

UNRWA

**The United Nations Relief and Works Agency
for Palestine Refugees in the Near East**

A Hard Look at an Agency in Trouble

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ABSTRACT

UNRWA, founded as a humanitarian agency over half a century ago, has subordinated its role as a service provider to a political agenda.

The only UN agency dedicated exclusively to one group of refugees, it operates with extraordinary autonomy and has established its own unique and expansive standards. The refugees it serves are funded at a 50% higher level than other refugees.

In some instances this agency functions in defiance of customary international law and normative organizational procedure. Its administrative practices are problematic: It duplicates services, provides services to those not covered by its mandate and misrepresents the number of persons it serves.

As a result of its policies, hundreds of thousands, if not millions, who would not be counted as refugees anywhere else in the world are registered by UNRWA.

Its mandate is predicated upon the notion of “right of return” – a right that in fact does not exist within international law.

UNRWA maintains a policy of keeping the refugees indefinitely in a temporary situation until they can return to homes and villages in Israel they or their elders left more than 50 years ago (the vast majority of which no longer exist). It does not work to find realistic solutions for the plight of the refugees and does not consider resettlement an option. Instead, with a variety of programs and practices, it reinforces the goal of return.

The refugees and their descendants, living in a limbo situation, are deprived of basic human rights. Believing themselves to have been cheated of what is theirs and seeing no end to their predicament, they are filled with frustration and rage. They have thus been drawn to radicalism, and in many instances, to terrorism.

It is in the UNRWA refugee camps that bombs are manufactured, recruitments are done and suicide bombers are dispatched. UNRWA facilities – schools, clinics, ambulances –are sometimes used. Hamas operates extensively within the camps, including within the schools, where they seek to prepare the next generation for the “liberation of Palestine.”

The vast majority of the 25,000 employees of UNRWA are themselves refugees, and they are frequently themselves associated with terrorist groups.

UNRWA’s response to date has been to dissemble and to deny. It does not accept responsibility for what is happening nor does it sustain practices that would curtail the problems: It does not vet potential employees in the West Bank or Gaza and (as it keeps no records on the matter) does not deny beneficiaries assistance because of terrorist activities. The situation is so seriously out of control that there can be no doubt that some money donated to UNRWA ends up supporting terrorists or their activities.

A serious revision of UNRWA practices and policies is in order. Whatever else is done in the way of remediation of the current problems, a change in UNRWA’s mandate is

essential. The “right of return” must be removed from the mandate and the refugees must be permanently settled.

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INTRODUCTION

This is the fourth in a series of reports on UNRWA that has been written for the Center for Near East Policy Research during the past two years. The reports have been noted for their careful documentation and incisive critique of problems within the UNRWA operation.

This current material consolidates the most important aspects of the prior three reports and incorporates new data that has come to light.

UNRWA is currently in transition: Commissioner-General Peter Hansen left his post at the end of March, and his successor, Karen AbuZayd has only recently taken over as permanent new Commissioner-General.

Precisely for this reason—this moment of significant transition—this report is important now.

As we look at UNRWA, we are considering in large part the agency as it has been run by Peter Hansen. The fact that he has just left does not make the way he conducted matters irrelevant. Quite the contrary: it serves as a guide for ways in which his successor might (indeed perhaps ought) adjust UNRWA policies and practices.

The mandate of UNRWA, in place for over 50 years, has been a failure. That fact is clearly documented within this report. Now is a time for genuine change. The unsettled and volatile situation we are currently facing demands it.

This report is designed to provide a clear view of what has gone wrong and what must be changed.

OVERVIEW OF OPERATIONS

Founding

Resolution/Humanitarian Mandate

The United Nations Relief and Works Agency for Palestine Refugees in the Near East was established on December 8, 1949, by United Nations General Assembly Resolution 302 (IV), to “carry out...direct relief and works programmes...” for Palestinian Arab refugees.

While it has evolved into a highly politicized agency, its mandate defined it as purely humanitarian.

Envisioned as Temporary

When it began operations on May 1, 1950, UNRWA was envisioned as being a temporary agency that would dissolve when the refugee problem was resolved—and it was expected that resolution would be achieved in short order.

As it is, by design of the Arab states, the problem has not been resolved. Most Arab nations have deliberately refused to absorb the refugees or give them citizenship, and have instead focused on their right to “return” to Israel.¹ That focus was made central to the UNRWA mandate.

UNRWA has thus evolved into a permanent agency with a massive bureaucracy. Its mandate has been renewed every few years by the General Assembly (GA); its present mandate runs to June 30, 2005.

Operations

Exceptional Autonomy

UNRWA functions in the absence of meaningful independent oversight or administrative checks: Operating without an active Board of Directors, it grants its Commissioner-General vast operative latitude and powers.² The Commissioner-General submits a written report annually to the UN General Assembly, but receives no formal feedback. A mandated Advisory Commission is nothing more than an ineffectual rubber stamp.³ The UN itself does UNRWA’S annual financial audits.

To a degree that far exceeds the way in which other UN organizations operate, UNRWA has established functional autonomy. UNRWA “does its own thing.” In some instances this means acting outside of what is considered normative organizational procedure or customary international law. This applies to its practice of hiring from within its client population (which is something that other UN operational agencies scrupulously avoid doing) and the definition of refugee it has adopted (which is at significant variance with the definition for all other refugees worldwide).

Scope of Operation

UNRWA operates in the Gaza Strip, the West Bank, Jordan, Syria, Lebanon, and Jerusalem.⁴ Its headquarters are in Gaza and Amman; field offices are maintained in Jerusalem, Beirut, and Damascus. There are currently over 25,000 employees with UNRWA. All but some 110 internationals in administrative posts are local Palestinian Arabs, almost all refugees.

Services

The agency maintains a total of 59 camps and offers humanitarian assistance—health care, education and social services—to those on its rolls living within its areas of operation. It also provides emergency relief services — some 220,000 of the millions on UNRWA rolls receive this relief⁵—and offers some modest assistance within a “Microfinance and Microenterprise Programme.”

In spite of concerns about shortfalls, UNRWA continues to provide for Palestinian Arab refugees at a level that exceeds assistance for other refugees worldwide. (See Appendix for figures.) The Palestinian Arab refugees also have a better standard of living than surrounding Palestinian Arab population. UNRWA education is superior to what is available to other Palestinians Arabs, and the refugees are among the best educated of the Palestinian Arabs. UNRWA provides health care, which is often lacking within the general population, and a support system that includes both cash allotments and foodstuffs for those who are in a situation of hardship. The UNRWA population is, in fact, the only Arab population in the world with guaranteed health, education and welfare benefits.

Significant Administrative Issues

UNRWA’S record keeping — allegedly maintained by hand separately for each program — does not permit tracking of precisely how many of the refugees eligible for assistance are actually being served.⁶

Because all refugees on its rolls are eligible for services, in some instances UNRWA duplicates services and spends funds on those who would qualify for services from other quarters. This is particularly the case in Jordan, where most so-called Palestinian Arab refugees are Jordanian citizens: UNRWA, for example, offers education to “refugee” children in Jordan who would be eligible for Jordanian public school.⁷ In 2003, UNRWA spent \$72.7 million in the field in Jordan.⁸

Since the start of the Intifada in 2000, UNRWA has established a policy of offering relief to Palestinian Arabs in Gaza and the West Bank who require assistance but are not registered as refugees.⁹

UNRWA does not vet prospective employees in the West Bank and Gaza. Nor does UNRWA keep records on the terrorist associations of its clients. (See Links to Terrorism below for more on these issues.)

Finances

Budget

In addition to its regular budget, UNRWA has a project budget; the two together comprise the total budget. Since September 2000 UNRWA has also run a series of emergency campaigns.

UNRWA'S total budget for 2005 (based on a biennium budget) is \$408 million, which includes \$47 million for projects. There is no budget line for emergency campaigns, as these will be launched during the year as UNRWA deems appropriate. In 2004, UNRWA brought in an additional \$81 million in emergency funds.¹⁰

Support via Donors

Unlike the UN and its specialized agencies, UNRWA has no system of assessed contributions by member states. Its operations have been financed almost entirely by voluntary contributions (5% is provided by the UN for international staff). Over the years this funding has come from 110 governments and the European Union.

In terms of absolute sums, the US is the largest contributor (providing some 30% of funding) and the EU is second largest. In terms of donations relative to population size and GDP per capita, the Scandinavian countries, Canada and the Netherlands head the list. Canada has also been mandated to play a crucial role in assisting with the raising of funds: it permanently holds the gavel for the Refugee Working Group, a multilateral group that is an outgrowth of the 1991 Madrid process. The Arab states have contributed minimally.¹¹

Donors to UNRWA'S emergency funds have included: the Islamic American Relief Agency (which in 2004 was found by the US Treasury to have transferred millions to Osama bin Laden terrorist networks); the Saudi Arabia Committee for Support of the Intifada Al Quds (linked with the funding of a number of Hamas suicide bombings); and the Popular Committee for Supporting the Intifada (created by the Syria government and advocating Israel's destruction).¹²

The Camps

Description/UNRWA Connection

"Camps" is something of a misnomer, conjuring up an inaccurate picture. These are in fact no more than run-down, over-crowded urban neighborhoods or small towns with two- and three-story stone block houses, built on land that had been allocated to UNRWA by respective host governments (in the case of the West Bank and Gaza, by Jordan and Egypt respectively, which administered the areas at the time of UNRWA'S founding). The camps are carefully defined in UNRWA records according to exact location and number of dunim (information available on the UNRWA website), but in many cases have merged into nearby urban areas and become indistinguishable from them.

