



**SRMUN CHARLOTTE 2023**  
***Reimagining Peace, Reclaiming Human Rights, and Restoring International Law***  
**March 23 – 25, 2023**  
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Dear Delegates,

Welcome to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and SRMUN Charlotte 2023! My name is Edgar Romero, and I have the pleasure of serving as your Director for the UNRWA. This will be my second time as a SRMUN staff member, after having served as Director of the Commission on Crime Prevention and Criminal Justice (CCPCJ) at SRMUN Virtual 2022. Our committee's Assistant Director will be Avery Johnson. Avery is a senior, pursuing a degree in International Affairs with a concentration in Europe. SRMUN Charlotte 2023 will be Avery's fourth SRMUN conference, having attended three as a delegate in the past, while currently serving as his home university's Model UN club president. Avery is currently focusing on Middle East refugee crises and their relationship with host countries in Europe in his undergraduate research.

UNRWA acts through its executive, the Commissioner-General, whose decision-making is informed by the Advisory Commission, which consists of 29 voting Member States and four Observer States. Central to the mission of UNRWA is the protection and humanitarian assistance of registered Palestine refugees. UNRWA's primary humanitarian focuses for Palestine refugees include ensuring the provision of primary health care and access to primary and vocational education, supporting infrastructure and camp improvement, and developing better and more efficient microfinance and emergency response mechanisms, both in times of peace and in times of conflict.

By focusing on the mission of the UNRWA and the SRMUN Spring 2023 theme of "*Reimagining Peace, Reclaiming Human Rights, and Restoring International Law*," we have developed the following topics for delegates to discuss at the conference:

- I. Protecting Noncombatant Palestine Refugees in Armed Conflicts
- II. Reevaluating Limitations on Registering as a Refugee from Palestine

This background guide provides an introduction to the committee and the topics that will be debated at SRMUN Charlotte 2023. It should be utilized as a foundation for a delegate's independent research. However, while we have attempted to provide a holistic analysis of the issues, the background guide should not be used as the single mode of analysis for the topics. Delegates are expected to go beyond the background guide and engage in the intellectual inquiry of their own. The position papers for the committee should reflect the complexity of these issues and their externalities. Delegations are expected to submit a position paper and be prepared for a vigorous discussion at the conference. Position papers should be no longer than two pages in length (single-spaced) and demonstrate your Member State's position, policies, and recommendations on each of the two topics. For more detailed information about formatting and how to write position papers, delegates can visit [srmun.org](http://srmun.org). **All position papers MUST be submitted no later than Friday, March 3, 2023, by 11:59 pm EST via the SRMUN website.**

We wish you all the best of luck in your conference preparation and look forward to working with you in the near future. Please feel free to contact Director-General Chantel Hover, Avery Johnson, or myself if you have any questions while preparing for the conference.

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## History of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established in response to the 1948 Arab-Israeli Conflict in order to facilitate relief and humanitarian services to Palestine refugees.<sup>1</sup> The committee was created through United Nations General Assembly Resolution 302 (IV) of December 8, 1949, and officially began operations on May 1, 1950.<sup>2</sup> UNRWA's mandate can only be defined by the General Assembly, which serves as the committee's parent organ.<sup>3</sup> UNRWA's mandate encompasses the provision of essential protection and assistance to Palestine refugees until a sustainable solution is created for the ongoing displacement of Palestine refugees since the 1948 Arab-Israeli Conflict.<sup>4</sup>

Founded upon the committee's establishment in 1949, the Advisory Commission (AdCom) of UNRWA was created to assist the Commissioner-General of the UNRWA in carrying out the committee's mandate. The AdCom originally consisted of four Member States, but it has since grown to include 29 Member States and four observer organizations.<sup>5</sup> UNRWA's AdCom meets biannually, typically in June and November.<sup>6</sup> Meetings are held to discuss pressing issues concerning the UNRWA, with an aim to reach decisions by consensus.<sup>7</sup> The UNRWA AdCom also discusses and implements best practices to assist the Commissioner-General of the committee.<sup>8</sup> The AdCom is led by a Chair and Vice-Chair, one of which must represent a Donor Country and the other a Host Country.<sup>9</sup> The Chair and Vice-Chair serve one year terms, and are appointed annually at the June AdCom meeting.<sup>10</sup> The appointed Chair must alternate between being represented by a Host Country and a Donor Country each year.<sup>11</sup> The UNRWA's program budget, also known as the general fund, must be approved by the United Nations General Assembly every two years.<sup>12</sup> The budget is guided by the outlined priorities and goals of the committee's Medium Term Strategy (MTS).<sup>13</sup> The MTS outlines a vision for each of the committee's fields of operation, most recently defined in 2016.<sup>14</sup> This updated MTS focuses on refugees' rights, refugees' health, refugees' education, refugees' access to improved living conditions, and the ability for refugees to have access to basic human necessities.<sup>15</sup>

The majority of UNRWA funding comes from voluntary donations from Member State governments, inter-governmental organizations (IGOs), and non-governmental organizations (NGOs).<sup>16</sup> UNRWA's government partners accounted for 93 percent of all contributions in 2021.<sup>17</sup> In 2021, the top ten government contributors to the UNRWA were the United States, Germany, the European Union (EU), Sweden, Japan, the United Kingdom,

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<sup>1</sup> "Who We Are," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 15, 2022, <https://www.unrwa.org/who-we-are>.

<sup>2</sup> "Who We Are," *UNRWA*.

<sup>3</sup> "What is the Mandate of UNRWA?," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 15, 2022, <https://www.unrwa.org/what-mandate-unrwa-0#:~:text=UNRWA%20has%20a%20humanitarian%20and,can%20define%20the%20UNRWA%20mandate>.

<sup>4</sup> "What is the Mandate of UNRWA?," *UNRWA*

<sup>5</sup> "Advisory Commission," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 15, 2022, <https://www.unrwa.org/who-we-are/advisory-commission>

<sup>6</sup> "Advisory Commission," *UNRWA*.

<sup>7</sup> "Advisory Commission," *UNRWA*.

<sup>8</sup> "Advisory Commission," *UNRWA*.

<sup>9</sup> "Officers of the Advisory Commission," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 15, 2022, <https://www.unrwa.org/who-we-are/advisory-commission/officers>.

<sup>10</sup> "Officers of the Advisory Commission," *UNRWA*

<sup>11</sup> "Officers of the Advisory Commission," *UNRWA*.

<sup>12</sup> "Core Programme Budget," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 16, 2022, <https://www.unrwa.org/how-you-can-help/how-we-spend-funds/core-programme-budget>.

<sup>13</sup> "Core Programme Budget," *UNRWA*.

<sup>14</sup> "Core Programme Budget," *UNRWA*.

<sup>15</sup> "Core Programme Budget," *UNRWA*.

<sup>16</sup> "Government Partners," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 16, 2022, <https://www.unrwa.org/our-partners/government-partners>.

<sup>17</sup> "Government Partners," *UNRWA*.

Switzerland, Norway, France, and Canada, combining for contributions totaling about USD 895 million.<sup>18</sup> While in smaller numbers relative to Member State government contributors, contributions from NGOs are crucial to the funding of UNRWA operations and services. The top five NGO contributors to UNRWA in 2021 were UNRWA USA National Committee, Rahmatan Lil Alamin Foundation, Islamic Relief USA, UNRWA Spanish Committee, and Muslim Hands UK, combining for contributions totaling about USD 14.26 million.<sup>19</sup> UNRWA also receives a small subsidy from the UN regular budget along with other forms of funding through inter-agency collaboration with adjacent UN agencies.<sup>20</sup> Some of the UNRWA's UN agency partners include the UN Special Coordinator for the Middle East Peace Process (UNSCO), UN High Commissioner for Refugees (UNHCR), UN Children's Fund (UNICEF), and the World Health Organization (WHO).<sup>21</sup> The funding through these contributions allows UNRWA to carry out critical operations to provide humanitarian assistance and services to Palestine refugees across the Middle East.

The UNRWA continues to provide vital humanitarian services across a variety of sectors for the Palestine refugee population. These sectors include but are not limited to: education, healthcare, protection, relief, and infrastructure.<sup>22</sup> The committee remains focused on its strategic objectives outlined in the 2016 MTS on expanding refugee rights and capabilities, reflective of the UN Sustainable Development Goals (SDGs).<sup>23</sup> The UNRWA offers a microfinance loan program to Palestine refugees that has aided in alleviating some refugees' socio-economic barriers and creating entrepreneurial opportunities which may have been previously unavailable to them.<sup>24</sup> Through this program, 475,905 loans have been awarded, totaling 531.41 million USD.<sup>25</sup> Recent programs like the microfinance loan initiative are crucial to the UNRWA's goal of human development and sustainability for Palestine refugees in accordance with the UN SDGs.<sup>26</sup>

Unlike many UN agencies' voting procedures, UNRWA does not produce their own resolutions, but rather produces reports on their work and recommendations for improvement, which are then communicated to the UN General Assembly for review.<sup>27</sup> A UNRWA *2021 Activities Report* discussed the successes, challenges, and current initiatives of the UNRWA Dispute Tribunal, modeled after the United Nations Dispute Tribunal, and active since 2011.<sup>28</sup> Recent resolutions passed by the General Assembly that incorporated UNRWA work includes the extension of AdCom membership and observer status to prospective Member States and IGOs and the extension of their current mandate.<sup>29</sup> The most recent resolution, UN General Assembly Resolution 93, invited India to become the 29th Member State to AdCom.<sup>30</sup>

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<sup>18</sup> "Funding Trends," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 16, 2022, <https://www.unrwa.org/how-you-can-help/government-partners/funding-trends>.

