the decision of the International Court of Justice regarding the case filed by South Africa against Israel. Indeed, Israeli Prime Minister Netanyahu announced officially, *"Now, the worst thing that I can say is this, that many of the charges, false and unfounded, that were leveled against us in The Hague were brought by UNRWA officials[51]."*

[49]- Alyan, Alyan. "The Zionist-American project to dismantle UNRWA and liquidate the right of return for Palestinian refugees." Published on July 2, 2024 on Al-Hadaf news portal. See the following link: <https://feji.us/tovq96>

[50]- Sassi, Mohammed. "The UNRWA Closure Scheme. Silent genocide against besieged Gaza". Published on March 2, 2024 on Akhbar al-Youm website. See the following link: <https://feji.us/wp2iug>

[51]- Ayat, Hamdan, Op. Cit.

Thus, Israel's targeting and hostility vis-à-vis the United Nations Relief and Work Agency for Palestinian Refugees in the Near East (UNRWA) stem from three key reasons:

- 1.** Its continued existence means the perpetuation of the Palestinian refugee issue. Consequently, its existence has become an obstacle and a deterrent to the political pursuit of the State of Israel to abolish the right of return.
- 2.** Its definition of the status of refugees includes the generations born to Palestinian refugees in the diaspora, thus confirming that they too enjoy the right to return.
- 3.** An international/ UN witness and a basic reference in documenting and exposing the violations and practices of the occupying power against the Palestinian people in the Occupied Territory.

On this basis, the State of Israel began targeting UNRWA with a series of political and administrative measures and procedures aimed at restricting and disrupting its work, in addition to inciting against it and questioning its neutrality and credibility to keep UNRWA busy defending itself and its existence, instead of carrying out its role and work. The occupying power also aims to create an international public opinion that is pressuring and accepting of the idea of closing the Agency and transferring its role to any other international party or to a local body established for this purpose.

Examples of the key measures taken by the State of Israel against UNRWA include:

A. In January 2024, the Israel Lands Authority, at the instigation and official request of the Deputy Mayor of Jerusalem, Arie King, demanded that UNRWA vacate one of its properties near the Qalandia camp north of Jerusalem, with an area of 84 dunams, on the pretext that the land on which the property is located, which includes a vocational training college, does not belong to UNRWA but to Israel, and that UNRWA must vacate it and pay retroactive usage fees of \$4.4 million[52].

B. In January 2020, the Hebrew Channel 7 revealed a plan approved by the occupation municipality in the city of Jerusalem, which aims to establish a school complex affiliated with the Ministry of Education in the State of Israel in the Shu'fat and Anata refugee camps east of the city, to be an alternative to the schools of the United Nations Relief and Works Agency for Palestine Refugees (UNRWA)[53].

[52]- The Palestinian refugees portal. "Warning of a plan to end UNRWA's Qalandia College in Jerusalem". Published April 29, 2022. See the following link: <https://feji.us/dry6s6>

[53]- Ibid.

C. Deputy Mayor of the Occupation Municipality in Jerusalem, Arie King, sent a letter to the Israeli Minister of National Security, Itamar Ben-Gvir ordering UNRWA to evacuate its headquarters in the Sheikh Jarrah neighborhood=[54].

D. Over 100 victims of the Hamas attack on Israel on October 7 filed a lawsuit on June 24, 2024, against UNRWA in a federal court in the Southern District of New York. They alleged that UNRWA helped the Islamic Resistance Movement "Hamas" build the infrastructure it needed to launch its attack. They also alleged that the Agency played a role in money laundering for the movement, supported Hamas by paying salaries to its activists who were employed by the Agency, and adopted and transmitted the Hamas narrative through its schools[55].

E. Defamation, skepticism, and accusations of aiding the resistance, as Mara Kronenfeld, the Executive Director of UNRWA in the United States, reported during a routine Google search using the word "UNRWA", that the first search result that appeared to her was an advertisement promoting the Agency, but it soon directed her to an Israeli government website containing multiple accusations against UNRWA, including collusion with the resistance in Gaza[56].

F. On January 26, UNRWA received oral allegations from Israeli officials regarding the involvement of twelve UNRWA employees in the October 7 attack against Israel. After confirming that these individuals were indeed UNRWA employees, the UNRWA Commissioner-General decided to immediately terminate the appointment of these employees to avoid Israel exploiting this allegation to disrupt and stop UNRWA's work[57].