The residential buildings in the camps were constructed by UNRWA and belong to UNRWA, which allows refugees to use them rent-free and to do expansions upward from their original single story. The “rent-free” option is so attractive that in fact a good percentage of current residents of the camps are not even refugees.¹³ In some instances, international donations have permitted the construction of what amounts to modern apartment houses. Facilities within the camps house a variety of services including — schools, clinics, community centers, etc. While there is variation, a good number of the camps provide electricity, running water, phone lines and other modern amenities. Many homes have modern appliances; some have been refined to the point of luxury.¹⁴ Each camp has an UNRWA appointed director; services such as garbage collection are provided by UNRWA.

Residents

The majority of registered refugees are not resident in the camps but in many cases live near the camps (2.8 million are outside the camps compared to 1.3 million in the camps). Those outside, if they remain in the area UNRWA serves, continue to be eligible for services provided within the camps; the camps serve as a focal point of refugee life.

The Refugees

UNRWA says there are now over 4.1 registered refugees. Questions persist as to who they are, where they are, and how they came to be on the rolls.

Uniquely Broad Definition

When the UN General Assembly charged UNRWA with providing care for the Palestinian Arab refugees, it did not define “refugee.” This task fell to UNRWA itself, which constructed a definition far more expansive than the one that has been applied to all other refugees in the world for more than half a century now.

Within a year of UNRWA’S founding, the UN High Commission for Refugees (UNHCR) was established to take care of all other refugees. UNRWA, which was not subsumed into UNHCR, became the only UN agency dedicated to one single population of refugees.

By 1951, the UN Convention Relating to the Status of Refugees was in place. It provides the definitional standard for the world’s refugees and is employed by UNHCR. The Palestinian Arab refugees constitute the sole exception to this definition. Differences between the Convention definition of “refugee” and UNRWA’S definition are striking:

- The 1951 Convention refers to a refugee as someone who—due to fear of persecution—is outside his *country of origin or habitual residence* (emphasis added).

UNRWA says that Palestinian Arab refugees are:

...persons whose normal place of residence was Palestine between June 1946 and May 1948... [who lost both their homes and means of livelihood as a result of the 1948 Arab-Israeli conflict].

If it were not for the fact that a good number of the Arabs who fled during the war had been in the land for as little as two years prior to the founding of Israel, this clause would not have been inserted. But these were transients who had for the most part come for work; they were not persons for whom Israel represented either country of origin or habitual residence.¹⁵

- The 1951 Convention does not define refugees' descendants as also refugees.

UNRWA counts patrilineal descendants. We are currently looking at the fourth generation of Palestinian Arab refugees.

- The 1951 Convention exempts from refugee status a person who “has acquired a new nationality and enjoys the protection of the country of his new nationality.”

The UNRWA definition makes no mention of newly acquired nationality. Those who have such nationality (in particular Palestinian Arab refugees living in Jordan and possessing full Jordanian citizenship) are still classified as refugees.

Registration— a political dimension since 1994

UNRWA began the process of maintaining registration rolls shortly after its founding, when a census was done of those who:

- lived in Palestine between 1946 and 1948
- lost their homes and livelihood as a result of the war
- took refuge in 1948 in one of the countries where UNRWA provides relief

Registration was by family; in the years following, births and deaths within these families were supposed to be reported to update the records. Everyone registered was provided with an ID card complete with a registration number.

UNRWA'S position was that registration was purely operational—intended only to identify those who would be served.

In 1994, a change in the definition of refugee added a political dimension: persons were made eligible for registration *whose families had not taken refuge in 1948 in an area UNRWA serves*. The rolls were now opened to all those who:

- lived in Palestine between 1946 and 1948
- lost their homes and livelihood as a result of the war

According to Ingrid Bassner Jaradat, Director of BADIL—Resource Center for Palestinian Residency and Refugee Rights, this change was implemented with the expectation that UNRWA'S registration would one day serve as a major resource for determining refugee status.¹⁶

Today UNRWA claims to be:

*...the main provider of basic services - education, health, relief and social services - to over 4.1 million registered Palestine refugees in the Middle East.*¹⁷

Even putting aside the fact that UNRWA does not maintain records that allow for a determination of how many of those eligible for assistance actually receive it, this statement misrepresents the reality. Some unidentified percentage of the 4.1 million registered live in areas where they are *not able* to receive UNRWA services. This has been confirmed by the UNRWA liaison to the United Nations, Maher Nasser¹⁸:

In various parts of the world—North America, Europe, Arab nations—there are persons who are on UNRWA’S rolls and carry the agency’s ID cards. As Nasser acknowledges, they may be difficult to track because they have absorbed into the communities where they live. They hold on to their cards, he says, for “political or sentimental reasons.”

Yet UNRWA persists in referring to its registration of refugee as “operational.”¹⁹ The term “operational” masks the political dimension of UNRWA’S registration process.

Inflated Number of Refugees

The number of Palestinian Arab refugees extant affects UNRWA’S stated need for funds, its presumed staff requirements and its claims regarding those who have a right to return to Israel.

UNRWA maintains that the large increase in numbers of registered refugees over time is a function of natural population growth. However, the issue remains as to who constituted the original core population of registered refugees—those whose descendants are being counted today. Evidence is strong that their numbers were inflated from the early days of UNRWA.

UNRWA says²⁰ that in 1950, when it began operations, there were 914,000 refugees. Yoram Ettinger, analyst for the Ariel Center for Policy Research, is convinced that the number of legitimate refugees at the time of UNRWA’S founding was no more than 330,000.²¹

UNRWA itself began to recognize a problem of false registrations in its first years of operation:

In 1950 the Commissioner-General acknowledged that “...a large group of indigent people totaling over 100,000...could not be called refugees, but...have lost their means of livelihood because of the war...The Agency felt their need was even more acute than that of the refugees...”²² What he was saying was that the agency *knowingly* registered more than 100,00 non-refugees.

The same theme was sounded in 1952, when the Commissioner-General wrote in his report to the UN that it was difficult to separate “ordinarily nomadic Bedouins and... unemployed or indigent local residents” from genuine refugees, and that “it cannot be doubted that *in many cases* individuals who could not qualify as being *bona fide* refugees are in fact on the relief rolls” (emphasis added).

The International Committee of the Red Cross, which preceded UNRWA in its work in the field, in its final report to the United Nations stated, “Finally, thousands of individuals...have tried to evade the controls by registering themselves in more than one region, or under several names, by increasing the number of family members, or by

registering false births and hiding deaths.”²³ This problem has persisted and there is a running joke that no one registered with UNRWA ever dies.

The UNRWA Educational System

UNRWA runs one of the largest educational systems in the Arab world. It spends roughly half its budget on education; more than 70% of its staff is concerned with education.

Textbooks

UNRWA does not produce its own textbooks. It is stated UNRWA policy to utilize the textbooks of the host (administrative authority) of an area where a camp is located—which means that in the West Bank and Gaza, Palestinian Authority textbooks are used.

The Committee for Monitoring the Impact of Peace (CMIP), using UNESCO guidelines, has done a thorough analysis of these books. The CMIP report on the most recent textbooks published can be seen in its entirety at www.edume.org. Their findings regarding these textbooks include the following:

- Jewish past in the Holy Land is ignored.
- Jews are referred to in the context of their wars with the Prophet Muhammad, where they are depicted in an unfavorable light, as violators of a treaty they had signed and as employers of trickery.
- There are no references to Jews of modern times. The Jewish citizens of Israel are not counted as legitimate inhabitants of the land and are not included in any local population statistics.
- Zionism is presented as a colonial movement that planned from the beginning to expel the Palestinians from their land.
- No Jewish holy place is recognized. All holy places are mentioned as holy to Islam or Christianity. Even if some of them are holy to the Jews as well, they are never mentioned as such.
- With one exception, Israel is not recognized in text as a sovereign state. Israel's name does not appear on any map. The only suggestion of a Jewish state is on the maps where the partition plans for 1937 and 1947 and the 1949 armistice lines are shown. Other than this, Palestine is represented as the sovereign state in the region. Israeli regions, cities and sites are presented as Palestinian.
- Israel's image is wholly negative. No objective information is given about Israel as a neighboring state; no Israeli is depicted as an ordinary human being. Israel has usurped the land of Palestine; it is oppressive and aggressive; it violates human rights; it inflicts physical and mental harm on the Palestinians; and it attempts to obliterate Palestinian national identity.
- The refugee problem of 1948 is presented as the outcome of a premeditated plan by Zionism and British imperialism to expel the Palestinians from their land. No

solution to the problem is contemplated other than the return of the refugees and their descendents to their former homes inside of Israel.