<sup>19</sup> "Funding Trends," *UNRWA*.

<sup>20</sup> "United Nations," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 16, 2022, <https://www.unrwa.org/our-partners/united-nations>.

<sup>21</sup> "United Nations," *UNRWA*.

<sup>22</sup> "What We Do," *United Nations Relief and Works Agency for Palestine Refugees in the Near East*, accessed July 17, 2022, <https://www.unrwa.org/what-we-do>.

<sup>23</sup> "What We Do," *UNRWA*.

<sup>24</sup> "What We Do," *UNRWA*.

<sup>25</sup> "What We Do," *UNRWA*.

<sup>26</sup> "What We Do," *UNRWA*.

<sup>27</sup> "General Assembly Resolutions," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 17, 2022, <https://www.unrwa.org/tags/general-assembly-resolutions>.

<sup>28</sup> United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). *Activities Report: 2021 – UNRWA Dispute Tribunal*, UNRWA: 2021.

<sup>29</sup> "Historical Documents," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed July 17, 2022, <https://www.unrwa.org/content/historical-documents>.

<sup>30</sup> United Nations General Assembly resolution 93, *Assistance to Palestine refugees*, A/RES/75/93 (December 18, 2020), [https://www.unrwa.org/sites/default/files/assistance\\_resolution\\_2020\\_a\\_res\\_75\\_93\\_e.pdf](https://www.unrwa.org/sites/default/files/assistance_resolution_2020_a_res_75_93_e.pdf)

## I. Protecting Noncombatant Palestine Refugees in Armed Conflicts

### *Introduction*

While governments and organizations across the world strive to maintain peace, armed conflicts have and continue to emerge across Member States as a seemingly unavoidable phenomenon throughout human civilization. In an effort to preserve and protect the lives of non-combatants during armed conflict, as well as to support and ensure human dignity during some of the most violent events in history, both international humanitarian law and international human rights law have been codified across the United Nations, and, to varying degrees, across Member State governments.<sup>31</sup> International humanitarian law officially codified the “principle of distinction,” which demands the intentional and conscious distinguishment of combatants versus non-combatants during conflict, in order for militant parties to ensure the protection of non-combatants due to their civilian status, regardless of which party, faction, or other group to which they belong.<sup>32</sup> International human rights law, broader in scope, outlines both the rights and the obligations Member States have to promote and protect the human rights inherent to all human beings, regardless of whether those Member States are functioning in times of peace or in times of conflict. Together, international humanitarian law and international human rights law work as mutually reinforcing systems in protecting non-combatants from the violence of war and armed conflict.<sup>33</sup>

In practice, protecting non-combatants holds distinct challenges. Targeting non-combatants with a violent attack during conflict often ensures a one-time, relatively easy “victory” in terms of the one event, as non-combatants by nature do not have the weapon capability to return fire.<sup>34</sup> This victory can additionally work as a short-term morale boost for the perpetrating side, as well as a morale plummet for those attacked, as they grapple with the fear of a second attack sans protection.<sup>35</sup> Non-combatants also face unintentional attacks, which may come as a result of living close to or within a community where a combatant stronghold has been constructed.<sup>36</sup> Additionally, non-combatants may suffer the consequences of inaccurate enemy location information being acted upon, of misidentification due to the nature of uniform clothing (or lack thereof) worn by warring parties, and/or of confusion as to who is or is not a non-combatant in the chaos of an armed skirmish.<sup>37</sup>

The plight of Palestine refugee non-combatants is unique in that: 1) they do not live in a recognized Member State of their own, therefore are not afforded many government protections and programs that are common for citizenry of a Member State in conflict; 2) practices such as occupation and population transfer in Palestine refugee areas remain officially legally ambiguous, leading to confusion on protections and a blurring of lines between who is considered a combatant and a non-combatant; and 3) the agencies working to protect refugees in complete supplantation of a Member State government remain underfunded, as well as constrained from promoting and implementing policies at the breadth of capacity of a Member State government.<sup>38,39</sup> Charged as the main international body to protect

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<sup>31</sup> United Nations, Office of the High Commissioner for Human Rights (OHCHR), *International Legal Protection of Human Rights in Armed Conflict*. New York and Geneva, 2011.

<sup>32</sup> “The Principle of Distinction,” *Diakonia International Humanitarian Law Centre*, accessed January 17, 2023. <https://www.diakonia.se/ihl/resources/international-humanitarian-law/principle-of-distinction-protection-of-people-and-objects/>

<sup>33</sup> United Nations, Office of the High Commissioner for Human Rights (OHCHR), *International Legal Protection of Human Rights in Armed Conflict*. New York and Geneva, 2011.

<sup>34</sup> International Committee of the Red Cross and Red Crescent, “International humanitarian law and the challenges of contemporary armed conflicts,” *International Review of the Red Cross* 89, no. 867 (September 2007): 719-757 <https://www.icrc.org/en/doc/assets/files/other/irrc-867-ihl-challenges.pdf>

<sup>35</sup> International Committee of the Red Cross and Red Crescent, “International humanitarian law and the challenges of contemporary armed conflicts”.

<sup>36</sup> International Committee of the Red Cross and Red Crescent, “International humanitarian law and the challenges of contemporary armed conflicts”.

<sup>37</sup> International Committee of the Red Cross and Red Crescent, “International humanitarian law and the challenges of contemporary armed conflicts”.

<sup>38</sup> Melanie Jacques, “Case Study: Israeli settlements, the Separation Wall and displacement of civilians in the Occupied Palestinian Territory” in *Armed Conflict and Displacement: The Protection of Refugees and Displaced Persons under International Humanitarian Law*, (Cambridge University Press, 2012) pp. 77-124. DOI: 10.1017/CBO9780511794513.004

<sup>39</sup> International Committee of the Red Cross and Red Crescent, “International humanitarian law and the challenges of

Palestine refugee non-combatants in the midst of ongoing conflict, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) works to protect and aid non-combatants, while also collecting information used for communication and advocacy of the realities of the Palestine situation.<sup>40</sup>

## *History*

The Geneva Convention I, II, and IV (1949 Geneva Conventions) cemented International Humanitarian Law (IHL) as the governing rule for the treatment of people across the globe, and in both international and non-international armed conflicts.<sup>41</sup> On June 8, 1977, United Nations (UN) Member States furthered the 1949 Geneva Conventions with the creation of Additional Protocols I and II (Additional Protocols).<sup>42</sup> The Additional Protocols instituted protections for victims of armed conflict, dependent on whether it is of international (Protocol I) or non-international (Protocol II) dimensions.<sup>43</sup> The 1949 Geneva Conventions and its Additional Protocols, particularly Geneva Convention IV, affirming “the protection of civilian persons in time[s] of war,” or a non-combatant, remain relevant for addressing the topic of this committee.<sup>44</sup>

The UNRWA was established by UN General Assembly resolution 302 (IV) on December 8, 1949 to facilitate relief and humanitarian services to Palestine refugees, defined as “persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict.”<sup>45</sup> Taking a broader look at refugees worldwide, in 1951 the Convention Relating to the Status of Refugees was also created and ratified, and later its Additional Protocol (the Refugees Convention) in 1967.<sup>46</sup> While these new documents expanded upon the rights of refugees, it was explicitly non-inclusive of all refugees, counterintuitive to its title and introduction’s implication.<sup>47</sup> UN Secretary-General António Guterres has stated the Refugees Convention and Additional Protocol are “the only global legal instruments explicitly covering the most important aspects of a refugee’s life.”<sup>48</sup> However, as related to Palestine refugees, the Refugees Convention states the following:

*“The [Refugees] Convention also does not apply to those refugees who benefit from the protection or assistance of a United Nations agency other than UNHCR, such as refugees from Palestine who fall under the auspices of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). Nor does the Convention apply to those refugees who have a status equivalent to nationals in their country of asylum.”<sup>49</sup>*

As seen here, the foundational Refugees Convention omits Palestinian refugees from the classes of the non-combatants it protects, and instead defers the task of humanitarian protection strictly to the UNRWA.