[54]- Sama News Agency website. "Settlers put inflammatory posters at the entrance of UNRWA headquarters in Jerusalem". Published on March 18, 2024. See the following link: <https://feji.us/pnz4bj>

[55]- NewsAlert.com. "Israelis sue UNRWA in a New York court. This is the charge!". Published on June 24, 2024. See the following link: <https://feji.us/ugk07v>

[56]- Palestinian Return Center website. "Israel buys Google ads to target UNRWA in Gaza". Published on August 28, 2024. See the following link: <https://prc.org.uk/ar/news/6542>

[57]- Website of the United Nations Relief and Works Agency for Palestine Refugees in the Near East "UNRWA: Allegations vs. Facts". Published May 2024. See the following link: <https://feji.us/ten90z>

Based on this claim, the UN Secretary-General, in consultation with the Commissioner-General of UNRWA, appointed an independent review group to assess whether the Agency was doing everything possible to ensure neutrality. It was formed by former French Foreign Minister Catherine Colonna, and the participation of three research organizations: the Raoul Wallenberg Institute in Sweden, the Michelsen Institute in Norway, and the Danish Institute for Human Rights[58]. In view of the lack of evidence to support these allegations, the Committee announced in April 2024, through its chairperson, that the State of Israel had not provided any evidence to support its allegations regarding UNRWA employees, and that their review had not found any evidence to support the Israeli allegations, which necessitated the closing of the file[59]. It is worth noting that the number of UNRWA employees in the Gaza Strip is 13,000 employees, the majority of whom are Palestinians, which means that the alleged Israeli accusation relates to a ratio of 1 to 1,000 of the total employees, which is a negligible percentage that cannot be relied upon in accusing UNRWA and its employees of lack of neutrality.

It is noteworthy in this regard that 16 donor countries, without any verification of the Israeli allegations, adopted a decision to freeze \$450 million in funding to UNRWA[60], which practically doubled the suffering and need of the Palestinians resulting from the Israeli aggression on the Strip, and the killing, destruction, devastation, and loss of livelihood and sources of livelihood it inflicted upon them.

G. Accusing UNRWA of adopting curricula and textbooks in UNRWA schools that glorify armed operations and call for wiping Israel off the maps, demanding that students defend the Palestinian homeland with their blood, and incite against Israel as being responsible for killing Palestinians[61].

[58]- UN website. "Allegations against UNRWA staff". See the following link: <https://feji.us/oczra2>

[59]- Human Rights Watch website. "Gaza: US and UK alone in withholding UNRWA funding". Published July 23, 2024. See the following link: <https://feji.us/uptaq4>

[60]- Swissinfo website. "Germany signals it will resume funding for UNRWA". Published on April 24, 2024. See the following link: <https://feji.us/a8i3pv>

[61]- Abu Amer, Adnan. "Israeli Institute incites against UNRWA curricula in Palestinian schools". Published on Arab21 TV on January 13, 2021. See the following link: <https://feji.us/l3j8vj>

H. Among the dangerous measures taken by the State of Israel to influence UNRWA are obstructing its work and preventing it from bringing in relief aid and medicines, in addition to preventing it from bringing in the necessary logistical equipment and means of communication, stopping the granting of visas to employees of international agencies, preventing the Commissioner-General of UNRWA from entering the Palestinian territories, in addition to the harassment to which the agency's employees are exposed, including the deliberate insulting of them at military checkpoints and barriers[62].

The Israeli Parliament Issued Legislation Against UNRWA

As part of the systematic targeting policy of UNRWA, the Israeli Knesset (parliament) approved on October 28, 2024, in the third reading, two draft laws related to UNRWA, with a majority of 92 votes in favor and 10 votes against. The first draft law was approved, prohibiting the agency from operating in Israeli territory, and preventing any activity by UNRWA in the territory of the State of Israel. It also stipulates that UNRWA shall not operate any representative office, shall not provide any service, and shall not carry out any activity, directly or indirectly, in the territory of the State of Israel.

The second law was also adopted by a majority of 89 votes in favor and 7 against, which stipulates the withdrawal of privileges and immunities granted to employees of the UN agency and the prohibition of any Israeli official from cooperating or working with UNRWA. This law represents a dangerous precedent and a blatant challenge by the State of Israel to international will and the established custom and international law in the dealings of states with the United Nations and international organizations and agencies.