- Historical Jerusalem is presented as an Arab city from time immemorial. Though said to be holy to the monotheistic religions, the Jewish holy places in the city are never mentioned as such. Nor is the present status of Jerusalem as Israel's capital mentioned. Instead, it is declared to be the capital of Palestine.
- The Palestinian liberation struggle is perceived as a violent and bloody operation with a strong religious emphasis on the liberation of the Al-Aqsa Mosque on the Temple Mount.
- Jihad and martyrdom are exalted as ideals. Individuals killed as a result of terrorist activity are referred to as martyrs.

Links to Terrorist Organizations

There is a strong connection between the UNRWA school system and terrorist organizations, most notably Hamas.

On July 6th 2001, the Hamas movement convened a conference in a school in the Jabalya refugee camp, Gaza, with the participation of the school's administration, teachers and hundreds of students.

Hamas leader Ahmed Yassin presented his ideological doctrine to the junior high school students and said (according to the Hamas Internet site), "This is the generation of liberation and victory...the Zionist enemy wants to overpower us and make us give up Palestine, Acre, Haifa, Jerusalem and the Al Aqsa mosque, but this will not happen."

In a speech to the audience, Saheil Alhinadi, *representing the teaching sector on behalf of UNRWA*, praised Hamas student activists who had carried out suicide attacks against Israel in recent months, emphasizing that, "The road to Palestine passes through the blood of the fallen, and these fallen have written history with parts of their flesh and their bodies."²⁴

Close to three years later, on April 3, 2004, after Sheikh Yassin had been assassinated by Israel, a memorial ceremony for him was held at the UNRWA boys' school in the Balata refugee camp in the West Bank. Veiled operatives held mock Kassam rockets; the families of "martyrs" were given gifts and certificates of gratitude.²⁵

While these are major discrete events, the evidence is that there also exists a lower-key, on-going Hamas presence in the schools.

The Islamic Bloc works within the framework of Hamas, is ideologically connected to it, and refers to itself as a "Jihad" organization. Dedicated to the "Islamization" of the Palestinian issue and the necessity of "liberating" all of the land of Palestine, it has been charged by Hamas with *furthering the goal of Hamas within the schools*.²⁶ Its intention in working with schools is explicitly *to prepare the next generation for the liberation of Palestine*.²⁷

Typical of activities sponsored in UNRWA schools by Islamic Bloc are the following:

- In the UNRWA camp of Nuseirat in Gaza, in February 2003, posters were distributed showing the coming victory to liberate Palestine.²⁸ Two months later, a religious newsletter was published and 2,000 copies were distributed in the schools in this camp. In the junior high schools, a “spiritual week” was organized in conjunction with this, which included a march to identify with a Hamas “martyr.” Visits were arranged to the families of other “martyrs” who had been active in the Islamic Bloc and were killed in IDF actions.²⁹
- In the UNRWA camp of Maghazi in Gaza, in January 2003, a meal for breaking the Ramadan fast was organized for 80 students. During this event, movies were shown dealing with jihad.³⁰ In April of the same year, a “Jihad” newsletter was distributed in two boys’ schools in the camp. Given to teachers as well as students, it honored the memory of a member of Hamas killed by the IDF in a helicopter attack in 2002.³¹
- In the UNRWA camp of Bereij in Gaza, in January 2003, an Islamic Bloc preacher gave a session for students on how to bring people closer to Islam; his presentation was in honor of two founders of Hamas, in prison in Israel.³² In April 2003, a culture day was organized at two schools. With 170 students participating at a local mosque, the emphasis was placed on the importance of Muslims falling as “martyrs.”³³

Islamic Bloc activity is seen in the schools in yet another context, as well. All of the representatives of the teachers’ section of the UNRWA workers’ union in Gaza are affiliated with this organization.³⁴

Islamic Jihad is less actively involved in the UNRWA schools than Hamas and its affiliates. That it does have a presence is evidenced by this, from the official website³⁵ of the student organization of Islamic Jihad:

In the spring of 2002, *UNRWA employees, mental health staff of an UNRWA school in the Jenin refugee camp* in the West Bank, gathered children in their schoolyard for ceremonies honoring the memory of the former head of the Jerusalem Brigade of Islamic Jihad, killed by the IDF in 2002. All the children were given his picture, and all voices called out in his honor. The land shook from the marching feet of the students: “Be strong,” they cried. “We are your soldiers; our camp is one great lit torch.”

The “Koran and Sunna Society” with branches in the West Bank, is associated with the doctrines of militant Islam. The pamphlets it distributes refer to the value of martyrdom and jihad. UNRWA supplied payments to one of the Society’s schools, “The Martyrs of the Al-Aqsa Intifada” for education of the children of Palestinian Arab refugees in March and June of 2004.³⁶

The Mandate

Failure to work for solutions to refugee problems

The UN High Commission for Refugees is charged with “promoting solutions” to refugee problems, including ensuring that “everyone can exercise the right to seek asylum and find safe refuge in another state.” UNHCR works diligently to erase the status of “refugee” and help people get on with their lives with permanency.

UNRWA’S mandate works in contradistinction to this approach. UNRWA provides only humanitarian services and has by policy absented itself from involvement in any creative resolution of the Palestinian Arab refugee problem. In fact, helping its refugees seek asylum in another state is precisely what it is not tasked to do. Instead, UNRWA’S approach requires its charges to sustain the status of “refugee” and remain indefinitely in a situation of impermanency.

It is precisely because of UNRWA policy that the Palestinian refugee problem has persisted longer than any other.

“Right of return”

The mandate of UNRWA is predicated on UN General Assembly Resolution 194, paragraph 11, which states in its lead sentence,

...the 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.

This has been interpreted as conferring upon the refugees an inalienable “right of return.” In point of fact, no such right exists:

UN General Assembly resolutions have no status in international law and are considered to be only recommendations. What is more, a careful reading of this full resolution as well as other GA resolutions from the same time period makes it apparent that the GA was considering the option of resettlement for the refugees along with return. Finally, the phrase “wishing to live at peace with their neighbors” renders the entire proposition null and void, as it is patently evident that the Palestinians do not have peaceful intentions now and did not in the beginning.³⁷

Nonetheless, for over half a century, UNRWA has conducted itself *as if* there were a right of return. And the policies and practices that have emanated from this principle have had enormous repercussions in the Middle East. For it has been utilized as the ideological rationale for maintaining the refugees indefinitely in an indeterminate status, until such time as “return” is possible.

Promotion of “right of return”

UNRWA has not been passive where this issue is concerned, simply supplying humanitarian services until the “return” can be achieved. It has consistently and actively

promoted that return. For generations, focus within the UNRWA operation has been on the places where the refugees or their families came from. Registration cards included a code for place of origin in “pre-1948 Palestine.” The camps were originally set up according to villages as well; areas of the camps and even roads were named after villages.

And so now, down to the third and fourth generation, everyone is expected to know where he or she “came from.” And that awareness is constantly reinforced with a variety of programs. By way of examples:

In the summer of 2000, busloads of Palestinian Arab refugees and their descendants were brought from the camp of Dheisheh to see the homes in Jerusalem they left in 1948. These tours operated throughout the summer with the cooperation of UNRWA.³⁸

In 2001, a Palestinian group, the Higher Committee for the Return of the Refugees, was permitted by UNRWA to come into their schools in order to sharpen the awareness of the students regarding the “predicament of the refugees.” The program concentrated on introducing students to the issue of return and “bolstering their sense of belonging to the homeland [Israel within the Green Line].” The students were provided with notebooks that included in a personal information box “a line reserved for the hometown (sic) of the student.”³⁹ These “hometowns” were the original Arab villages left behind in 1948, which have been largely replaced by Israeli cities and farms, and are most clearly places that these students have never seen.

The message being conveyed then, for half of a century, has been: Israel is yours, you have a right to return to it, you are merely biding time until you can go back and you are at present being prevented by Israel from doing so.

Effects on the Refugees

While a great deal is made of the need to protect the “inalienable rights” of the Palestinian Arab refugees, in reality the “right of return” has worked to the detriment of the refugees in several respects:

- The refugees are discouraged from thinking realistically⁴⁰ in terms of how to get on with their lives.
- They live in a state of suspended animation—they have no sense of permanency, and are for the most part (some living in Jordan being the exception) without citizenship.

Not only will neither Syria nor Lebanon allow them to assimilate into the larger population, neither will the Palestinian Authority (PA).

From its inception, the PA refused to see the refugees as part of the Palestinian polity. In 1994, the PA made a declaration that they would not help in improving conditions in the camps because the refugees would be returning to where they came from. Subsequently, at a major meeting in Jericho in April 1996, a consensus was reached that the PA would function in the interim as a special host to the refugees in the UNRWA camps in the West Bank and Gaza, with an obligation not to undertake any steps that would undermine return.⁴¹ The refugees were not to be seen as part of the future citizenry of an anticipated Palestinian state. Yitzhak Ravid, in a 2001 study on the refugees, reported that the PA was still emphasizing that it does not want to undertake any activity that can

be construed as undermining the temporary status of the refugees.⁴² During his recent campaign for PA Chair, Mahmoud Abbas called repeatedly for the “return” of the refugees, declining to take a position that would recognize the refugees as having a part in a future Palestinian state.⁴³

It should be noted that at no time has UNRWA *encouraged* the refugees to think of themselves as in any way part of the Palestinian polity.

- They are often maintained in less than satisfactory conditions. This is the case for at least two reasons.