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contemporary armed conflicts,” *International Review of the Red Cross* 89, no. 867 (September 2007): 719-757  
<https://www.icrc.org/en/doc/assets/files/other/irrc-867-ihl-challenges.pdf>

<sup>40</sup> [https://www.unrwa.org/sites/default/files/content/resources/resource\\_26476\\_23321\\_1456388534.pdf](https://www.unrwa.org/sites/default/files/content/resources/resource_26476_23321_1456388534.pdf)

<sup>41</sup> International Committee for the Red Cross. Advisory Service on International Humanitarian Law. July 2004.  
[https://www.icrc.org/en/doc/assets/files/other/what\\_is\\_ihl.pdf](https://www.icrc.org/en/doc/assets/files/other/what_is_ihl.pdf).

<sup>42</sup> International Committee for the Red Cross. Advisory Service.

<sup>43</sup> International Committee for the Red Cross. Advisory Service.

<sup>44</sup> “Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949.” opened for signature August 12, 1949, *International Committee for the Red Cross Treaty Database: Geneva Conventions of 1949 and Additional Protocols, and their Commentaries*, <https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/Treaty.xsp?documentId=AE2D398352C5B028C12563CD002D6B5C&action=openDocument>.

<sup>45</sup> “Palestine Refugees,” *United Nations Relief and Works Agency for Palestine Refugees in the Near East*, n.d.  
<https://www.unrwa.org/palestine-refugees>.

<sup>46</sup> United Nations High Commissioner for Refugees. *1951 Convention Relating to the Status of Refugees and its 1967 Additional Protocol*. Geneva, Switzerland: UNHCR, September 2011.

<sup>47</sup> United Nations High Commissioner for Refugees. *1951 Convention Relating to the Status of Refugees and its 1967 Additional Protocol*. Geneva, Switzerland: UNHCR, September 2011.

<sup>48</sup> United Nations High Commissioner for Refugees. *1951 Convention Relating to the Status of Refugees and its 1967 Additional Protocol*. Geneva, Switzerland: UNHCR, September 2011.

<sup>49</sup> “Convention and Protocol Relating to the Status of Refugees,” opened for signature December 14, 1950, *The 1951 Refugee Convention*, 4, <https://www.unhcr.org/en-us/3b66c2aa10>.

Upon its creation in 1949, the UNRWA immediately began serving over 700,000 refugees.<sup>50</sup> The UNRWA was originally mandated to carry out “relief and works programmes” for refugees specifically “from the territory that had been under the British Mandate for Palestine, regardless of nationality.”<sup>51</sup> However, due to multiple mass exoduses of Palestine refugees over time due to continuing violence and conflict in the region, the UNRWA began to expand its operations to the surrounding Member States and territories that had taken in the most refugees, namely: Jordan, Lebanon, the Syrian Arab Republic, and the occupied Palestinian territory.<sup>52</sup> Upon its creation, the UNRWA was a vehicle of humanitarian aid programmes, not protection nor assistance in acquiring migration or resettlement solutions for Palestine refugees.<sup>53</sup> It was not until 2012 that the UNRWA passed protection policies, thus far primarily aimed at the protection of access to UNRWA services, case management of domestic abuse and neglect, and monitoring and reporting violations of human rights.<sup>54</sup>

Concurrent to the UNRWA’s creation, in the same year (1949), the UN General Assembly approved the creation of the United Nations High Commissioner for Refugees (UNHCR), operational in 1951, with the focus of aiding refugees in and from Europe as a consequence of World War II.<sup>55</sup> In 1960, international attention began to be paid to the fact that the UNHCR mandate technically covered refugees worldwide, not just in the European region, and the UNHCR began to significantly upscale and expand its operations across the globe.<sup>56</sup> The UNHCR’s mandate was broader than that of the UNRWA, outlining the duties of the agency as to “protect, assist, and seek durable solutions for refugees as well as for other people in need of international protection.”<sup>57</sup> While the coverage of the mandate of the UNHCR was far more involved than that of the UNRWA, the UNHCR did not and does not normally take up Palestine refugee cases unless the Palestine refugee has approached the UNHCR in a Member States outside of UNRWA’s area of operations.<sup>58</sup>

Since 1949, data on noncombatant Palestine refugee fatalities have been difficult to collect due to disagreements between Israel and Palestine over who of the recorded Palestinian casualties were truly non-combatants.<sup>59</sup> The Palestinian people do not have an official army, navy, air force or other military faction.<sup>60</sup> Until roughly the 1980s, Palestinian combatants often carried out individual attacks, using methods and tactics of guerilla warfare, therefore rarely having a distinguishable combatant uniform nor having an official office or bureau with records of enlisted combatants.<sup>61</sup> Additionally, access to these war-torn areas and communities by third party humanitarian aid and other non-government organizations (NGOs) proved extremely dangerous, if not impossible at most times for aid workers and monitoring and reporting agencies.<sup>62</sup> The ambiguity surrounding the collection and verification of accurate information and the irregular access to conflict zones has made allegations and verification of international human rights law and international humanitarian law equally difficult to bring forth in any legal sphere.<sup>63</sup>

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<sup>50</sup> United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), *The United Nations and Palestinian Refugees*. The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) and the United Nations High Commissioner for Refugees (UNHCR): Switzerland, January 2007.

<sup>51</sup> UNRWA, *The United Nations and Palestinian Refugees*.

<sup>52</sup> UNRWA, *The United Nations and Palestinian Refugees*.

<sup>53</sup> UNRWA, *The United Nations and Palestinian Refugees*.

<sup>54</sup> “What We Do: Protection,” *The United Nations Relief and Works Agency for Palestine Refugees in the Near East*, March 2018, accessed January 20, 2023. <https://www.unrwa.org/what-we-do/protection>

<sup>55</sup> United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), *The United Nations and Palestinian Refugees*. The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) and the United Nations High Commissioner for Refugees (UNHCR): Switzerland, January 2007.

<sup>56</sup> UNRWA, *The United Nations and Palestinian Refugees*.

<sup>57</sup> UNRWA, *The United Nations and Palestinian Refugees*.

<sup>58</sup> UNRWA, *The United Nations and Palestinian Refugees*.

<sup>59</sup> “The Reasons Why Israel’s Military Is In Such A Tough Fight,” *NPR*, July 25, 2014, accessed January 20, 2023. <https://www.npr.org/sections/parallels/2014/07/24/334893877/the-reasons-why-israels-military-is-in-such-a-tough-fight>

<sup>60</sup> “The Reasons Why Israel’s Military Is In Such A Tough Fight,” *NPR*.

<sup>61</sup> “The Reasons Why Israel’s Military Is In Such A Tough Fight,” *NPR*.

<sup>62</sup> “The Reasons Why Israel’s Military Is In Such A Tough Fight,” *NPR*.

<sup>63</sup> United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), *The United Nations and Palestinian Refugees*. The United Nations Relief and Works Agency for Palestine Refugees (UNRWA) and the United Nations High Commissioner for Refugees (UNHCR): Switzerland, January 2007.

## ***Current Situation***

The primary combatants fighting from the Palestinian territory are the Hamas and Hezbollah Islamist groups.<sup>64</sup> Since the 1980s the groups have “evolved into forces that resemble traditional armies,” now equipped with organized training programs, uniforms, and weapons stockpiles.<sup>65</sup> The primary Israeli military combatants are known as the Israeli Defense Forces (IDF) and Israeli Security Forces (ISF).<sup>66</sup> While the evolving organization and uniformity of the Palestinian combatant groups may arguably make identification easier, the number of non-combatant Palestine refugee casualties have only risen, with 2022 posited as one of the deadliest years for Palestine refugees, particularly those in the West Bank.<sup>67</sup> The UNRWA cites the primary drivers of this as “excessive use of force by Israeli Security Forces (ISF); military incursions into refugee camps; detention of minors; settlement expansion; movement and access restrictions; forced displacement and the risk of forcible transfer; home demolitions; and settler violence.”<sup>68</sup> While the UNRWA attempts to protect Palestine refugees through various community mobilization programs, including those focused on supporting resilience and self-protection, the non-combatant fatality numbers continue to rise.<sup>69</sup>

Maintaining and slowly expanding traction on the ground, in the early 2000s the UNRWA began collaborating with the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) in an effort to collect accurate data in higher quantities in order to further advocate for Palestine refugees at the international level.<sup>70</sup> Noting the difficulty for collecting quantitative data amidst conflict, UNOCHA works to increase transparency and contribute accurate and reliable findings about the conflict in the region, citing data “about occupation and conflict-related casualties is regularly collected by OCHA field staff and entered into OCHA’s Protection of Civilians database, following review and verification.”<sup>71</sup> UNOCHA has published data on both Palestinian and Israeli fatalities and injuries consequent to the conflict from 2008 to the present. The publicly available data shows that since 2008, Israeli combatants and “Israeli civilian settler[s]” have killed 3,461 Palestinian noncombatants and maimed another 138,235 Palestinians.<sup>72</sup> Nearly 80 percent of all Palestinian noncombatant fatalities occurred in the Gaza Strip and over 1,000 children lost their lives.<sup>73</sup> The toll taken by the Israeli population is minimal in comparison. Only 149 noncombatants were killed by either Palestinian combatants or civilians breaching IHL, which is 0.1 percent of the Palestinian civilian death toll, while 121 civilians were injured.<sup>74</sup>