[62]- UN website. "UNRWA: Israeli authorities continue to block UN humanitarian access to Gaza as we race against time to prevent famine". Published May 5, 2024. See the following date: <https://feji.us/n0pv6w>

These Laws Have the Following Legal Implications:

- Removing the international status of UNRWA as one of the United Nations bodies.
- Cancelling the understandings and letters exchanged between it and the Israeli Foreign Ministry on June 14, 1967, which are known as the "Comay-Michelmores" Agreement, after the names of the Commissioner-General of UNRWA and the General Counsel of the Israeli Foreign Ministry.
- Preventing UNRWA from carrying out its work, closing all its headquarters and offices, and treating all its staff as ordinary persons without immunity.
- Stripping its employees and headquarters of the immunity granted to it under the United Nations Privileges and Immunities Agreement, and thus the possibility of holding them accountable and prosecuting them for any act that may be interpreted as a violation of the provisions of Israeli law.
- Preventing the Agency from operating in Israel means extending this ban to include all of the Occupied Palestinian Territory, since, according to international law, the jurisdiction of the occupying state is considered applicable to the territory under its control.

There is no doubt that this legislation represents a flagrant violation and transgression by the State of Israel of its international obligations, specifically:

1- Its Flagrant Breach of the UN Charter:

a. A flagrant and explicit breach of Article 2, paragraph 5, of the United Nations Charter, which obligates States to “render all possible assistance to the United Nations in any action taken by it in accordance with the present Charter...”. Thus, this legislation is not only a renunciation or dereliction of the State of Israel's implementation of its obligations under the Charter but also represents a hostile measure against UNRWA as it rejects its role and prevents it from providing its services and carrying out the responsibilities and powers entrusted to it by the UN Charter.

b. Article 104 of the UN Charter stipulates that “the Organization shall enjoy in the country of each of its Members such legal capacity as is necessary for the performance of its functions and the fulfilment of its purposes.” There is no doubt that the aforementioned Israeli legislation violates this article and deviates from its provisions.

c. Article 105 of the UN Charter emphasizes that (1): “The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfilment of its purposes. (2): Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization. (3): The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

From this point of view, these acts, the annulment of the Agency's immunities as an international organization, and the abolition of the Agency's employees; immunity, represent a flagrant violation of this article and a clear override of its provisions.

d. Article 103 of the Charter of the United Nations grants the Charter the status of a peremptory agreement, with its explicit stipulation that “in the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.” This means the primacy of this Charter over any international agreement, and therefore, the State of Israel minimizing the Charter and bypassing and violating its provisions through domestic legislation represents a denial of the legal value of the Charter and its peremptory status.

2- A violation of Article 18 of the 1946 Convention on the Privileges and Immunities of the United Nations, which requires states to respect the judicial immunity of UN personnel and the favorable treatment they must enjoy in movement and residence to ensure the proper execution of their duties.

3- A clear violation of the understandings known as Comay-Michelmore, which is considered an agreement between the State of Israel and UNRWA that emphasized:

(a) To ensure the protection and the personnel, installations and property of UNRWA.

(b) To permit the free movement of UNRWA vehicles, within and out of Israel and the areas in question.

(c) To permit the international staff of the Agency to move in, out and within Israel and the areas in question; they will be provided with identity documents and any other passes which might be required.

(d) To recognize that the Convention on the Privileges and Immunities of the United Nations of 13 February 1946, to which Israel is a party, shall govern the relations between the Government and UNRWA in all that concerns UNRWA's functions.

4- A clear violation of the State of Israel's commitment and declaration, which was affirmed in the body of the resolution recognizing it as a Member State of the United Nations "...and noting the declaration of the State of Israel that it accepts without reservation the obligations contained in the Charter of the United Nations and undertakes to respect them from the first day it becomes a member of the United Nations...".

Israel's enactment of laws that contradict the UN Charter and breach its provisions is a clear violation of its declaration.

5- A clear violation of Israel's pledges to the aforementioned General Assembly that it may not use its internal authority to evade its international obligations, through Israel's exploitation of its internal authority by enacting legislation that violates and contravenes General Assembly resolutions, as well as its international obligations to respect and apply the UN Charter itself.

