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**Human rights situation in Palestine and other
occupied Arab territories**

Written statement* submitted by European Centre for Law and Justice, The / Centre Européen pour le droit, les Justice et les droits de l'homme, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[12 August 2024]

* Issued as received, in the language of submission only.



Requesting That the United Nations Hold the United Nations Relief and Works Agency for Palestine Refugees in the Near East Accountable for its Role in the Attack Against Israel on October 7, 2023

1. Introduction

On October 7, 2023, Hamas militants crossed into Israel from Gaza and attacked innocent Israeli civilians. In this attack, Hamas killed over 1,200 Israeli civilians and took about 250 hostages.⁽²⁾ Many of the women killed or taken as hostage by Hamas were mutilated or brutally raped.⁽³⁾ Video footage of the attack at a kibbutzim showed Hamas soldiers indiscriminately shooting residents and setting fires to homes.⁽⁴⁾ It came to light that workers for the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) actively took part in the heinous attacks against Israel.⁽⁵⁾ However, it was not until recently that UNRWA employees were fired from their jobs after a long period of denial by the UN of their participation.

2. Background

UNRWA was established by a UN resolution in 1949 to provide direct relief and works programs for Palestinian refugees.⁽⁶⁾ According to its website, “[t]he Agency’s services encompass education, health care, relief and social services, camp infrastructure and improvement, microfinance and emergency assistance, including in times of armed conflict.”⁽⁷⁾ The UN’s Office of Internal Oversight Services (OIOS) has now found that several UNRWA staff members were involved in the heinous attacks against innocent Israeli civilians on October 7, 2023.⁽⁸⁾

This is not the first time that UNRWA has been linked to Hamas. In fact, in July 2014, Hamas’ rockets were found at three separate UNRWA schools. In one instance, reports indicated that the rockets were returned to Hamas instead of being destroyed.⁽¹⁰⁾ Despite UNRWA’s previous record of possible affiliation with Hamas, the UN and the international community continued to deny its employees’ participation in the October 7 attack and continued to blame Israel for not providing evidence against UNRWA.

3. Violations

In November 2023, it was reported that one of the Israelis Hamas took hostage was being held for fifty days in the attic of an UNRWA teacher.⁽¹¹⁾ While being held, the hostage was barely provided with any food or medical attention.⁽¹²⁾ It was also reported that same month that an UNRWA warehouse facility was being used as a Hamas rocket launching site.⁽¹³⁾ This strongly suggests that UNRWA staffers were working with Hamas, or at the very least, aiding and cooperating with its efforts.

In January 2024, Israel presented evidence that a dozen UNRWA employees played a role in the October 7, 2023, attack or the events proceeding thereafter.⁽¹⁴⁾ One individual was alleged to have been involved in the kidnapping of a woman, one was said to have been handing out ammunition, and another was alleged to have been involved in the attack on a kibbutz where ninety-seven people were massacred.⁽¹⁵⁾

These allegations led to the initial firing of nine UNRWA employees for their role in the attack.⁽¹⁶⁾ Philippe Lazzarini, the UNRWA Commissioner-General, said in a January 26, 2024, statement:

To protect the Agency’s ability to deliver humanitarian assistance, I have taken the decision to immediately terminate the contracts of these staff members and launch an investigation in order to establish the truth without delay. Any UNRWA employee who was involved in acts of terror will be held accountable, including through criminal prosecution.

UNRWA reiterates its condemnation in the strongest possible terms of the abhorrent attacks of 7 October and calls for the immediate and unconditional release of all Israeli hostages and their safe return to their families.(17)

In February 2024, The Independent Review Group was appointed to conduct a review of UNRWA and respond to allegations of serious breaches.(18) Then, on February 8, 2024, UNRWA announced that twelve staffers were involved in the attacks.(19) UNRWA immediately terminated the contracts of ten of the individuals, while the other two were confirmed to have been dead.