## ***Actions Taken By the United Nations***

The UN, particularly through the UNRWA, remains the stalwart assistance and protection agency for Palestine noncombatant refugees. In a message to the United Nations General Assembly (UNGA) on June, 23, 2022, UN Secretary-General, António Guterres, acknowledged that the “UNRWA remains vital in supporting those in need, [and Member States are] collectively committed to providing assistance to Palestine refugees [by supporting the agency].”<sup>75</sup> While the UNRWA remains the only agency with the policy latitude needed to address the major

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<sup>64</sup> “The Reasons Why Israel’s Military Is In Such A Tough Fight,” *NPR*, July 25, 2014, accessed January 20, 2023. <https://www.npr.org/sections/parallels/2014/07/24/334893877/the-reasons-why-israels-military-is-in-such-a-tough-fight>

<sup>65</sup> “The Reasons Why Israel’s Military Is In Such A Tough Fight,” *NPR*.

<sup>66</sup> “What We Do: Protection,” *The United Nations Relief and Works Agency for Palestine Refugees in the Near East*, March 2018, accessed January 20, 2023. <https://www.unrwa.org/what-we-do/protection>

<sup>67</sup> “2022 Among Deadliest Years for Palestinians in West Bank, Middle East Peace Process Coordinator Tells Security Council,” *Meetings Coverage of Security Council 9174<sup>th</sup> Meeting, SS/15086*, October 28, 2022, accessed January 23, 2023. <https://reliefweb.int/report/occupied-palestinian-territory/2022-among-deadliest-years-palestinians-west-bank-middle-east-peace-process-coordinator-tells-security-council>

<sup>68</sup> “Protection in the West Bank (Including East Jerusalem),” *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, March 2018, accessed January 24, 2023. <https://www.unrwa.org/activity/protection-west-bank-including-east-jerusalem>

<sup>69</sup> “Protection in the West Bank (Including East Jerusalem),” *UNRWA*

<sup>70</sup> “Data on Casualties,” *United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA): Protection of Civilians Database*, accessed September 5, 2022. <https://www.ochaopt.org/data/casualties>

<sup>71</sup> “Data on Casualties,” *UNOCHA*.

<sup>72</sup> “Data on Casualties,” *UNOCHA*.

<sup>73</sup> “Data on Casualties,” *UNOCHA*.

<sup>74</sup> “Data on Casualties,” *UNOCHA*.

<sup>75</sup> “Supporting UN’s Palestine refugee agency, means ‘investing in stability for the region’,” *UN News*, June 23, 2022, accessed

concerns of noncombatant Palestine refugees in the areas of conflict, it remains chronically underfunded, with a temporary mandate in need of review for renewal or extension at dates predetermined by the UNGA.<sup>76</sup> Most recently, in December 2022 the UNGA voted to extend the UNRWA's mandate again until June 30, 2026.<sup>77</sup>

Other UN agencies support the UNRWA by bringing attention to some of the most serious concerns and policies the UNRWA advocates for. The Human Rights Council, for example, passed resolution S-30/1 on May 21, 2021, which highlighted the need for investigation into the occupied Palestinian Territory in Israel and surrounding areas to ensure "all alleged violations of [international humanitarian law] and all alleged violations and abuses of international human rights law," are thoroughly reviewed.<sup>78</sup> In addition, the UNGA adopted resolution 77/247 on December 30, 2022, further condemning dangerous and discriminatory practices towards Palestinian civilians (including refugees).<sup>79</sup>

At the 9,175th meeting of the Security Council (SC) in October 2022, the senior United Nations Peace Process Coordinator for the Middle East warned the SC that 2022 was "on course to be the deadliest year for [non-combatant] Palestinians in the West Bank since OCHA began systematically tracking Palestinian fatalities in 2005."<sup>80</sup> While the Israeli representative at the meeting argued both that not all of the alleged noncombatants were actually noncombatants, and the situation has been exacerbated by the Palestinians' refusal to sit down at the negotiating table, the SC ultimately made no decision of action toward either side of the debate, and instead, individual representatives voiced an array of opinions that all distilled to a call for closer scrutiny of both the situation on the ground and the action or inaction on the matter from the SC itself.<sup>81</sup>

As the need for humanitarian aid and protection continues, on January 24, 2023, the head of the UNRWA, Philippe Lazzarini, appealed for 1.6 billion USD in funding as humanitarian conditions for Palestinian refugees worsen.<sup>82</sup> \$781.6 million USD is specifically cited as needed for emergency operations in the Occupied Palestinian Territory, Jordan, Syria, and Lebanon. Emergency operations generally fall within the category of protecting, aiding, or evacuating noncombatants caught in the middle of violent conflict, as well as less common emergency responses to natural or man-made disasters.<sup>83</sup>

## Conclusion

Thousands of Palestinian noncombatants have lost their lives to occupation and armed conflict, and no steps to Palestinian sovereignty or international adjudication of Israeli human rights violation seem plausible in the near future. Considering the complicated framework of upholding international humanitarian law and international human rights law as it pertains to Palestinian refugees, it is incumbent upon the UNRWA to seek better solutions

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on January 25, 2023, <https://news.un.org/en/story/2022/06/1121182>

<sup>76</sup> "UN General Assembly Renews UNRWA Mandate," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, December 14, 2022, accessed January 26, 2023, <https://www.unrwa.org/newsroom/news-releases/un-general-assembly-renews-unrwa-mandate>

<sup>77</sup> "UN General Assembly Renews UNRWA Mandate," *UNRWA*.

<sup>78</sup> United Nations Human Rights Council resolution S-30/1. *Ensuring respect for international human rights law and international humanitarian law in the Occupied Palestinian Territory including East Jerusalem, and in Israel*. (New York, NY: UN Headquarters, 2021). <https://www.un.org/unispal/document/ensuring-respect-for-international-human-rights-law-and-international-humanitarian-law-in-opt-and-israel-human-rights-council-30th-special-session-resolution-a-hrc-res-s-30-1/>

<sup>79</sup> United Nations General Assembly resolution 77/247. *Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem*. (New York, NY: UN Headquarters, 2022). <https://www.un.org/unispal/document/israeli-practices-affecting-the-human-rights-of-the-palestinian-people-in-the-occupied-palestinian-territory-including-east-jerusalem-ga-resolution-a-res-77-247/>

<sup>80</sup> "2022 Among Deadliest Years for Palestinians in West Bank, Middle East Peace Process Coordinator Tells Security Council" *United Nations Meetings Coverage and Press Releases*, October 28, 2022, accessed January 26, 2023. <https://press.un.org/en/2022/sc15086.doc.htm>

<sup>81</sup> "2022 Among Deadliest Years for Palestinians in West Bank, Middle East Peace Process Coordinator Tells Security Council" *United Nations Meetings Coverage and Press Releases*.

<sup>82</sup> "UNRWA launches \$1.6 billion funding appeal as humanitarian conditions worsen," *UN News*, January 24, 2023, accessed January 25, 2023, <https://news.un.org/en/story/2023/01/1132777>

<sup>83</sup> "What We Do: Emergency Response," *United Nations Relief and Works Agency for Palestine Refugees in the Near East*, accessed January 26, 2023, <https://www.unrwa.org/what-we-do/emergency-response>



with more effective protection frameworks for noncombatant Palestine refugees and continued advocacy to and across all relevant UN committees.

***Committee Directive***

Noting the difficulty in serving a primarily stateless population, how can UNRWA Member States better protect the humanitarian rights of Palestine refugees in armed conflict? What UN resolutions and efforts can be expanded or otherwise improved to ensure better protection measures? Is there an avenue to adjudicate Israeli human rights violations in the international system? What can Member States do to ensure the protection of Palestine refugees not in their care? Delegates should approach these questions with an open mind, and seek innovative solutions to a challenging legal and humanitarian crisis.