6- A clear violation by Israel of the 1969 Vienna Convention on the Law of Treaties, Article 27 of which emphasizes that "a party to a treaty may not invoke the provisions of its internal law as a justification for its failure to implement the treaty", and this is what the occupying state has explicitly violated by using domestic legislation and law to rely on. This is what the occupying state has explicitly violated by using domestic legislation and law to justify Israel's failure to fulfill its obligations arising from the UN Charter, specifically the text of the UN Charter, the 1946 Convention on the Privileges and Immunities of the United Nations, and the four Geneva Conventions of 1949, which guarantee the protection of buildings, property and aid and relief workers and facilitate their missions.

The laws passed 90 days after their approval by the Knesset may not find their way into force because they represent a blatant challenge to the international will, which may create a crisis between the United Nations, the international community, and the State of Israel. Consequently, they may open the State of Israel to legal confrontations in which its opponent will be the United Nations and the international community, especially since the public debate session held by the UN Security Council on this issue on October 30, 2024, showed a universal rejection of these laws, so that the session was followed by a unanimous statement in which the Council members urged the Israeli government to fulfill its international obligations and respect the privileges and immunity of the Palestinian people.

When these laws were presented as drafts, they drew the ire of the United Nations as well as many international influencers. The United Nations warned that the UNRWA-related bills in the Israeli parliament undermine the foundations of international law[63].

The European Union's High Representative for Foreign Affairs and Security Policy, Josep Borrell, called Israel's efforts to label the United Nations Relief and Works Agency (UNRWA) a “terrorist organization” “nonsense” and an attack on regional stability and the human dignity of all those who benefit from this UN agency's work[64], while US State Department spokesman Matthew Miller announced his country's categorical rejection of the Israeli bills, and urged the Knesset to suspend the passage of these bills[65].

There is no doubt that the passage of these laws by the Parliament of the State of Israel represents a blatant challenge to the international community and the United Nations, which necessitates the necessity and importance of confronting them with parallel action based on:

- Raising the issue of Israel's membership in the United Nations and its expulsion from the United Nations in response to Israel's clear violation of its obligations arising from the Convention on the Privileges and Immunities of the United Nations,

[63]- UN website. “UN: Israeli bills on UNRWA undermine the foundations of international law and will have serious consequences”. Published July 26, 2024. See the following link: <https://feji.us/ttzo1n>

[64]- Palestinian News and Information Agency - Wafa. “Borrell: Labeling UNRWA a terrorist is an assault on regional stability and human dignity”. Published on July 26, 2024. See the following link: <https://feji.us/xpuad4>

[65]- MTI News. “International condemnation of the occupation's attempts to stigmatize UNRWA as terrorists”. Published on July 27, 2024. See the following link: <https://feji.us/shcp07>

based on the text of Article 6 of the UN Charter. “A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.”

- The UN General Assembly raised the issue of Israel's pledges made to it at the time of its application for membership in the UN.

Legalizing the Targeting of UNRWA:

From the outset of the Israeli aggression until October 30, 2024, around 200 UNRWA facilities were bombed, resulting in the complete destruction of at least 71 schools, while another 48 schools lost at least half of their buildings, as a result of the indiscriminate targeting and shelling that affected all areas in the Gaza Strip. Some 161 UNRWA school buildings were either directly hit or partially damaged, representing 85% of all UNRWA school buildings in Gaza, most of which are used as emergency shelters for displaced persons[66]. In addition, 237 UNRWA staff members in the Gaza Strip were killed while carrying out their humanitarian duties, at least 563 civilians were killed and approximately 1,600 IDPs who sought refuge in UNRWA schools and facilities for safety and protection, estimated at approximately one million people, representing 50 percent of the total number of IDPs, were killed and injured[67].

There is no doubt that this breadth in the number of headquarters and schools that were targeted confirms that this was not an accidental act or an unintentional act that occurred as a result of an error or miscalculation but was directed at most UNRWA schools and installations in the Gaza Strip, which are known and precisely located by the occupying forces. Moreover, these forces are fully aware of the residents of these locations and the number of displaced persons. This is a clear indication of the occupation's intent to deliberately target and destroy UNRWA headquarters, inflicting the greatest harm on Palestinian civilians, as well as reinforcing their sense of the weakness of UNRWA and the United Nations and its inability to protect them, thereby recognizing and surrendering to the occupation.