Precisely because the conditions are viewed as “temporary,” there is an official reluctance to invest much in the way of energy or expense in making improvements.

Dr. Eli Lasch, who was head of medical services in Gaza for Israel’s Civil Administration from 1973 until 1985, describes⁴⁴ this attitude: Israeli troops entering Gaza in 1967 were shocked at the condition in which the refugees lived. However, when he attempted to improve the medical facilities and services for the refugees, he was thwarted by UNRWA.

There is, as well, a reluctance to create a situation that will decrease the refugees’ motivation to “return.” If they are too content with their current situation they might stop caring.

This attitude was clearly evidenced, for example, in a report that came out of the Balata camp near Nablus in 1997: Referring to a study that analyzed the impact of development programs in the camps on right of return, Dr. Musallam Abu Hilu of Jerusalem Open University opined, “...it may well be that development programs have an adverse effect on the refugees’ demand for return; such programs might lead to gradual and unconscious refugee integration and resettlement.”⁴⁵ Return is the priority, not the well being of the refugees. Amelioration of adverse living conditions is seen as a negative if it retards the desire of the refugees to go back to original homes and villages (most of which actually no longer exist).

This was the situation in 1985, when Israel attempted to move some refugees from camps in the Nablus area into 1,300 permanent housing units that had been constructed with support from the Catholic Relief Agency. In this instance the UN intervened and the GA passed a resolution⁴⁶ forbidding Israel from moving refugees out of their temporary shelters, as this would violate their “inalienable right of return.” But Israel was not demanding that the refugees relinquish their claims to return before they moved into the permanent housing. UNRWA simply did not want the refugees to feel too comfortable or too permanently settled.

Dr. Lasch⁴⁷ described something similar that took place in Gaza, when Israel established a department for the Rehabilitation of the Refugees, and paid for the building of small houses for the refugees. All that was required of them “was to destroy the shack they had been living in.” UNRWA however, “was very upset and threatened they would lose their rights as refugees.”

Policy Results

Were it not for the unrelenting message delivered by UNRWA to the refugees that their rightful place is back in Israel, the refugees might have been predisposed to settling where they were, or in a third locale, and to getting on with their lives. Evidence certainly exists for this. Early reports showed a tendency on the part of refugees to be quickly assimilated *where they were*:

From a Lebanese journal in 1959 came the observation that “...the refugees” inclination—in spite of the noisy chorus all about them—is towards immediate integration.”⁴⁸

Emanuel Marx observed⁴⁹ that by 1968, most of the refugees had found work, “were involved in the economy of the host country,” “had become urbanized in the process.”

The current record reflects this process. The two-thirds of the refugees not in the camps opted, and were able at some level, to assimilate within the societies surrounding them. A statement made by UNRWA’S Deputy Commissioner-General, Karen AbuZayd, attests to this: “...if local resettlement basically means becoming self-sufficient...then the majority of Palestinian refugees would fall into that category.”⁵⁰

But the unrelenting message regarding their return *has* been delivered to the refugees. And so we see also the hardened response to it—the evidence that the message has been absorbed:

In 1997, in the Jelazoun camp in Ramallah, resident Ali Shereka complained to a *Washington Jewish Week* correspondent about the dire conditions—the overcrowding and the filth—and then added, “By being in the camps, we show people outside the country that we are not living free and not living in peace.” Present was Iyad Qadi, himself a Jelazoun camp resident as well as an assistant public information officer for UNRWA, who reinforced this notion:

*We are living in misery. Palestinians strengthen their claim to a right of return by staying in the camps. The refugees’ main concern is to show the whole world that they are still living in the camps, that their situation is terrible.*⁵¹

The first Intifada broke out in December 1987, in the UNRWA refugee camps. There is a “widely circulated opinion within the Israeli Intelligence community” that this came about as a result of plans by Israel to do a massive overhaul and improvement of camp conditions. Camp residents, it is said, resisted the anticipated renovations, fearing that the Israeli government was making plans to “exile them once again.”⁵² BADIL director, Ingrid Gassner Jaradat, confirms the fact that the refugees “fear development” that “could be a hidden resettlement scheme.”⁵³

In late September 2000, after the Israeli government had declared that it was ready to relinquish sovereignty over almost all of the West Bank and Gaza, an armed rebellion broke out in the refugee camps. It was fueled by the refugees’ belief that their future was in the pre-1948 Arab villages, coupled with the realization that “return” for them was not necessarily part of the picture as the PA moved forward with its plans. They suspected their cause would be abandoned.

Quite clearly, the refugees are being used as political pawns in the on-going Arab war against Israel.

A core population of Palestinian Arab refugee lives on indefinitely in a squalid temporary situation. Laboring under false expectations that have been fostered by UNRWA, they are frustrated, mistrustful, and filled with despair. In an enormous anomaly, they have been totally discouraged from seeing a Palestinian state-in-the-making as theirs—they are disenfranchised, set apart.

But the UNRWA policy of “right of return” has proved to be no solution for them at all. They have been imbued with a promise that has never been realized.

Rage that their rights are being abrogated has caused them to be radicalized. Filled with a longing to take things into their own hands, many have turned to terrorism. The terror organizations are the ones, after all, that most openly advocate destruction of Israel and establishment of a Palestinian state from the river to the sea.

It was 18 years ago that Sheila Ryan wrote⁵⁴, “Is it any wonder...these dispossessed people listen to the shadowy figures who preach the efficacy of bloodshed...when all else seems to fail?” How much more so is it the case now.

TERRORISM LINKS

Evidence

Dimensions of UNRWA involvement

What is broadly referred to as “UNRWA involvement with terrorism” involves a variety of different and sometimes overlapping aspects:

- the use of UNRWA facilities by terrorists
- terrorists who are in the employ of UNRWA
- refugees on the rolls of UNRWA and eligible for assistance who have terrorist connections

Suggestions of terrorist connections

Terrorism in the UNRWA refugee camps did not emerge suddenly. The signs of an UNRWA-terrorist connection presented themselves over a period of time. The earmarks were there, but not many were paying attention.

Much of this information was unofficial:

The *Washington Jewish Week* ran photographs of UNRWA schools decorated with graffiti from Hamas and PFLP (Popular Front for the Liberation of Palestine), and with a map of a Palestine that ran from the Jordan to the Mediterranean, covered with pictures of machine guns.⁵⁵

The New York Times revealed that UNRWA was allowing 25,000 Palestinian Arab youngsters to use their schools as military training camps; children, ages 8 to 16, were trained in the preparation of Molotov cocktails and roadside bombs.⁵⁶

The Boston Globe described an UNRWA food distribution center in Beach Camp, Gaza, “decorated with murals of exploding Israeli boats and burning jeeps.”⁵⁷

IDF Colonel (ret.) Yoni Figchel, a former military governor in the territories, provided information in the course of an interview with *Reform Judaism Magazine*:

*As long as UNRWA employees are members of Fatah, Hamas, or PFLP, they are going to pursue the interests of their party within the framework of their job...Who's going to check up on them to see that they don't? UNRWA? They are UNRWA.*⁵⁸

In an interview on CNN,⁵⁹ Arafat confidant Ghassan Khatib remarked that every young man in the UNRWA Balata refugee camp had his own personal weapon. This was because the local steering committee, *an official UNRWA body*, had voted that charitable donations received would be used for guns rather than food or other relief.

What was lacking for a long time was the presence of Israeli military personnel inside of the camps, which would have enabled them to directly witness what was going on and to secure more concrete information. Three years ago, that changed.

Spring 2002 and after: Solid evidence

In response to an unprecedented wave of horrendous terrorist attacks in early 2002, the IDF moved to do a sweep of the refugee camps, from which terrorism was clearly emanating. The first of these operations was called Operation Defensive Shield, starting in April 2002; other operations followed. These operations and related arrests during this time period shed a harsh spotlight on the camps and raised issues that had for too long ignored.

What became imminently clear is that the UNRWA camps were riddled with small-arms factories, explosives laboratories, and suicide-bombing cells, as well as Kassam-2 rocket manufacturing plants.⁶⁰

A key focus of Operation Defensive Shield was the refugee camp in Jenin. On April 19, 2002, Israeli Deputy Prime Minister Natan Sharansky, in a formal government briefing in Jerusalem, described the situation:

*...Jenin and the refugee camp of Jenin were the heart of the terror activities. Dozens of suicide bombers were sent from that relatively small place. It had more explosive materials, this small area of the Jenin refugee camp, than most of the big cities of Judea and Samaria. Definitely, it had the highest concentration of explosive materials in this area, if not in the world.*⁶¹

Additionally the Israel Defense Forces ran this report – issued to the head of the *Tanzim*, the armed wing of Arafat's *Fatah* faction – on their website⁶²:

"[Jenin refugee camp] is characterized by an exceptional presence of fighters who take the initiative [on behalf of] nationalist activities. Nothing can beat them; nothing bothers them; they are ready for self-sacrifice by any means. It is not surprising that Jenin [refugee camp has been termed] the suiciders" capital [In Arabic this is Asia Al-Istashidin]."