## II. Reevaluating Limitations on Registering as a Refugee from Palestine

### *Introduction*

Registration as a refugee from Palestine through the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) proves to be challenging for many refugees in the Palestinian territories. UNRWA's current definition for Palestine refugees is "persons whose normal place of residence was Palestine during the period June 1, 1946, to May 15, 1948, and who lost both home and means of livelihood as a result of the 1948 conflict."<sup>84</sup> Individuals who fall into that category are eligible to be registered into UNRWA's Registration System, to receive UNRWA services, and are counted as part of the official Registered Refugee population of the UNRWA.<sup>85</sup> Noting the relatively small population of Palestinians this eligibility criteria encompasses, the UNRWA has made some concessions in widening certain services to those "who were determined to have suffered significant loss and/or hardship for reasons related to the 1948 conflict in Palestine."<sup>86</sup> This second category has a necessarily more subjective decision-making process than the first, and those whose applications are approved to be officially considered in this second category are registered in UNRWA's internal Registration System and receive UNRWA services but are not counted as part of the official Registered Refugee population of the UNRWA, which impacts the gathering of statistics and the budget, as part of UNRWA budget considerations is based on the population count of Registered Refugees with the UNRWA.<sup>87</sup> Those that are often considered for this second category of aid include Jerusalem poor and Gaza poor, frontier villagers, compromise cases, married to non-refugee (MNR) family members, non-refugee wives, and Kafalah children.<sup>88</sup>

While the UNRWA constrains the official Registered Refugee count to those directly displaced by the 1948 Arab-Israeli conflict or those that descend from a male displaced by the conflict, some human rights documents and decisions through other UN bodies have attempted to recognize the conditions and ways anybody around the world might be considered a refugee.<sup>89</sup> One key document with this in mind was the 1951 Convention and Protocol Relating to the Status of Refugees, which defined a refugee as someone who has a well-founded fear of persecution based on religion, race, nationality, political opinion, or membership of a social group, with no time or date constraints.<sup>90</sup> This definition was adopted by the United Nations General Assembly (UNGA) resolution 2198 (XXI), to extend to cases both before and after 1951.<sup>91</sup> Populations and refugee advocates across the world have called on UNRWA and the United Nations High Commissioner for Refugees (UNHCR) to update the definition of a refugee from the Palestinian territories and to recognize the restraints refugees encounter when attempting to register with a United Nations (UN) refugee body or state government, without success thus far. By the UNRWA only considering those from Palestine who were directly displaced by the 1948 Arab-Israeli conflict as legitimate refugees, able to

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<sup>84</sup> "Palestine Refugees," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed August 26, 2022,

<https://www.unrwa.org/palestine-refugees>.

<sup>85</sup> "Consolidated Eligibility and Registration Instructions," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, January 1, 2009,

<https://www.unrwa.org/sites/default/files/2010011995652.pdf>

<sup>86</sup> "Consolidated Eligibility and Registration Instructions," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, January 1, 2009,

<https://www.unrwa.org/sites/default/files/2010011995652.pdf>

<sup>87</sup> "Consolidated Eligibility and Registration Instructions," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, January 1, 2009,

<https://www.unrwa.org/sites/default/files/2010011995652.pdf>

<sup>88</sup> "Consolidated Eligibility and Registration Instructions," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, January 1, 2009,

<https://www.unrwa.org/sites/default/files/2010011995652.pdf>

<sup>89</sup> "Consolidated Eligibility and Registration Instructions," *UNRWA*.

<sup>90</sup> "Convention and Protocol Relating to the Status of Refugees," opened for signature July 28, 1951, *Convention and Protocol Relating to the Status of Refugees*,

<https://www.unhcr.org/en-us/3b66c2aa10>

<sup>91</sup> United Nations General Assembly Resolution 2198 (XXI), *Protocol related to the Status of Refugee*, A/RES/2198 (XXI) (December 16, 1966),

[https://treaties.un.org/doc/source/docs/A\\_RES\\_21\\_2198-E.pdf](https://treaties.un.org/doc/source/docs/A_RES_21_2198-E.pdf).

receive official UN recognition of refugee status, no consideration is left for those who have fled Palestine or have been displaced by the conflict from the end of that time period to the present day.

## **History**

The original definition of a Palestinian refugee by the UNRWA was defined in 1952 following the end of the 1948 Arab-Israeli conflict.<sup>92</sup> The 1948 Arab-Israeli conflict began due to a UN-backed arrangement to partition Palestine and create the Israeli state as a place for Jewish peoples to reside following their displacement by World War II.<sup>93</sup> The Provisional Government of Israel officially declared its independence on May 14, 1948 in Tel-Aviv.<sup>94</sup> Angered by this decision, five Arab nations invaded the newly created Israeli state: Egypt, Jordan, Syria, Iraq, and Lebanon.<sup>95</sup> Following the invasion, the UN quickly intervened and appointed a mediator from the United Nations Security Council (UNSC) to negotiate a truce between the Israelis and the Arab nations.<sup>96</sup> This plan was laid out in resolution 50 (1948), passed by UNSC on May 29, 1948.<sup>97</sup> This resolution initiated the first UN peacekeeping operation conducted by the United Nations Truce Supervision Organization (UNTSO).<sup>98</sup> Military observers from UNTSO remain in the region to ensure the prevention of further conflict to this day.<sup>99</sup>

When UNRWA began its operations in 1950 in response to the need of Palestinians displaced by the 1948 conflict, an estimated 750,000 Palestinian refugees needed assistance from the organization such as healthcare, shelter, and more.<sup>100</sup> Today, UNRWA estimates that five million refugees from Palestine are eligible for the organization's assistance.<sup>101</sup> In the years following the establishment of UNRWA's operations, the agency worked to bring innovative assistance to Palestinian women and children refugees.<sup>102</sup> In 1957, UNRWA began treating diarrheic infants with a new treatment known as 'Najjar salts'.<sup>103</sup> This treatment saved the lives of many Palestinian refugee children and continues to save lives through the United Nations Children's Fund (UNICEF).<sup>104</sup> UNRWA also worked to provide educational opportunities to Palestinian refugee women through the establishment of the Ramallah Women's Training Center in 1962.<sup>105</sup> The center was the first of its kind in the Middle East to offer

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<sup>92</sup> "Frequently Asked Questions," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed August 26, 2022, <https://www.unrwa.org/who-we-are/frequently-asked-questions>.

<sup>93</sup> "Israel – Facts, History, and Conflicts," *History.com*, May 11, 2021, <https://www.history.com/topics/middle-east/history-of-israel>.

<sup>94</sup> "Declaration of Independence," *Provisional Government of Israel*, May 14, 1948, <https://m.knesset.gov.il/en/about/pages/declaration.aspx>.

<sup>95</sup> "Israel – Facts, History, and Conflicts," *History.com*, May 11, 2021, <https://www.history.com/topics/middle-east/history-of-israel>.

<sup>96</sup> "United Nations Peacekeeping Operations," *United Nations Peacekeeping*, accessed August 29, 2022, <https://www.un.org/en/events/peacekeepersday/2008/1948.shtml>.

<sup>97</sup> United Nations Security Council Resolution 50 (1948), *Resolution of 29 May 1948, S/801* (May 29, 1948), <https://digitallibrary.un.org/record/111999?ln=en>.

<sup>98</sup> "United Nations Peacekeeping Operations," *United Nations Peacekeeping*, accessed August 29, 2022, <https://www.un.org/en/events/peacekeepersday/2008/1948.shtml>.

<sup>99</sup> "Background," *United Nations Truce Supervision Organization*, accessed August 29, 2022, <https://untso.unmissions.org/background>.

<sup>100</sup> "Palestine Refugees," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed August 26, 2022, <https://www.unrwa.org/palestine-refugees>.

<sup>101</sup> "Palestine Refugees," *UNRWA*.

<sup>102</sup> "Who We Are," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 7, 2023, <https://www.unrwa.org/who-we-are?tid=86#slideshow-4>.

<sup>103</sup> "Najjar Salts," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 7, 2023, <https://www.unrwa.org/content/najjar-salts>.

<sup>104</sup> "Najjar Salts," *UNRWA*.

<sup>105</sup> "Women's Training Centre," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 7, 2023, <https://www.unrwa.org/content/women's-training-centre>.

training courses to refugee women.<sup>106</sup> The need for UNRWA's operations was exacerbated twenty years later by the Israeli invasion of Lebanon on June 6<sup>th</sup>, 1982.<sup>107</sup> During this invasion and the eighteen year occupation that followed, thousands of Palestinians died.<sup>108</sup> Between the 16<sup>th</sup> and 18<sup>th</sup> of September of 1982 alone, hundreds of Palestinian refugees were killed.<sup>109</sup> In response to the invasion, UNRWA launched an emergency relief program to provide assistance to those affected by the war.<sup>110</sup> Recently, UNRWA has recognized the need to broaden its protection response across the Middle East with the rise of restrictions enacted by Member States to prevent or reduce the entry of Palestinian refugees.<sup>111</sup> In order to combat this, UNRWA established a new 'Protection Division' at the UNRWA headquarters in Amman, Jordan.<sup>112</sup>

Eligibility guidelines for UNRWA services are laid out in the UNRWA Consolidated Eligibility and Registration Instructions (CERI), which were last updated on January 1, 2009.<sup>113</sup> In this document, UNRWA states that there are two groups of people that are eligible for UNRWA services, only one of which is eligible for registration through the agency.<sup>114</sup> Those eligible for services and registration through the agency are persons that fit UNRWA's original definition of a Palestinian refugee of persons displaced by the 1948 conflict and those that are direct descendants of a male that fits said definition.<sup>115</sup> With this being the case, Palestinians internally displaced by the 1948 conflict and their descendants are not eligible for UNRWA services.<sup>116</sup> Palestinians displaced by conflicts that have ensued in the Palestinian territories after the 1948 conflict are also not eligible for UNRWA services based on the current definition.<sup>117</sup> UNHCR differs from UNRWA in the way that UNHCR is mandated by the General Assembly in part to resettle refugees and seek long-term solutions to refugee crises.<sup>118</sup> UNRWA on the other hand is mandated to provide services and assistance to Palestinian refugees until a long-term solution is decided.<sup>119</sup> Both organizations do some similar work, but ultimately are mandated with different tasks and work with different refugee crises. In the event that the UNRWA is dissolved due to a long-term solution being decided, refugees registered under UNRWA would likely be transferred to UNHCR.<sup>120</sup>

### ***Current Situation***

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<sup>106</sup> "Women's Training Centre," *UNRWA*.