-[65] UNRWA's 141st report on the situation in the Gaza Strip and the West Bank, including East Jerusalem, October 4, 2024

66]- UN website. “Gaza: Dozens of casualties reported after Israeli shelling of another UNRWA school”. July 7, 2024. See the following link: <https://feji.us/k7jjlo>

This is reinforced by the fact that the occupation deliberately targets UNRWA headquarters and facilities in every confrontation. Thus, the current targeting in its latest aggression is not a new event or a precedent, as three UNRWA schools were targeted, the best-known of which was Al-Fakhoura School in Jabalia refugee camp, which led to the killing of 42 civilians, including 14 children, by artillery shelling[68].

During Israel's aggression against the Gaza Strip in 2009, according to the report of a fact-finding mission from the United Nations High Commissioner for Human Rights, UNRWA facilities were damaged, including 51 UNRWA facilities, including seven health centers and the Gaza regional office, as well as the UNRWA warehouse in Gaza City was targeted, which led to the burning and total destruction of hundreds of tons of food and medicine, for which the occupying state assumed responsibility and agreed in 2010 to pay compensation of 10.5 million US dollars to the United Nations[69].

In the 2014 aggression, UNRWA schools in the Gaza Strip were targeted, where 5 UNRWA schools were completely damaged. In these attacks, 75 others were partially damaged[70]. The attacks also resulted in the killing of 25 displaced civilians in these schools, as well as 10 UNRWA staff members[71].

The targeting of institutions and premises, including vehicles bearing the UN insignia, as is the case with UNRWA, is considered a war crime based on Article 8(b)(3) of the Statute Rome/ of the International Criminal Court: “Intentionally directing attacks against personnel, installations, material, units or vehicles involved in a humanitarian assistance or peacekeeping mission in accordance with the Charter of the United Nations, as long as they are entitled to the protection given to civilians or civilian objects under the international law of armed conflict.”

[68]- Howaidi, Ali. “Israel’s Deliberate Targeting of UN Headquarters is a Challenge to the International Community.” Published on the Watan News Agency website on August 7, 2014. See the following link: <https://feji.us/uborun>

[69]- From the website of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. “The most devastating assault.” See the following link: <https://feji.us/ky2zls>

[70]- Palestinian Non-Governmental Organizations Network. “Fact Sheet: The Effects of the Israeli Aggression in the Summer of 2014 and the Delayed Reconstruction Process on the Education Sector in the Gaza Strip and the Education Sector’s Vision for the Reconstruction and Development Process in the Gaza Strip.” Published by the Palestinian Non-Governmental Organizations Network, January 1, 2016.

[71]- Howaidi, Ali. “Israel’s Deliberate Targeting of UN Headquarters is a Challenge to the International Community.” Published on the Watan News Agency website on August 7, 2014. See the following link: <https://feji.us/uborun>

Targeting, disrupting, and preventing UNRWA from carrying out its work also entails a number of crimes and violations, the most important of which are:

1. Deliberately depriving the civilian population of aid, food and health materials, which means starving them and placing them in difficult living conditions that may lead to their death, which falls under the war crimes defined by the Statute of the International Criminal Court, as Article 8, paragraph (b), clause xxv, includes “Intentionally using starvation of civilians as a method of warfare by depriving them of objects indispensable to their survival, including wilfully impeding relief supplies as provided for under the Geneva Conventions” among the acts described as war crimes.

2. The denial of access to foodstuffs and medical supplies to the population of the occupied territory and the prevention of international relief organizations and agencies, including UNRWA, means the deliberate death and destruction of civilians, patients, children, the elderly and women who need them, which constitutes an act of genocide according to the text and content of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, which defined the crime of genocide under Article 2 as “In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a)** Killing members of the group;
- (b)** Causing serious bodily or mental harm to members of the group;
- (c)** Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
- (d)** Imposing measures intended to prevent births within the group;
- (e)** Forcibly transferring children of the group to another group.

On November 26, 2023, the International Court of Justice (ICJ) issued its decision on provisional measures requested by South Africa to stop the killing and extermination of Palestinians. The Court's acceptance of South Africa's request indicates that the Court believes there are plausible elements to consider that the crime has been committed.