--Fatah Jenin branch report to Marwan Barghouti, September 25, 2001

Alan Baker, then Chief Counsel of the Israeli Foreign Ministry, stated in an interview that:

*Bomb-making, indoctrination, recruiting, and dispatching of suicide bombers are all centered in the camps.*⁶³

Dr. Dore Gold, former Israel Ambassador to the UN, was in Jenin in April 2002 and himself witnessed the presence of *shahid* (martyr) posters on the walls in the homes of UNRWA workers. He says:

*It was clear that UNRWA workers were doubling as Hamas agents.*⁶⁴

A special intelligence report,⁶⁵ released in December 2002, provided considerable information with regard to what had been uncovered.

- A number of wanted terrorists were found hiding inside schools run by UNRWA.
- A large number of youth clubs operated by UNRWA in the refugee camps were discovered to be meeting places for terrorists. For example, the UNRWA youth club at the Jabalaya refugee camp in Gaza was a gathering place for Tanzim activists.
- In the al-Arub refugee camp near Hebron, an official bureau of the Tanzim was established inside a building owned by UNRWA.
- Alana Muhammad Ali Hassan, a Tanzim “activist” from Nablus, who was arrested in February 2002, confessed that *he had carried out a sniper shooting from the school run by UNRWA in the al-Ayn refugee camp near Nablus*. He also told his interrogators that *bombs intended for terrorist attacks were being manufactured inside that school’s facilities*.
- Nidal Abd al-Fattah Abdallah Nazzal, a Hamas activist from Kalkilya, was arrested in August 2002. Nidal, *an ambulance driver employed by UNRWA*, confessed during his interrogation that *he had transported weapons and explosives in an UNRWA ambulance to terrorists*, and that he had taken advantage of the freedom of movement he enjoyed to transmit messages among Hamas activists in various Palestinian towns.
- Nahd Rashid Ahmad Atallah, *a senior official of UNRWA in the Gaza Strip* who was in charge of distributing financial aid to the refugees, was arrested in August 2002. He told his interrogators that during the years 1990 through 1993, in his capacity as an UNRWA official, he had granted support to families of wanted terrorists, on behalf of Fatah and the “Popular Front.” He also revealed that during the months June and July 2002, he had used his car, an UNRWA car, for the transportation of armed members of the “Popular Resistance Committees,” a militant faction of the Fatah movement, who were on their way to carry out sniper attacks against Israeli troops posted at the Karni passage, and a missile attack against Jewish settlements in the Northern part of the Gaza Strip. In addition, Nahd had *used an UNRWA car to transport a 12 kg explosive charge for his brother-in-law, a member of the “Popular Resistance Committees.”* He has since been tried and convicted.⁶⁶

Evidence has also surfaced regarding Hamas control of the UNRWA workers unions in Gaza.

In the 2003 elections for representatives of the UNRWA union in the Gaza strip, Hamas-affiliated candidates — formally identified with the Islamic Bloc, described in the section of the educational system above — gained:

23 out of the 27 seats in the clerks’ sector
6 out of 7 seats in the workers’ sector
6 out of 9 seats in the services’ sector

11 out of 11 seats in the teachers' sector

These victories made it possible for the Hamas candidates to fully constitute the executive committee of the union.⁶⁷ They represent the fourth consecutive set of victories for Hamas since 1990 in the elections within the UNRWA union.⁶⁸

Additional information about arrests of three UNRWA employees by Israel came in 2003 from the US General Accounting Office (GAO), which was charged with doing an investigation of UNRWA operations:

- **UNRWA employee 1** was arrested on June 22, 2001 for possession of explosives and firearms, and for *throwing firebombs at a public bus*. He was convicted by an Israeli military court on May 27, 2003 and sentenced to 7.5 years in prison.
- **UNRWA employee 2** was arrested on February 8, 2002, as a *member of Islamic Jihad*, for *possession of materials that could be used for explosives*. He was convicted by an Israeli military court on August 11, 2003 and sentenced to 2.5 years in prison.
- **UNRWA employee 3** was arrested on November 13, 2002, as a *member of Hamas*, for possession of a machine gun and for *transferring chemicals to assist a bomb-maker*. He was convicted by an Israeli military court August 31, 2003 and sentenced to 32 months in prison.

On May 11, 2004, a Reuters cameraman captured video pictures of UNRWA ambulances being used to transport terrorists, firearms (and possibly the body parts of Israeli soldiers) in the Zeitoun neighborhood of Gaza City during the course of firefighting between the IDF and Palestinian terrorists.⁶⁹ Pictures—in which armed Palestinians can be clearly seen entering an ambulance marked “UN”—were shown on Israel Channel 10 on May 24.⁷⁰ When Israelis leveled charges, the UN denied the incident and demanded an apology. A UN spokesman subsequently conceded that armed Palestinians used the vehicle, but claimed the driver was forced into service. Israel’s deputy ambassador to the UN then observed that the driver didn’t report the incident until it was made public.⁷¹

UNRWA Attitudes and Inaction

Benefits to refugees with terrorist connections

UNRWA makes no attempt to determine if its beneficiaries have terrorist connections.

This situation persists despite the requirements of the US Congress, which provides UNRWA with over \$100 million per year. Section 301 (c) of the 1961 Foreign Assistance Act, as amended, reads:

*No contributions by the United States shall be made to [UNRWA] except on the condition that [UNRWA] take all possible measures to assure that no part of the United States contribution shall be used to furnish assistance to any refugee who...has engaged in any act of terrorism.*⁷²

Yet UNRWA:

- Does not note terrorist convictions on refugee registration cards.
- Does not receive information on terrorist-relation convictions of beneficiaries.
- Does not ask beneficiaries if they have engaged in terrorism.

Social workers rely on those seeking assistance to volunteer data concerning imprisonment.⁷³ (It would be a most unusual beneficiary who, when applying for assistance, would be voluntarily forthcoming about a condition that would render him ineligible for that assistance.)

The Commissioner-General of UNRWA, Peter Hansen, attested to the US Government Accounting Office (GAO) on July 30, 2003, that:

*UNRWA has no evidence that would justify denying beneficiaries relief or humanitarian aid owing to terrorism.*⁷⁴

Under the conditions described above, indeed there would be “no evidence” of a connection of beneficiaries to terrorism documented by UNRWA.

It would defy credulity, however, to suggest that there are no terrorist-related activities by and convictions of beneficiaries. There is such a preponderance of evidence regarding terrorist activities within the camps that it is clear that some (likely a solid percentage) of the terrorists are themselves refugees.

Karen AbuZayd, at the time UNRWA Deputy Commissioner-General, is on record as saying:

*[Everything is] upside down. The refugees are the armed elements.*⁷⁵

What we are looking at then is a “don’t ask, don’t tell” situation. Rather than attempting to document such evidence, UNRWA would rather willfully ignore situations in which beneficiaries may be implicated in terror: UNRWA in Gaza, while denying assistance to rebuild their homes to six families whose houses were destroyed “during bomb-making activities...did not remove these families from its registry of eligible refugees or deny them other assistance.”⁷⁶

However, while the Commissioner-General, on behalf of UNRWA, may have been able to attest to a lack of *documented* evidence, it is unlikely that he would be able to similarly attest to UNRWA having taken “all possible measures to assure that no part of the United States contribution shall be used to furnish assistance to any refugee who...has engaged in any act of terrorism.”

In 2001 UNRWA proposed to the US State Department that the term “all possible measures” be replaced by a pledge that it would not “knowingly” aid terrorists. With this proposal UNRWA was acknowledging that it would prefer not, or is not able, to take

all possible measures. A great deal of latitude is implicit in the term “knowingly,” when the knowledge is not actively sought. State rejected this proposal but has not defined “all possible measures.”⁷⁷

The bottom line is that it is perceived as better not to be involved. There seems a consensus of opinion that UNRWA staff would be endangered by questioning beneficiaries regarding their terrorist connections, and that the cutting off of benefits makes possible the targeting of UNRWA staff in retaliation.

It cannot escape notice that the staff members who would be required to secure information on the terrorist involvement of refugees or to cut their benefits are themselves refugees. At a minimum, this makes them more vulnerable to threats and extortion: they are known within the refugee community (*i.e.*, known by those refugees involved with terrorism); in most instances their families — living in or near the camps and also known — are exposed.

It also makes them far more prone to conflict of interest than would be persons employed from the outside. We have documented that some of the staff members are involved directly with terrorist organizations. It follows from this that some percentage of the staff (likely a larger percentage than the number directly involved with terrorist groups) has some sympathy for the actions of the terrorists. They would not be eager to ask the hard questions of recipients or to deny them benefits because of terrorism.

Thus, what is in evidence here, at best, is an agency mandated to serve a humanitarian purpose that is being held hostage by terrorist elements—so that it is literally afraid to interfere with recipients who are terrorists. At worst, the terrorist population and the refugee population (from which the UNRWA staff is drawn) are so enmeshed that it becomes impossible to separate them. Either scenario represents a situation that is seriously out of control.

There can be no doubt that some percentage of the funds provided to UNRWA supports terrorists or terror-related activities.

UNRWA failure to screen all employees

Given the scenario described above, it would not be illogical to assume that special attention might be paid by UNRWA to the screening of prospective employees. This, however, is not the case.