<sup>107</sup> "Who We Are," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 7, 2023,

<https://www.unrwa.org/who-we-are?tid=89#slideshow-1>.

<sup>108</sup> "War Casualties Put at 48,000 in Lebanon," *The Washington Post*, September 3, 1982,

<https://www.washingtonpost.com/archive/politics/1982/09/03/war-casualties-put-at-48000-in-lebanon/cf593941-6067-4239-a453-71bdcaf9eba0/>.

<sup>109</sup> "Israel Invades Lebanon," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 8, 2023,

<https://www.unrwa.org/content/israel-invades-lebanon>.

<sup>110</sup> "Israel Invades Lebanon," *UNRWA*.

<sup>111</sup> "Protection Division," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 8, 2023,

<https://www.unrwa.org/protection-division>.

<sup>112</sup> "Protection Division," *UNRWA*.

<sup>113</sup> "Consolidated Eligibility and Registration Instructions," *United Nations Relief and Works Agency for Palestine Refugees in the*

*Near East (UNRWA)*, January 1, 2009,

<https://www.unrwa.org/sites/default/files/2010011995652.pdf>

<sup>114</sup> "Consolidated Eligibility and Registration Instructions," *UNRWA*.

<sup>115</sup> "Palestine Refugees," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed August 26, 2022,

<https://www.unrwa.org/palestine-refugees>.

<sup>116</sup> "Palestine Refugees," *UNRWA*.

<sup>117</sup> "Palestine Refugees," *UNRWA*.

<sup>118</sup> "Frequently Asked Questions," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 8, 2023,

<https://www.unrwa.org/who-we-are/frequently-asked-questions>.

<sup>119</sup> "Frequently Asked Questions," *UNRWA*.

<sup>120</sup> "Exploding the Myths: UNRWA, UNHCR, and the Palestine Refugees," *United Nations Relief and Works Agency in the Near East (UNRWA)*, June 27, 2011,

<https://www.unrwa.org/newsroom/features/exploding-myths-unrwa-unhcr-and-palestine-refugees>.

According to UNHCR statistics, under UNRWA's mandate there are 5.8 million Palestinian refugees across the international community today.<sup>121</sup> Today, more than 1.5 million Palestinian refugees are spread across 58 UNRWA recognized refugee camps in four main regions: Jordan, Lebanon, Syria, and the West Bank and Gaza Strip.<sup>122</sup> UNRWA defines a Palestine refugee camp as "a plot of land placed at the disposal of UNRWA by the host government to accommodate Palestine refugees and set up facilities to cater to their needs."<sup>123</sup> Most Palestinian refugees attempt to register as a refugee through UNRWA to ensure their rights are protected.<sup>124</sup> The host state also benefits from this registration process by being able to accurately keep count of their refugee population.<sup>125</sup> Another obstacle which Palestinian refugees face is the lack of access to protection by a Member State government. Due to Palestine not being internationally recognized as a state, Palestinians are considered a stateless population according to the 1954 Convention relating to the Status of Stateless Persons.<sup>126</sup> This has caused problems of legal protection and access to work, education, and much more for the Palestinian population. Palestine's status has only added to the difficulty to register as a refugee with a Member State government or UN agency due to their lack of recognized home rule, meaning they do not belong to a state.<sup>127</sup> Most Palestinian refugees are not able to register with UNHCR due to the fact that the UNHCR's mandate by the General Assembly does not include Palestinian refugees under UNRWA's field of operations in Lebanon, Jordan, Syria, and the West Bank (including the Gaza Strip and East Jerusalem).<sup>128</sup> Due to this, Palestinian refugees are not eligible for UNHCR resettlement unless they reside outside of the UNRWA's field of operations.<sup>129</sup>

The COVID-19 pandemic also disproportionately affected the Palestinian refugee population.<sup>130</sup> Due to Palestine's lack of recognition, Palestinians have no state government to provide them with basic healthcare and other necessities during the pandemic.<sup>131</sup> To service this need, UNRWA approved a USD 94.6 million COVID-19 Appeal in August of 2020 which works to provide critical health and hospitalization services, education programmes, monetary and food assistance, and more.<sup>132</sup> However, this aid only extended to the end of December 2020.<sup>133</sup>

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<sup>121</sup> "Figures at a Glance," *United Nations High Commissioner for Refugees*, accessed August 29, 2022, <https://www.unhcr.org/en-us/figures-at-a-glance.html>.

<sup>122</sup> "Palestine Refugees," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed August 26, 2022, <https://www.unrwa.org/palestine-refugees>.

<sup>123</sup> "Palestine Refugees," *UNRWA*.

<sup>124</sup> "What We Do" *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 8, 2023, <https://www.unrwa.org/what-we-do/protection>.

<sup>125</sup> "Registration and Identity Management," *United Nations High Commissioner for Refugees (UNHCR)*, accessed August 29, 2022, <https://www.unhcr.org/en-us/registration.html>.

<sup>126</sup> "Briefing: Palestinians and the search for protection as refugees and stateless persons in Europe," *European Network on Statelessness*, July 14, 2022, <https://www.statelessness.eu/updates/publications/briefing-palestinians-and-search-protection-refugees-and-stateless-persons>.

<sup>127</sup> "Palestinians and the Search for Protection as Refugees and Stateless Persons," *European Network on Statelessness*, June 30, 2022, <https://www.statelessness.eu/updates/publications/palestinians-and-search-protection-refugees-and-stateless-persons>.

<sup>128</sup> "Frequently Asked Questions," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 8, 2023, <https://www.unrwa.org/who-we-are/frequently-asked-questions>.

<sup>129</sup> "Frequently Asked Questions," *UNRWA*.

<sup>130</sup> "UNRWA Responds to COVID-19," *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed November 2, 2022, [https://www.unrwa.org/covid\\_19](https://www.unrwa.org/covid_19).

<sup>131</sup> "Palestinian economy reels under COVID-19 impact, enduring poverty and unemployment," *United Nations Conference on Trade and Development (UNCTAD)*, September 14, 2022, <https://unctad.org/news/palestinian-economy-reels-under-covid-19-impact-enduring-poverty-and-unemployment>.

<sup>132</sup> "UNRWA COVID-19 Appeal" *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, accessed January 8, 2023, [https://www.unrwa.org/sites/default/files/content/resources/unrwa\\_covid-19\\_appeal\\_august-december\\_2020.pdf](https://www.unrwa.org/sites/default/files/content/resources/unrwa_covid-19_appeal_august-december_2020.pdf).

<sup>133</sup> "UNRWA Responds to COVID-19," *United Nations Relief and Works Agency for Palestine Refugees in the Near East*

Without the continuation of this aid, the condition of the Palestinian population in the West Bank and Gaza Strip particularly have deteriorated, according to the United Nations Children’s Fund (UNICEF).<sup>134</sup> UNICEF states that due to the humanitarian crisis caused by the pandemic and increasing tensions in the region, 1.5 million people, including 700,000 children, will be limited in access to essential healthcare.<sup>135</sup> Palestinians also currently struggle in getting vaccinated against COVID-19. The World Health Organization (WHO) reports that as of 18 October 2022 3,748,571 COVID-19 vaccination doses have been administered in the Palestinian territories, approximately 0.76 doses per person.<sup>136</sup> For comparison, 15,026,951 doses have been administered in Israel as of 5 June 2022, approximately 1.6 doses per person.<sup>137</sup> 10,057,975 doses have been administered in Jordan as of 21 August 2022, approximately 0.98 doses per person.<sup>138</sup> Without access to assistance from a state government, Palestinians face unequal access to humanitarian aid during the COVID-19 pandemic. This combined with the gaps in UNRWA’s definition has created new barriers for Palestinian refugees to access basic human needs.