3. The bombing of schools and buildings protected by international humanitarian law, such as hospitals and places of worship, constitutes a clear violation of international humanitarian law and falls within the scope of the acts described under the four Geneva Conventions, the First Geneva Protocol of 1977, and the Charter of the International Criminal Court as war crimes. Not only that, but if there is a suspicion that these schools and premises may contain persons who do not have civilian status, the occupying state may not target them, as the suspicion in such cases must tend to favor civilian status and consider the person a civilian. On the other hand, the rules of international humanitarian law emphasize that the presence of non-civilians among civilians does not extinguish the legal protection afforded to civilians. Consequently, they may not be targeted, as explicitly confirmed in Article 50 of the First Geneva Protocol supplementing the four Geneva Conventions: “ A civilian is any person who does not belong to one of the categories of persons referred to in Article 4 A (1), (2), (3) and (6) of the Third Convention and in Article 43 of this Protocol. In case of doubt whether a person is a civilian, that person shall be considered to be a civilian:

- The civilian population includes all civilian persons.
- The presence of individuals among the civilian population who do not meet the definition of civilians does not deprive the civilian population of its civilian character.

Perhaps what is important in this regard is not to emphasize and explicitly stipulate the occupying power’s obligation to avoid harming relief organizations and those working to provide aid to the population in the occupied territory, and to facilitate and not hinder their missions. Article 55 of the Fourth Geneva Convention of 1949 obligates the occupying power to assume responsibility for securing, providing and delivering aid and food supplies to the population of the occupied territory: “It is the duty of the Occupying Power to provide, to the maximum extent of its means, the population with food and medical supplies and, in particular, to import the necessary food, medical and other supplies if the resources of the occupied territory are insufficient ...”

Article 59 of the Fourth Geneva Convention also obligates it to allow relief operations and provide facilities for international institutions “If the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal.”

The Role and Obligations of the United Nations in Confronting the Targeting of UNRWA and Denial of its Services to the Palestinians

The General Assembly and the Security Council are considered the international reference point for the protection of international law and international peace and security under the UN Charter, which entrusts them with clear responsibilities to enforce respect and international adherence to the principles of the Charter and international legitimacy, and as such, they have a responsibility to intervene and address Israeli violations and practices.

Obligations of the Security Council:

The Charter of the United Nations entrusted the UN Security Council with the maintenance of international peace and security at the level of the international community as a whole. To achieve this, the UN Charter, in both Chapter VI and Chapter VII, regulates the means and measures that may be taken and used by the UN Security Council once it begins to implement and materialize the tasks entrusted to it at the level of the international community.

Concerning the mechanism of intervention by the UN Security Council when states commit acts and behaviors prohibited by the provisions of the Charter, we find that the Council's intervention in such situations is carried out in two ways, the first of which is achieved by using diplomatic means and methods far from restraint and force against the party that violates its international obligations,□ such as stopping economic dealings and cutting off communications of all kinds between UN members and the offending party, and using naval, air and land forces to impose a blockade on states in these circumstances.

The other mechanism that the Council can use to confront the violation of the principles of the UN Charter and the provisions of international law is the Council's use of armed force and military measures to put pressure on the violating state and force it to comply with international law and respect its provisions.

Obligations of the General Assembly

When states commit acts characterized as international crimes and war crimes, as well as acts that may violate the provisions and principles of the UN Charter, the General Assembly is obligated and mandated by the UN Charter to intervene seriously and effectively to stop and confront these acts.

As a general rule, the General Assembly intervenes in such a situation by drawing the attention of the UN Security Council to these violations in order to compel it to take whatever measures it deems appropriate, * and thus intervene to restore the situation.

It has become clear that the Security Council is unable to intervene and exercise its functions and powers as it should in the Palestinian case, due to the repeated use of the veto by the United States, which has prevented the cessation of the crime of genocide and war crimes, which has claimed the lives

* The powers of the General Assembly in this regard are regulated by Article 11 of the Charter, which states: “1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles relating to disarmament and the regulation of armaments, and may submit its recommendations on these principles to the Members and/or the Security Council...”

which has claimed the lives of about 42,000 Palestinians, in addition to 103,000 wounded, 2 million displaced persons and 10,000 missing persons[72]. Consequently, the General Assembly was obligated to intervene and act to fill the gap of the Security Council's inaction and stagnation.

The General Assembly's intervention in these cases is founded on the General Assembly's case precedents as prescribed in its famous resolution No. 377 of November 1950 (Uniting for Peace),* through which the UN General Assembly authorized itself to consider all matters, issues and international disputes that threaten and affect international peace and security and to take whatever measures and actions it deems appropriate, including military intervention, in all cases where the UN Security Council proves its reluctance and actual failure to exercise its functions and legal powers in relation thereto, due to the deliberate financial failure of any of its members.