UNRWA, as a matter of policy, does not perform any security screening or background examinations while recruiting staff in the West Bank and Gaza.⁷⁸

In Jordan, Syria and Lebanon, there is government vetting of applicants for UNRWA staff positions. There is no such arrangement in place in the West Bank and Gaza.⁷⁹ The IDF, which is in possession of information that might be important, would cooperate if asked to do so; UNRWA declines to deal with the IDF in this regard, however, as Israel is not recognized as having jurisdiction in the area. The PA, which is recognized as having jurisdiction, does no such sharing of information on Palestinians with terrorist connections.

UNRWA Denials and Dissembling

Outright denials

■ The Commissioner-General of UNRWA is mandated to provide an annual report on UNRWA to the UN General Assembly. When Peter Hansen wrote the report for July 1, 2001 to June 30, 2002, which covered the time period of Operation Defensive Shield and the IDF discovery of a vast terrorist apparatus in the Jenin camp, he never mentioned—even in passing—what had been exposed.

■ In August 2002, Deputy Commissioner-General Karen AbuZayd told the *Jerusalem Report*, in response to the charge of terrorism in the camps, “We just don’t see anything like this. These things are invisible to us.”⁸⁰ This is the same AbuZayd who referred to the fact that the refugees are armed.

■ On April 21, 2004, at a conference at the Van Leer Jerusalem Institute, during his talk to those gathered, Peter Hansen revealed that people ask him, doesn’t UNRWA know there is “terrorism” in the camps? As he spoke, he made gestures in the air with his hands, indicating quote marks around “terrorism.”

It is all “made up,” he declaimed, “to delegitimize” UNRWA’S work.⁸¹

A statement such as this, in the face of the documented evidence to the contrary, revealed a core refusal at the highest level to deal with the matter.

Rejection of accountability

■ Peter Hansen in May 2002 wrote (as clarification of a letter by Secretary-General Kofi Annan that addressed UN responsibilities in the refugee camps) that UNRWA is a humanitarian organization without a directive to administer or police the camps, and as such has no “police force, no intelligence apparatus and no mandate to report on political and military activities.”⁸²

In other contexts, UNRWA simply denies that it has any jurisdiction over the physical entities of the camps, and says that it is mandated solely to provide social services and relief. So wrote Paul McCann, UNRWA Chief Information Officer: “UNRWA does not ... ‘largely administer’ ...any...refugee camp. It simply provides services to refugees.”⁸³

This has become a standard UNRWA position. Mr. Hansen maintains that within the West Bank and Gaza, security issues in the camps fall to the PA or Israel.

■ On a variety of occasions, Mr. Hansen has also represented the situation as being one of terrorists from the outside (not refugees) imposing themselves into the camps, or co-opting UNRWA equipment or facilities in the face of protests by UNRWA.

Mr. Hansen, in a Reuters interview on March 24, 2002, alluding to an Israeli action against terrorists in the camp, said, “Armed activists who were there obviously slipped away.”

Similarly was this the position taken regarding the use of UNRWA ambulances by terrorists, captured on video by Reuters in May 2004: The UNRWA driver was forced into service.

UNRWA's Responsibilities

Acknowledgement of the situation

At the end of the day, it is inconceivable that the camps could become centers of terrorist activities without the knowledge of UNRWA top-level staff. Marc Ginsburg, the former U.S. ambassador to Morocco and a former presidential adviser on Middle East issues, explained after Operation Defensive Shield, "Israelis have found caches of weapons and ammunition in camps right underneath the United Nations personnel's noses."⁸⁴

The denials lead to well-founded speculation of complicity. At best, this means turning a blind eye and preferring not to know; at worst, it implies tacit consent.

There can be no realistic remedy for the problems until UNRWA concedes that they exist.

Use of UNRWA facilities and equipment

UNRWA's claim that it is simply a provider of services and has no responsibility for the camps falls particularly flat because UNRWA facilities and equipment—for which UNRWA most certainly does have responsibility—are being utilized. UNRWA itself makes this distinction: its website says UNRWA'S responsibility in the camps is limited to providing services and *administering its installations*.

This report contains numerous documented incidents of use by terrorists of such facilities and equipment. A Shin Bet (Israeli secret service) report drawn up after Operation Defensive Shield provides additional documentation of this sort, for example identifying the UNRWA schools that have been used for storing ammunition.⁸⁵

It is not tenable for UNRWA to maintain that it has no responsibility for the fact that weapons are manufactured and stored, and terrorists are trained, hide and even hold public events, within UNRWA facilities such as schools and clinics and on the grounds of those facilities.

The camps

There is, further, a solid case to be made for the fact that UNRWA has responsibility for what transpires in the camps more broadly. Were UNRWA simply providing services and administering its installations, as it maintains, its own website would not refer to the camps as "official" and carefully and clearly define each one, down to the dunam.

In an interview in 1991, Sandro Tucci, then head of UNRWA's public information office, was asked about who inherits a home in the refugee camp when the father of the family living there dies. Tucci answered, "This is not his property; *it's our property*."⁸⁶ (*emphasis added*)

The owner of a property has responsibility for what transpires within that property.

Involvement of refugees and employees

It is disingenuous in the extreme for UNRWA to claim that it is without responsibility because the terrorists are from the outside.

While, indeed, some of the terrorists may be, the overwhelming degree of terrorist activity emanating from the camps provides strong evidence for the involvement of the refugees themselves. The reference, for example, to Jenin as the “suiciders’ capital” makes eminently clear the eagerness of camp residents to be involved in terrorist acts.

Even in cases where terrorists from the outside enter the camps, their ability to function is enhanced by the tacit approval of, and assistance provided by, resident refugees. The camps, quite simply, function in a pro-terrorist environment, as evidenced by the posters and proclamations as reported here.

What is more, the very disturbing terrorist affiliation and complicity of some UNRWA employees with Hamas groups and activities has been well documented. This speaks perhaps most eloquently against the claim that terrorism emanates from outside of UNRWA.

Duty to safeguard UN policies

The responsibility of UNRWA, a UN subsidiary, to safeguard UN interests has been acknowledged by UNRWA.⁸⁷

The Security Council has adopted a series of resolutions⁸⁸ that addresses the issue of a military presence in refugee camps. It is the sense of these resolutions that:

- the civilian nature of refugee camps must be maintained
- the UN is to be informed of refugee harassment by armed infiltrators into the camps
- safe haven should be denied those who finance, plan, support, or commit terrorist acts
- refugee status is not be used as a cover for those who would perpetrate terrorist acts.

The situation in the camps at present flies in the face of these standards. Quite simply, UNRWA is not abiding by its obligations as an agency of the UN.

Reporting the situation

If, as may well be the case, UNRWA is in over its head, it still has a responsibility to report the situation. Its mandate is humanitarian and the humanitarian needs of the refugees must be its first consideration.

According to Canadian human rights lawyer, and Attorney General of Canada, Professor Irwin Cotler:

[UNRWA has] a responsibility to report to the UN that “we are unable to implement the mandate to which we are charged, or to fulfill international humanitarian law.”⁸⁹

CONCLUSIONS

That UNRWA does humanitarian work on a large scale is not to be denied; nor would we deny that some humanitarian assistance may continue to be required for some interim period of time.

HOWEVER...the *status quo* of UNRWA policies and practices cannot be permitted to continue. That *status quo* fosters terrorism, is antagonistic to the establishment of peace in the Middle East, and works to the detriment of the refugees themselves.

We are reminded of the impasse to which the agency has come when we read the words of former Israeli Cabinet Minister Mordecai Ben Porat, who was charged by Prime Minister Begin with finding a solution to the refugee problem. In his book he concluded:

...the funds initially intended to erase the refugee problem have become a powerful instrument intent on preserving this very problem.⁹⁰

Add to this the inescapable conclusion that some of those funds actually serve terrorist purposes today.

The nations that currently provide the bulk of the donations to UNRWA are the ones best suited to take an active role in demanding remediation of this unacceptable situation. It is not only entirely appropriate, but also necessary, for them to withhold funds until UNRWA acknowledges the extent of its problems and begins to assume responsibility for genuinely remedying the situation. This is a propitious moment for UNRWA to move to make changes. For with the advent of a new chief administrator comes opportunity for organizational soul-searching and redirection.

There is a long list of constructive changes to current policy and practices that ought to be made: conscientious reporting to the UN regarding terrorism in the camps; vetting of all UNRWA employees; maintenance of records on terrorist associations of beneficiaries; cessation of assistance to those not refugees; etc. But these changes by themselves would be sorely insufficient, rather like applying bandages to a terminally ill patient.

There is no way around it: Realistic solutions for permanently resettling the refugees are essential.

The UNRWA mandate requires revamping, so that UNRWA no longer simply sustains refugees in a never-ending "temporary" situation, but works to help them settle either where they are or in a third country. All promotion of the "right of return" would cease. International funds currently utilized for supporting a massive bureaucracy and sustaining refugees indefinitely would then be applied to the resettlement.

It may well be that UNRWA will find itself over its head with regard to the changes required. It would fall then to the Western nations that have sustained UNRWA to promote a transition, so that responsibility for the temporary humanitarian care and permanent resettlement of the refugees would be delegated to other agencies.

APPENDIX: Comparisons

Introduction

There has been a sustained international focus on the Palestinian Arab refugees. This is because of on-going concern in the Western world regarding Middle East political issues, as well as because of the advocacy of an agency devoted solely to them that is adept at public relations. This focus, however, often overshadows awareness of the situation of the other 17 million refugees in the world.