Palestinian refugees have experienced some success today in Jordan. Today, Jordan hosts 40 percent of UNRWA registered refugees, totaling more than 2.3 million people.<sup>139</sup> Many Palestinian refugees, except those fleeing from the Gaza Strip, have been granted Jordanian citizenship.<sup>140</sup> This allows many Palestinians who may be stateless to obtain a nationality while also maintaining refugee status and right of return under international law.<sup>141</sup> However, even though many Palestinians in Jordan hold citizenship, most still live below the national poverty line.<sup>142</sup>

### *Actions Taken by the United Nations*

The UNHCR has implemented measures intended to ensure that refugee status registration is determined fairly and is accessible for those that meet the agency’s requirements.<sup>143</sup> UNHCR works alongside Member States in verifying the status of refugees “under international, regional or national law,” known as refugee status determination (RSD).<sup>144</sup> While Member State governments hold sovereignty to determine their own RSD, UNHCR is allowed to determine RSD through its mandate if a Member State has unfair restrictions and limitations, or the Member State was not a part of the 1951 Refugee Convention.<sup>145</sup> Israel has signed the 1951 convention, but Lebanon and Jordan have not.<sup>146</sup> As of April 2015, there are 145 state parties to the 1951 convention.<sup>147</sup> The UNHCR affirms that they are consistently reevaluating their methods in order to maintain effective response to RSD needs.<sup>148</sup> Most recently,

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(UNRWA), accessed November 2, 2022,  
[https://www.unrwa.org/covid\\_19](https://www.unrwa.org/covid_19).

<sup>134</sup> “State of Palestine Appeal,” *United Nations Children’s Fund (UNICEF)*, accessed November 2, 2022,  
<https://www.unicef.org/appeals/state-of-palestine>.

<sup>135</sup> “State of Palestine Appeal,” *UNICEF*.

<sup>136</sup> “Occupied Palestinian Territory, Including East Jerusalem: WHO Coronavirus Disease (COVID-19) Dashboard with Vaccination Data,” *World Health Organization*, accessed November 2, 2022,  
<https://covid19.who.int/region/emro/country/ps>.

<sup>137</sup> “Israel: WHO Coronavirus Disease (COVID-19) Dashboard with Vaccination Data,” *World Health Organization*, accessed November 2, 2022,  
<https://covid19.who.int/region/euro/country/il>.

<sup>138</sup> “Jordan: WHO Coronavirus Disease (COVID-19) Dashboard with Vaccination Data,” *World Health Organization*, accessed November 2, 2022,  
<https://covid19.who.int/region/emro/country/jo>

<sup>139</sup> “From Burden to Economic Asset: Palestine Refugee Camps in Jordan,” *Urbanet*, October 20, 2022,  
<https://www.urbanet.info/economic-asset-palestine-refugee-camps-jordan/>.

<sup>140</sup> “From Burden to Economic Asset: Palestine Refugee Camps in Jordan,” *Urbanet*.

<sup>141</sup> “From Burden to Economic Asset: Palestine Refugee Camps in Jordan,” *Urbanet*.

<sup>142</sup> “Refugees in Jordan – Syrians & Palestinians,” *American Near East Refugee Aid (ANERA)*, accessed January 8, 2023,  
<https://www.anera.org/where-we-work/jordan/>.

<sup>143</sup> “Refugee Status Determination,” *United Nations High Commissioner for Refugees (UNHCR)*, accessed August 30, 2022,  
<https://www.unhcr.org/en-us/refugee-status-determination.html>.

<sup>144</sup> “Refugee Status Determination,” *UNHCR*.

<sup>145</sup> “Refugee Status Determination,” *UNHCR*.

<sup>146</sup> “States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol,” *United Nations High Commissioner for Refugees (UNHCR)*, accessed January 8, 2023,  
<https://www.unhcr.org/protect/PROTECTION/3b73b0d63.pdf>.

<sup>147</sup> “States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol,” *UNHCR*.

<sup>148</sup> “Refugee Status Determination,” *United Nations High Commissioner for Refugees (UNHCR)*, accessed August 30, 2022,  
<https://www.unhcr.org/en-us/refugee-status-determination.html>.

UNHCR published an updated RSD Procedural Standards in 2020.<sup>149</sup> UNHCR “develops and delivers specialized RSD training for UNHCR and government RSD staff and others involved in the asylum process, and supports the development, and implementation of quality assurance initiatives, at the country and regional level.”<sup>150</sup> In an address to the European Commission on August 31, 2022, UNRWA Commissioner-General Philippe Lazzarini stated that “the soaring prices of food and commodities are plunging Palestine refugees in the region into deeper poverty with over 80 percent living below the poverty line in Gaza, Lebanon and Syria.”<sup>151</sup>

### **Case Study: Lebanon**

Refugee registration and entry into Lebanon for Palestinian refugees is more difficult due to laws enacted by the Lebanese government in recent years.<sup>152</sup> Lebanon’s history of restrictions and limitations on refugees reached a critical juncture in 2015 at the height of the Syrian refugee crisis.<sup>153</sup> Entry into Lebanon is now restricted to people who can provide valid identity documents, which Palestinian refugees may not have access to, which fit the criterion for a valid reason of entry under Lebanese law.<sup>154</sup> The Ministry of Social Affairs of Lebanon does not define seeking refuge inside of the country as a valid reason for entry into Lebanon, except in extraordinary situations that are approved by the Ministry.<sup>155</sup> This process has prevented many Palestinian refugees from taking refuge in the country, particularly those that migrate through Syria.<sup>156</sup> In 2015, UNHCR was banned from registering refugees in Lebanon by the government.<sup>157</sup> These restrictions greatly impacted the ability of Palestinian refugees to be able to register with not only the Lebanese government but also UNHCR. As one of the largest host countries for Palestinian refugees, these limitations decrease UN agency’s ability to provide services to refugees in need.<sup>158</sup> UNHCR has called on the Lebanese government to review or remove the restrictions placed on refugees’ entry and registration with external agencies such as UNHCR.<sup>159</sup>

According to UNICEF, there are around 180,000 Palestinian refugees and 30,000 Palestinian refugees from Syria residing in Lebanon.<sup>160</sup> Out of the Palestinian refugees from Syria in Lebanon, close to 90 percent are in poverty and nine percent are in extreme poverty.<sup>161</sup> Out of the other Palestinian refugees in Lebanon, 65 percent are in poverty.<sup>162</sup> Due to the Lebanese government’s strict restrictions on its Palestinian refugee population, refugees face exclusion, are denied many basic human rights, are prevented from owning any property, and are prohibited from working in several professions.<sup>163</sup> The high poverty rates of Palestinian refugees in Lebanon are driven by these restrictions,

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<sup>149</sup> “Refugee Status Determination,” *UNHCR*.

<sup>150</sup> “Refugee Status Determination,” *UNHCR*.

<sup>151</sup> “Address by UNRWA Commissioner-General to the European Parliament’s Committee on Foreign Affairs,” *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, August 31, 2022, <https://www.unrwa.org/newsroom/official-statements/address-unrwa-commissioner-general-european-parliaments-committee>.

<sup>152</sup> “Refugees and Asylum-Seekers,” *United Nations High Commissioner for Refugees (UNHCR)*, accessed September 1, 2022, <https://www.unhcr.org/lb/refugees-and-asylum-seekers>.

<sup>153</sup> “Refugees and Asylum-Seekers,” *UNHCR*.

<sup>154</sup> “Refugees and Asylum-Seekers,” *UNHCR*.

<sup>155</sup> “Refugees and Asylum-Seekers,” *UNHCR*.

<sup>156</sup> “Lebanon: Palestinians Fleeing Syria Denied Entry,” *Human Rights Watch*, August 7, 2013, <https://www.hrw.org/news/2013/08/07/lebanon-palestinians-fleeing-syria-denied-entry>.

<sup>157</sup> “Refugees and Asylum-Seekers,” *United Nations High Commissioner for Refugees (UNHCR)*, accessed September 1, 2022, <https://www.unhcr.org/lb/refugees-and-asylum-seekers>.

<sup>158</sup> “Refugees and Asylum-Seekers,” *UNHCR*.

<sup>159</sup> “Refugees and Asylum-Seekers,” *UNHCR*.

<sup>160</sup> “Palestinian Programme,” *United Nations Children’s Fund (UNICEF)*, accessed November 2, 2022, <https://www.unicef.org/lebanon/palestinian-programme-0>.

<sup>161</sup> “AUB AND UNRWA Launch Survey on the Socioeconomic Status of Palestine Refugees in Lebanon,” *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, June 3, 2016, <https://www.unrwa.org/newsroom/press-releases/aub-and-unrwa-launch-survey-socioeconomic-status-palestine-refugees-lebanon>.

<sup>162</sup> “AUB AND UNRWA Launch Survey on the Socioeconomic Status of Palestine Refugees in Lebanon,” *UNRWA*.