[72]- From the Palestinian Central Bureau of Statistics (PCBS) website - Israeli Occupation Aggression in Palestine.

* The United Nations General Assembly passed this resolution on the occasion of the conflict in Korea and perhaps the most important part of the text of the General Assembly resolution (Uniting for Peace) (1) The General Assembly, recognizing that the first two purposes of the United Nations expressed in the Charter are : "The maintenance of international peace and security, and to this end the Organization takes effective joint measures to prevent and eliminate the causes that threaten peace, to suppress acts of aggression and other breaches of the peace, and to invoke peaceful means in accordance with the principles of justice and international law to resolve or settle international disputes that may lead to a breach of peace ... Emphasizing that it is important for the Security Council to carry out its primary responsibility for the maintenance of international peace and security and that it is the duty of the permanent members to try to reach consensus and to use the right of veto only with moderation and convinced of the failure of the Security Council to perform the functions that fall on it in the name of the United Nations. Recognizing that such failure does not deprive the General Assembly of its rights or free it from its Charter-recognized obligations for the maintenance of international peace and security ...) A.1 Decides that in any case where there appears to be a threat to the peace, breach of the peace or act of aggression and where the Security Council fails to fulfill its primary responsibility for the maintenance of international peace and security due to lack of unanimity among its permanent members, the General Assembly shall immediately consider the matter to make appropriate recommendations to the members on collective measures to be taken, including the use of armed force when necessary in the event of a breach of the peace or an act of aggression in order to maintain and restore international peace and security ...).

The General Assembly relied on the content of the aforementioned resolution to justify its intervention in many international conflicts, the most important of which were the issue of Hungary due to the Soviet intervention in 1956, the aggression against Egypt by France, Britain and Israel in 1956 (the Tripartite Aggression) and the internal war in Congo in 1961 and the subsequent international interventions.

The silence and inaction of the Security Council in the face of the Israeli aggression against the Gaza Strip from October 8 until today, despite the number of Palestinians killed, despite the widespread destruction and sabotage that is not justified under international humanitarian law, and despite the deliberate starvation and annihilation of Palestinians by the occupying power, requires and demands that the General Assembly mobilize and apply this measure and take whatever measures it deems appropriate based on the provisions of Chapters VI and VII of the UN Charter to compel Israel to stop its crimes and its continuous and ongoing violation since 1948 of the rules of international law and its international obligations.

The General Assembly is the international authority most cognizant of the reality of Israeli practices, violations, and crimes. Therefore, it must move beyond condemnation and denunciation to actual action and intervention to suppress this Israeli encroachment and disregard for the provisions and principles of international law, the UN Charter, and the resolutions of the General Assembly itself.

The International Court of Justice's response to the General Assembly's request in its resolution 77/247 of December 20, 2022, for the Court's opinion on the legal consequences arising from Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, is a legal and judicial motivation for the General Assembly's actual action and intervention on the basis of its resolution 377.

In its advisory opinion, the Court affirmed that Israel's continued presence in the Occupied Palestinian Territory is illegal and that this presence constitutes an unlawful act resulting from Israel's violations, through its policies and practices, of the prohibition against the acquisition of territory by force and the right of the Palestinian people to self-determination. This is a clear and explicit judicial recognition of Israel's violation of the principles and constants of the UN Charter, and, therefore, the United Nations must intervene and assume its legal responsibility to work to put an end to this breach[73].

[73]- INTERNATIONAL COURT OF JUSTICE, ADVISORY OPINION LEGAL CONSEQUENCES ARISING FROM THE POLICIES AND PRACTICES OF ISRAEL IN THE OCCUPIED PALESTINIAN TERRITORY, INCLUDING EAST JERUSALEM, 19 JULY 2024, Pa 267-273.

Conclusion and Recommendations:

In addition to being a flagrant and explicit violation by the occupying power of its international legal obligations, the targeting of UNRWA by the occupying power constitutes in essence a strategy and a scheme to eliminate the right of Palestinian refugees to return to their homeland and properties. Hence, to prevent the Israeli occupation from achieving this goal, action is needed to address the State of Israel's breaches and deviation of the provisions of the UN Charter, the Convention on the Privileges and Immunities of United Nations Officials, the Vienna Convention on the Law of Treaties of 1969, and the four Geneva Conventions of 1949.