Here you will find both statistical and anecdotal data that place the conditions of the Palestinians Arab refugees into a broader context.

This data stimulates critical questions: Can the international community continue to sanction the more favorable care afforded the Palestinians Arab refugees? Does the money required of the international community to indefinitely sustain these refugees draw from resources that would more equitably be spent on others?

Statistical data

	UNRWA	UNHCR
# of refugees	4.1 million	17 million
Budget (\$/refugee)	\$408 million (\$99.51/refugee)	\$1.1 billion (\$64.71/refugee)
Staff size	25,000 (1 staff person per 164 refugees)	6,100 (1 staff person per 2,803 refugees)

The figures cited above, for 2005, are drawn from the agencies in question. They show that 50% more is spent on Palestinian Arab refugees than on all others. This figure (50% more) is actually low, however, for it does not include the emergency campaigns that will be done by UNRWA during the course of the year. What is more, fewer than 4.1 refugees are actually being served by UNRWA, as some of that number are out of the area the agency serves.

Anecdotal data

Below you will find excerpts from an article by Carsten Stormer, written from the refugee camp for Sudanese in Oure Cassoni, Chad. It is by Carsten Stormer, and appeared in *The Jerusalem Post* magazine "UpFront," March 11, 2005.

The young Zhagawa woman is crouching in front of a tiny woodfire. Next to her squat three young children in ragged T-shirts and shorts nestling up against their mother.

As the flames slowly fade, the four people gather closer to the warming embers. An old battered pot with hot tea is hanging above the flames. It will be the only warm thing they will imbibe before they go to sleep in the cold Chadian nights. The corn in the jute bag will last only for a few more days - if they only eat once a day. An icy cold nightwind is blowing into the fire and the small branches are burning down rapidly.

Another pot hangs in the gnarled branches of a tree - except for a carpet, a blanket and the jutebag, this is the only material possession they were able to bring on their escape from the war-torn region of Darfur in Sudan. Mother and children stare into the flames as if they can read in them what the next day will bring.

In a few minutes the sounds of crying and screaming children will begin to be heard throughout the night when the iccold nightwind will drain the last resources of warmth out of the emaciated bodies. The smallest and most vulnerable will feel it first—a tremble that starts in the tips of their toes and then captures their entire body until it shakes uncontrollably. A starving body suffers earlier from cold and more intensely.

"Tomorrow," says the young woman. "Tomorrow someone will come to register us."

She is sure ... like the day before.

The young woman is called Hashania Abakar Ahmed, 26. Her ordeal began 13 months ago. Often she had heard stories about the Sudanese army and the Janjaweds ... armed Arab tribes backed by the Sudanese government - bombing and burning down villages in her vicinity, that they rape women and girls and kill the males.

Against all reason she and the people of the village of Orshey had hoped that their homes would be spared. It was in vain. In November 2003, the war came to Orshey....

After the bombs came the Janjaweds, to steal the livestock and kill those who did not flee the village ... but at that time Hashania was already hiding with her three children in the surrounding hills.

For 13 months she hid with the other survivors, too scared to return to Orshey. Soon hunger joined fear. The livestock which they had saved from the Janjaweed had been eaten months ago. A few weeks later they finished the rest of the corn....The survivors were destined to starve. Everybody who was still strong enough, and did not want to eat grass, left for the refugee camps in neighboring Chad....

It took 10 days to escape from Darfur. After two days, she and her children had nothing left to eat - even though they only ate once a day.

"It was just not enough. We could not carry anything more," Hashania whispers. The donkeys which they once owned and would have carried the children, the food and water, were taken by the Janjaweed after they burned down the village and massacred the villagers. They drank from wells contaminated by the waste of the remaining livestock and they drank from contaminated ponds infested with bacteria. The last days they depended on the generosity of other refugees and on Nabak, a treefruit which is very hard to digest and causes stomach cramps. But they survived.

LAST MONTH she reached the UN supervised refugee camp of Oure Cassoni in Chad, only a few kilometers away from the border. By that time, her youngest daughter, two-year-old Fatma was already hanging fragile in a rag, which Hashania had wrapped around her back, wheezing, her breath coming in haste like a bird in mortal fear. Chronic malnutrition, the doctors said. Emergency case. Immediate treatment with proteins and vitamins.

Hashania and her other two children did not get any assistance - they are not registered and therefore are not official refugees. Everything has to be according to the UN rules and standards ... starving and freezing people are no exception. First, it has to be proven that a refugee is actually a refugee because it could be possible that a poor Chadian is pretending to be a refugee and that would go against the UN mandate which states that only refugees from Darfur are allowed to be helped....

"Why did I come here? This is like Darfur in another country. We live like animals," says Hamid Madjid, his voice is trembling. He turns his head, wiping his eyes with his hands. They all kept on waiting in Darfur until further waiting would have meant death by starvation. None wanted to come to the refugee camp. They hoped until the last minute that peace would return to Darfur ... or that international organizations would distribute food. Neither happened. Their only chance was to flee their homeland.

The United Nations High Commissioner for Refugees (UNHCR) officially stopped the new arrivals' registration on November 2004.

"We have to solve internal problems inside the camp before we can take new refugees," says Pauline Fresheaud from UNHCR in Bahai.

The camp does not lack internal problems....

Because of the miserable conditions of the new arrivals, the atmosphere within the camp is tense....

One morning, in a huge tent in the center of the camps the situation almost gets out of hand.

"When will we get some food? Don't tell us to be quiet. Our children are starving and crying. Shall we tell them to be quiet?" a woman yells, her voice filled with hatred.

A man screams that he will take his children back to Darfur.

"It is better that they die in their country instead of here."

His face is red with anger. The meeting is over. The tribal leaders have difficulty calming down the crowd....

FOR ITS part, the UNHCR does not admit any need to respond or react; only the most vulnerable will get some assistance.

Every 15 days children smaller than 120cm, as well as pregnant and nursing women get emergency feedings of 1,200 calories a day. Apart from that, UN officials rely on the generosity of the registered refugees and the traditional willingness of the African tribes to share every possession with the community.

"The refugees are responsible for their actions - for themselves and for the community. If they have more than one food card they have to share," says Fresheaud....

A NEW DAWN rises over Oure Cassoni.

The endless crying of suffering children stops - swollen and crusted eyes blink in distress at the first rays of the morning sun. Whoever has a blanket stays underneath it until stiff limbs are able to carry the weight of the bodies. Small fires are lit ... naked feet and arms reach out to the flames.

But something is different this morning. Dozens of women, dressed in colorful toobs—the traditional Darfurian dress—have gathered along the dirt road which connects the border town of Bahai with Oure Cassoni. They are screaming, their eyes filled with tears. They point at their stomachs and imitate the shivers during a cold night—give us food, give us blankets - they are trying to say. As the first of the white UN vehicles approaches the women step in the road to stop them in a desperate but unsuccessful attempt to gain the attention of someone in charge, who would be willing to improve their situation....

ENDNOTES

¹ From *The Palestinian Refugees FACTFILES*, Palestinian Liberation Organization, Department of Refugee Affairs, Ramallah, 2000, p.22: “In order to keep the refugee issue alive and prevent Israel from evading responsibility for their plight, Arab countries – with the notable exception of Jordan – have usually sought to preserve a Palestinian identity by maintaining the Palestinians’ status as refugees.”

² According to the UN Secretary General’s Bulletin, ST/SGB/2000/6, “the Commissioner-General, who is at the level of Under-Secretary-General, is responsible for all activities of UNRWA as well as its administration; establishes general policy guidelines and priorities for the work of UNRWA; establishes fund-raising strategies and maintains liaison with donors and potential donors to UNRWA funds; directs the activities and operations of the various organizational units at headquarters and in the field responsible for the delivery of services to refugees; plans and coordinates interaction between headquarters and the field offices in respect of the Agency’s programmes of assistance and support services; and represents UNRWA in relations with international and local press and other public information channels.”

³ Once a year the Commissioner-General of UNRWA submits to the Commission a draft of the report that will be sent to the General Assembly; the Commission is at liberty to make suggestions for changes in the report.

⁴ There is one camp, Shu’fat in Jerusalem, but Israel is not counted as a host country—Shu’fat is considered by UNRWA to be in the West Bank. Similarly, the camp Kalandia is within the borders of Greater Jerusalem but is considered to be in the West Bank.

⁵ UNRWA liaison to the UN, Maher Nasser, in telephone interview from New York City, February 2, 2005.

⁶ E-mail communication to Dr. Nitza Nachmias, from Maher Nasser, UNRWA liaison to the UN, August 19, 2003.

⁷ Ibid.

⁸ The Report of the Commissioner-General of UNRWA to the General Assembly for 1 July 2002 – 30 June 2003.

⁹ In September 2000, it became UNRWA policy to stop requiring that those seeking assistance in the West Bank or Gaza produce an UNRWA identity card. Any Palestinian Arab in need will be provided for. This has been confirmed by Dr. Emmanuel Marx, professor of Sociology and Anthropology, Tel Aviv University, who met in February 2004 with Sami Mshasha, Head of UNRWA Public Information in Jerusalem.