<sup>163</sup> “Palestinian Programme,” *United Nations Children’s Fund (UNICEF)*, accessed November 2, 2022, <https://www.unicef.org/lebanon/palestinian-programme-0>.

especially occupational restrictions.<sup>164</sup> UNICEF reports that 56 percent of all Palestinian refugees in Lebanon are unemployed.<sup>165</sup>

### ***Conclusion***

Considering the five million Palestinian refugees across the world, it is important to recognize the need to review the limitations that Palestinian refugees encounter when attempting to register as a refugee with a UN agency or Member State government. UNRWA Commissioner-General Philippe Lazzarini stated that “in Lebanon, the pressure on the Agency to do more to address the impact of the economic and financial collapse on the Palestine refugee community is just becoming unbearable.”<sup>166</sup> The COVID-19 pandemic has only brought to light the need for services by UNRWA, UNHCR, and other partner organizations and Member State governments. The economic challenges faced by states where Palestinian refugees reside, and a depleting labor market in countries such as Lebanon and Jordan, demonstrates that it is crucial UNRWA provides its services and can register Palestinian refugees within their jurisdiction.<sup>167</sup> It is crucial to reevaluate the limitations Palestinian refugees encounter when trying to gain official status as a refugee with a Member State or UN agency. With the lack of international recognition of Palestine and the exclusionary process of registering as a refugee with UNRWA due to what many consider an outdated definition, many Palestinians have been unable to register as a refugee and receive critical assistance that comes along with official refugee status.

### ***Committee Directive***

Due to the limitations in the definition of a refugee by UNRWA, this committee will focus on reevaluating the definition of a Palestinian refugee and other limitations associated with registering as a refugee with UNRWA. Delegates should focus on how to define a Palestinian refugee that allows access to UNRWA’s services. How can Member States define a refugee from Palestine that is modern and fits with the ongoing conflict? What limitations on registration should be prioritized? How can Member States work together to ensure Palestinian refugees can validly seek refuge in Member States? Delegates should focus on these questions and seek to incorporate creative solutions to this pressing dilemma.

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<sup>164</sup> “Palestinian economy reels under COVID-19 impact, enduring poverty and unemployment,” *United Nations Conference on Trade and Development (UNCTAD)*, September 14, 2022, <https://unctad.org/news/palestinian-economy-reels-under-covid-19-impact-enduring-poverty-and-unemployment>.

<sup>165</sup> “Palestinian Programme,” *United Nations Children’s Fund (UNICEF)*, accessed November 2, 2022, <https://www.unicef.org/lebanon/palestinian-programme-0>.

<sup>166</sup> “Address by UNRWA Commissioner-General to the European Parliament’s Committee on Foreign Affairs,” *United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)*, August 31, 2022, <https://www.unrwa.org/newsroom/official-statements/address-unrwa-commissioner-general-european-parliaments-committee>.

<sup>167</sup> “Address by UNRWA Commissioner-General to the European Parliament’s Committee on Foreign Affairs,” *UNRWA*.



## Annotated Bibliography

### **Topic I: Protecting Noncombatant Refugees in Armed Conflict**

Bawazir, Mohammad Abdullah. "The Effectiveness of International Humanitarian Law in the Israel-Palestine Conflict 2014." *Mediasi: Journal of International Relations*, vol. 2, no. 1, 2019.

<https://ejournal.unida.gontor.ac.id/index.php/mediasi/article/view/3188>

This article examines the 2014 Gaza War, the most violent period of the Israeli-Palestinian conflict of the past decade. It seeks to determine how closely current humanitarian laws are followed during conflicts in Palestine. The article acknowledges that both sides of the conflict violated human rights laws, and notes that the Israeli military was more likely to punish its members for committing these violations than Palestinian forces were. However, the Israeli military was still ultimately responsible for more civilian deaths. The authors states that parties to this conflict cannot prevent human rights abuses through self-policing alone. The article also describes three principles of human rights laws that were violated in the conflict, those being the principles of proportionality, limitation, and humanity.

Gieseken, Helen Obregon, and Ouellet-Decoste, Eloise. "IHL & The Protection of Migrants Caught in Armed Conflict." *Humanitarian Law & Policy Blog*, International Committee of the Red Cross, 2018.

<https://blogs.icrc.org/law-and-policy/2018/06/04/ihl-protection-migrants-armed-conflict/>

A blog post provided by the Red Cross gives an overview of International Humanitarian Law (IHL) as it relates to protecting migrants from armed conflict. Central to the article is that IHL protects migrants from being targeted in armed conflict, with different groups receiving different levels of protection. These protections apply to all non-combatants. This overview provides a baseline understanding of the current laws in place to protect noncombatant refugees, and the protections those laws afford them.

Leone, Tiziana, et al. "Maternal and Child Access to Care and Intensity of Conflict in the Occupied Palestinian Territory: A Pseudo-longitudinal Analysis (2000-2014)." *Conflict and Health*, vol 13, no. 36, 2019.

<https://link.springer.com/article/10.1186/s13031-019-0220-2>

Using surveys conducted over a 15-year time span, this article examines the correlation between noncombatant deaths and the availability of multiple medical procedures in various areas of Palestine. It does this hoping to find a link between the intensity of a conflict and the quality of healthcare received by mothers and children in the conflict zone. This study found that the intensity of the conflict was a much bigger determining factor in the quality and availability of maternal and child healthcare than other social or economic factors.

Wise, Paul H. et al. "The Political and Security Dimensions of the Humanitarian Health Response to Violent Conflict." *The Lancet*, vol. 397, no. 10273, 2021, pp. 511-521.

<https://www.sciencedirect.com/science/article/pii/S0140673621001306>

This article from *The Lancet* medical journal mainly focuses on the issues facing medical aid in armed conflicts. The authors divide the effects that conflicts have on civilians into two categories, direct and indirect. Direct effects are things like injury or death due to active combat, Indirect effects include hardships caused by the destruction of infrastructure and the disruption of essential resources like water and medicine. The authors then examine problems posed by various aspects of modern conflicts like the situation in Palestine, before laying out ways to address those issues and provide necessary humanitarian aid to conflict areas.

## Topic II: Reevaluating Limitations on Registering as a Refugee from Palestine

UN Relief and Works Agency for Palestine Refugees in the Near East, *Consolidated Eligibility and Registration Instructions*, 2009. <https://www.unrwa.org/resources/strategy-policy/consolidated-eligibility-and-registration-instructions>

This document lays out the current process for registering for Palestine Refugee status, and the eligibility requirements to do so. This could provide an insight into the system currently in place to aid Palestine Refugees. It also shows the difficulties in achieving refugee status, and the limitations of what that status provides. Section V in particular could prove useful in looking at what specific aid exists for registered Palestine Refugees.

Petrich, Cynthia. "No Freedom, No Future: Undocumented Palestinian Refugees in Lebanon." *Forced Migration Review*, no. 26, 2006. <https://www.fmreview.org/palestine/petrich>

This article examines the unique hardships that are faced by Palestinian refugees who are unable to register with the UNRWA or with the host nation they are taking refuge in. By showing the issues unregistered refugees can face, the information provided is useful as a demonstration of the benefits that come with the ability to register as a Palestine Refugee with the UNRWA. The author was also an employee of an independent humanitarian nonprofit at the time the article was written, so it can provide some insight into the actions taken by NGOs regarding this issue.

Fiddian-Qasmiyeh, Elena. "The Changing Faces of the UNRWA, From the Global to the Local." *Journal of Human Affairs*, vol. 1, no. 1, 2019. <https://www.manchesteropenhive.com/view/journals/jha/1/1/article-p28.xml>

By looking at reforms the UNRWA has undergone since 2018, this piece provides an overview of the current priorities of the agency when assisting refugees. It also details the methods the UNRWA uses to reach its prioritized goals. This piece specifically examines the way that certain groups of Palestinians were particularly promoted during fundraising efforts. That disparity in attention in advertisements reflects how certain members of the Palestinian refugee population are prioritized by the agency in terms of assistance and protection.

De Pauw, Silke. *Depoliticizing the Palestine Question Through the Defunding of UNRWA*. 2022. Ghent University, MS dissertation. [https://libstore.ugent.be/fulltxt/RUG01/003/013/285/RUG01-003013285\\_2021\\_0001\\_AC.pdf](https://libstore.ugent.be/fulltxt/RUG01/003/013/285/RUG01-003013285_2021_0001_AC.pdf)

By examining the Trump administration's decision to cut UNRWA funding in 2018, this dissertation provides a critical look at the development of the Palestinian refugee crisis and the role the UNRWA has played and continues to play in the crisis. This critical approach should prove useful to delegates representing countries that oppose the current direction and methods of the UNRWA. The dissertation could also provide the basis for complaints and suggestions that they might have. Examining individual countries' responses to the aftermath of the cessation of US funding could also be beneficial during the research process.