The paper proposes several short-term and long-term recommendations:

- Forming a body from the Department of Refugee Affairs, various official bodies, Palestinian civil society organizations and national action forces to develop a national strategy for action at the level of the United Nations, UN organizations and international organizations to confront the Israeli policy of ending UNRWA.
- Insisting on sustaining and maintaining UNRWA and rejecting any proposal related to assigning or replacing this agency with any international authority, whether represented by the United Nations High Commissioner for Refugees (UNHCR) or others. Thus, the Palestinians should insist that UNRWA remains the international umbrella and authority for Palestinian refugees and link issue of ending its legal personality to Israel and the international community's implementation of Resolution 194.
- Putting the issue of Israeli laws and the behavior of the occupying state towards UNRWA on the agenda of the General Assembly, which was procedurally achieved through the Secretary-General's lifting of the issue of laws and referring consideration of Israeli behavior towards UNRWA, which requires the Palestinian side to take advantage of this situation by raising the issue of Israel's commitments in 1949 and the mandatory partition resolution as a legal basis for determining the borders of both the State of Israel and the Arab state of "Palestine."

- Raising the issue of Israel's membership in the United Nations and expelling it from the UN in response to Israel's clear violation of its obligations arising from the Convention on the Privileges and Immunities of the United Nations, based on the Article: "A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council. In the event that the Security Council arbitrarily refuses this approach, the General Assembly must exercise its powers based on Resolution 377 Uniting for Peace."
- Move at the level of the UN General Assembly to issue a clear and explicit resolution with a definition of the Palestinian refugee, to cut off any political pressures or international acts that may lead to the adoption of the Israeli standard and concept based on limiting the status of refugee to the first generation of the Nakba. Moreover, strengthen and stabilize the legal status of all Palestinians who were displaced or prevented from returning to their homeland after the establishment of the State of Israel, whether or not they lost their property or their sources of livelihood.
- Supporting UNRWA in its campaign against Israeli incitement by launching an international campaign to clarify the subtleties and dimensions of the occupation state's targeting of UNRWA, and forming an international lobby of international civil society organizations to support UNRWA.
- Correcting UNRWA's definition of Palestinian refugees by adding females alongside males in the extension and transfer of this status from fathers to sons, as restricting this status to males only represents a departure from the principles of justice and equity and the right to protection from discrimination based on gender.
- Enact a Palestinian law on the right of return, similar to Israeli legislation, to strengthen and stabilize the rights of Palestinian refugees.
- Pressure the United Nations to adopt an international day to commemorate the victims of Israeli targeting of schools and institutions.
- Call on the Palestinian National Council of Arab Parliaments and the Inter-Parliamentary Union to take a clear position on boycotting the Israeli parliament (the Knesset) in response to its blatant violation of the UN Charter, international norms and laws, and its enactment of laws that violate the Convention on the Immunity of UN Personnel.

- Palestinian officials should take action at the United Nations to discuss mechanisms to implement and enforce the advisory opinion on the legal consequences of Israel's policies and practices in the Occupied Palestinian Territory, including East Jerusalem, issued by the International Court of Justice in July 2024. In this regard, it is worth noting that the General Assembly and the Security Council have a customary obligation to respect and apply the Advisory Court's opinions.
- Press the Assembly to demand action to hold Israel accountable for its targeting of UNRWA headquarters as a protected object under the four Geneva Conventions and a war crime under the UN Charter.
- The impunity of the Israelis has prompted them to persist in committing crimes and grave violations of international humanitarian law, which requires pressure and action at the level of the international community to promote and activate accountability and criminal prosecution of Israeli war criminals.
- International organizations to launch national campaigns to compel their national parliaments to boycott the Parliament of the State of Israel and stop dealing with it.
- Palestinian civil society mobilizes to register all Palestinian refugees in the diaspora by allocating an observatory or a special body for this process to create a national Palestinian archive on the Palestinian refugee census.
- Launch a broad campaign to pressure the International Criminal Court to issue arrest warrants against Israeli war criminals.
- Strengthening Palestinian community mobilization and rejection of Israeli policies against UNRWA.
- Launch a global campaign to sign a memorandum of condemnation, denunciation and rejection of Israeli legislation and practices hostile to UNRWA and submit it to the UN Secretary-General.