¹⁰ See UNRWA’S website www.unorg/unrwa for fiscal information.

¹¹ In 2000, Saudi Arabia, Kuwait and other Gulf Emirates collectively contributed just over 2%, while Egypt, Iraq and Syria contributed nothing.

¹² Yaakov Lappin, “UNRWA’S shady donors,” *The Jerusalem Post*, November 24, 2004.

¹³ See Emanuel Marx, “Changes in the Arab Refugee Camps,” *The Jerusalem Quarterly*, Number 8, Summer 1978, p. 48, and Amira Has, “50% of residents of UNRWA camp in Jerusalem aren’t refugees – yet exempt from municipal taxes” *Ha’Aretz*, January 1, 2003.

¹⁴ In *FrontpageMagazine.com*, June 28, 2004, Judy Balint described rebuilt homes in the Jenin refugee camps that “featured Italian marble kitchen counters, Spanish tiles...”

¹⁵ In point of fact, because they came from Arab villages in surrounding regions, some, when fleeing Israel, actually returned to their previous homes.

¹⁶ In an e-mail correspondence, December 2002.

¹⁷ UNRWA website. See: www.un.org/unrwa/overview/index.html.

¹⁸ Speaking from New York City in a telephone interview, February 2, 2005.

¹⁹ www.un.org/unrwa/refugees/whois.html.

²⁰ See website: www.un.org/unrwa/refugees/whois.html.

²¹ See www.acpr.org.il/hatikvah/06-English-Ad.htm: 630,000 fled, 100,000 were permitted back, 100,000 were absorbed by Arab countries, 50,000 Bedouin joined their tribes in Jordan and the Sinai, and 50,000 were migrant workers who returned to their homes.

²² UN General Assembly, Official Record, 5th session, Ad Hoc Political Committee 31st Meeting, 11 November 1950.

²³ UNWRA document: *A Brief History, 1950-1985*, Vienna, 1986, p.5.

²⁴ The website of the prime minister: www.pmo.gov.il/english.

²⁵ www.palestine-info.info/arabic/palestoday/dailynews/2004/apro4/2_4/details5.htm.

²⁶ www.khayma.com/islamicblock/about.htm.

²⁷ Interview with Ahmed Casiso, Islamic Bloc supervisor of 20 summer camps for 3,000 junior high school and high school students run in 2004, found on www.alkotla.net/details.asp?id=268.

²⁸ www.alkotla.net/details.asp?id=219.

²⁹ www.alkotla.net/details.asp?id=238.

³⁰ www.alkotla.net/details.asp?id=175.

³¹ www.alkotla.net/details.asp?id=238.

³² www.alkotla.net/details.asp?id=175.

³³ www.alkotla.net/details.asp?id=238.

³⁴ *Al-Watan* (Kuwait) 11 June, 2003:
www.al-watan.com/data/20030611/index.asp?content=outstate2.

See also *Filastin Al-Muslima* (Lebanon) July 2003, p.5.
www.fm-m.com/2003/jul2003/pdf/p5.pdf.
Details – vote by area and names of candidates - are available.

³⁵ www.jamaaway.org/waed/waed6.htm.

³⁶ Dore Gold, "The U.N. at Work," *The Wall Street Journal*, January 19, 2005, p. A12.

³⁷ By way of example, note the statement of the Egyptian Foreign Minister, Muhammad Saleh Ed-Din, who wrote, in the Egyptian newspaper *Al-Misri* on October 11, 1949, "Let it therefore be known and appreciated that, in demanding the restoration of the refugees to Palestine, the Arabs intend that they shall return as the masters of the homeland and not as slaves. More explicitly, they intend to annihilate the State of Israel."

³⁸ This was documented by BBC, which filmed the bus trips for a report.

³⁹ Mohammed Daraghmeh, "Teaching the refugee issue at UNRWA," *The Jerusalem Times*, June 22, 2001.

⁴⁰ The reality is that Israel, understanding full well that "return" is a code word for the ultimate destruction of the Jewish state, will never permit the refugees to come back.

⁴¹ Ingrid Gassner Jaradat, Director, Badil, in interview, December 2002.

⁴² The study is found at www.vopi.org/issues4.htm.

⁴³ According to *Haaretz*, November 23, 2004, Mahmoud Abbas, in a statement to the Palestinian parliament, said, "We promise you that our heart will not rest until we achieve the right of return for our people..."

⁴⁴ Dr. Eli Lasch, "Child Health Services in Gaza," *Public Health Review*, 1984.

⁴⁵ See www.badil.org/Publications/Other/Refugees/Workshop/wkshop2.htm for the study.

⁴⁶ The document can be retrieved at www.un.org/documents/ga/res/40/a40r165.htm.

⁴⁷ Lengthy e-mail communication with Dr. Lasch in February 2003.

⁴⁸ *Al-Hayat*, August 14, 1959.

Emanuel Marx, "Changes in Arab Refugee Camps," *The Jerusalem Quarterly*, Number 8, Summer 1978, p. 43.

⁴⁹
⁵⁰ Isabel Kershner, "Palestinian Affairs: the Refugees' Choice?" *The Jerusalem Report*, August 15, 2002.

⁵¹ Shawn Cohen, "The Refugee Dilemma: A Day in the UNRWA Arab Refugee Camps," *Washington Jewish Week*, July 23, 1997.

⁵² Uri Nir, Arab Affairs Correspondent, *Ha'Aretz*, December 9, 1989.

⁵³ Interview, op. cit.

⁵⁴ Sheila Ryan, "No Place to Call Home," *New Internationalist*, Issue 161, July 1986.

⁵⁵ Shawn Cohen, "The Refugee Dilemma: A Day in the UNRWA Arab Refugee Camps," *Washington Jewish Week*, July 23, 1997.

⁵⁶ John F. Burns, "Palestinian Summer Camp Offers the Games of War," *The New York Times*, August 3, 2000, p. 1.

⁵⁷ Charles Radin, "UN Role in Palestinian Camps in Dispute," *The Boston Globe*, August 2001.

⁵⁸ Allison Kaplan Sommer, "UNRWA on Trial," *Reform Judaism Magazine*, Winter 2002, p. 42.

⁵⁹ February 22, 2002.

⁶⁰ *Wall Street Journal*, April 21, 2002.

⁶¹ From the Israeli Foreign Ministry website, www.idf.il/newsite/english.

⁶² www.idf.il/newsite/english.

⁶³ Charles Radin, *The Boston Globe*, June 9, 2002.

⁶⁴ In interview with the author, December 14, 2003. Ambassador Gold was serving as a consult to the IDF during time reported.

⁶⁵ Reuven Ehrlich, Ph.D., Editor, "Special Information Paper," Intelligence and Terrorism Information Center at the Center for Special Studies, December 2002.

⁶⁶ Greg Myre, *The New York Times*, October 18, 2004.

⁶⁷ *Al-Watan* (Kuwait) June 11, 2003:
www.al-watan.com/data/20030611/index.asp?content=outstate2.

See also *Filastin Al-Muslima* (Lebanon) July 2003, p.5.
www.fm-m.com/2003/jul2003/pdf/p5.pdf.
Details – vote by area and names of candidates - are available.

⁶⁸ *Filastin Al-Muslima*, op. cit.

⁶⁹ Israel National News, May 31, 2004.

⁷⁰ Israel Defense Forces Website, May 25, 2004, which includes a photo of the incident.

- ⁷¹ CAMERA, June 18, 2004.
- ⁷² US Government Accounting Office Report, November 17, 2003: GAO-04-276R-UNRWA.
- ⁷³ Ibid.
- ⁷⁴ Ibid.
- ⁷⁵ Isabel Kershner, "Palestinian Affairs: The Refugees' Choice?" *The Jerusalem Report*, August 15, 2002.
- ⁷⁶ GAO Report, op. cit.
- ⁷⁷ Ibid.
- ⁷⁸ Reuven Ehrlich, op. cit.
- ⁷⁹ GOA Report, op. cit.
- ⁸⁰ Isabel Kershner, op. cit.
- ⁸¹ Noted by the author, who attended Mr. Hansen's talk.
- ⁸² Isabel Kershner, op. cit.
- ⁸³ In a letter to David Tell, responding to his article on UNRWA, published in *Israel Resource Review*, May 28, 2002.
- ⁸⁴ Mara Karin, *Near East Report*, May 20, 2002
- ⁸⁵ Herb Keinon, "Shin Bet documents terrorists' misuse of UNRWA facilities," *The Jerusalem Post*, December 11, 2002.
- ⁸⁶ Interview conducted by Jeff Arner and Sylvia Martin, October 1991, in the UNRWA West Bank Field Office in East Jerusalem. Quote drawn from transcription.
- ⁸⁷ UNRWA document: *A Brief History*, op. cit., p. 25.
- ⁸⁸ Security Council Resolution 1208, November 19, 1998; Security Council Resolution 1296, April 19, 2000 and Security Council Resolution 1373, September 2001.
- ⁸⁹ Isabel Kershner, op. cit.
- ⁹⁰ Nadav Anner and Mordechai ben Porat, *Will There Always Be Refugees: A Survey and Proposals for a Solution of the Middle East Refugee Problem*, Merkaz Hahasbara, Jerusalem 1984.