However, these are likely not the only UNRWA staffers who played a role in the attack or who worked with Hamas. In March 2024, the Israeli military claimed that more than 450 staffers working for UNRWA were “military operatives” who were working with Hamas and other armed groups.(20) Israel has shared this information with the UN.(21)

UNRWA has denied these allegations. In fact, a March 2024 report from UNRWA claimed that Israel coerced UNRWA staffers to admit having links with Hamas.(22) Further, a top humanitarian aid official for the European Union also claimed that there was no evidence to suggest that more UNRWA staffers had ties to Hamas.(23)

In August 2024, the OIOS concluded its investigation, and despite UNRWA denying its involvement with Hamas, nine individuals were fired.(24) The UN had initially fired twelve staffers and placed an additional seven staffers on administrative leave.(25) The nine individuals who were recently fired come from both groups.(26) The UN has not provided the total number of UNRWA staffers fired for their involvement in the attack.(27)

While Israel is being accused of committing genocide for defending itself from Hamas and other terrorist groups who mercilessly massacred and abducted Israeli men, women, children, infants, and the elderly, UNRWA officials who participated in such heinous acts are given a slap on the wrist by simply getting fired from their jobs. This double standard has given a free hand and, in fact, has created an atmosphere of impunity for terrorist groups and those affiliated with such groups. While Israeli officials are being accused of committing war crimes and crimes against humanity, UNRWA officials simply lost their jobs, a consequence which is often given for minor administrative infractions.

While only one UN organization, the UNHCR, handles the rest of the world’s refugees—those who are running from many war torn places and persecution by groups like ISIS—Palestinian “refugees” are given special treatment by having a separate and personal organization, UNRWA. This double standard and the lack of accountability for previous criminal conduct has encouraged UNRWA officials to continue their criminal activities. Yet, they do not face consequences that other criminals face. This must stop.

4. Request

UNRWA and its staff members must be held fully accountable for their role in the October 7, 2023, attacks against innocent Israeli civilians. Instead of simply getting fired from their jobs, they must be held criminally responsible for committing war crimes. Clearly, UNRWA has not been living up to its mandate to provide humanitarian assistance to the people of Gaza. If UNRWA is going to continue to engage and cooperate with Hamas to attack Israel and kill innocent civilians, the UN must discontinue UNRWA’s mandate.

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4. Patrick Reeve, Reporter’s Notebook: In Israeli Kibbutz Rampaged by Hamas, Volunteers Still Cleaning Blood from Homes, ABC NEWS (Nov. 15, 2023), <https://abcnews.go.com/International/israeli-kibbutz-kfar-aza-volunteers-cleaning->

blood/story?id=104848791#:~:text=Video%20evidence%20that%20has%20emerged,rooms%20and%20gunning%20them%20down.

5. Julia Frankel, UN Fires Additional Staffers After Probe Finds Potential Involvement in Oct. 7 Attack on Israel, AP (Aug. 5, 2024), <https://apnews.com/article/un-unrwa-staffers-fired-oct-7-cc33d0ab25dc4bacc0af1db10705e0d6>.

6. Who We Are, UNRWA, <https://www.unrwa.org/who-we-are> (last visited Aug. 11, 2024), <https://www.unrwa.org/who-we-are>.

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8. Richard Roth & Mick Krever, UN Probe Finds 9 UNRWA Employees “May Have” Been Involved in October 7 Attack, CNN (Aug. 6, 2024), <https://www.cnn.com/2024/08/05/middleeast/un-probe-unwra-gaza-israel-intl-latam/index.html#:~:text=A%20United%20Nations%20investigation%20has,longer%20work%20at%20the%20agency>.

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15. Id.

16. Id.

17. Serious Allegations Against UNRWA Staff in the Gaza Strip, UNRWA (Jan 26, 2024), <https://www.unrwa.org/newsroom/official-statements/serious-allegations-against-unrwa-staff-gaza-strip>.

18. Guterres Appoints Independent UNRWA Review Panel, UN NEWS (Feb. 5, 2024), <https://news.un.org/en/story/2024/02/1146207>.

19. Allegations Against UNRWA Staff, UNRWA (Feb. 8, 2024), <https://www.unrwa.org/newsroom/official-statements/allegations-against-unrwa-staff>.

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21. Id.

22. UNRWA Report Says Israel Coerced Some Agency Employees to Falsely Admit Hamas Links, REUTERS (March 8, 2024), <https://www.reuters.com/world/middle-east/unrwa-report-says-israel-coerced-some-agency-employees-falsely-admit-hamas-links-2024-03-08/>.

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26. Id.

27. Id.