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UNRWA Nears Sixty: Part of the Solution or Part of the Problem?

by [James G. Lindsay](#)

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Brief Analysis

On February 3, 2009, James Lindsay and Andrew Whitley addressed a Policy Forum luncheon at The Washington Institute marking the publication of Mr. Lindsay's new study [Fixing UNRWA: Repairing the UN's Troubled System of Aid to Palestinian Refugees](#). Mr. Lindsay, an Aufzien fellow at The Washington Institute, served with UNRWA from 2000 to 2007. As legal advisor and general counsel for the agency from 2002, he oversaw all UNRWA legal activities, from aid contracts to relations with Israel, Jordan, Syria, Lebanon, and the Palestinian Authority. Mr. Whitley is director of the UNRWA representative office at UN headquarters in New York. He previously served as a UN official in Geneva, East Timor, and Kosovo, and was the founding director of Middle East Watch (now Human Rights Watch/Middle East and North Africa). The following is a rapporteur's summary of their remarks.

James G. Lindsay

As the title of the study implies, UNRWA is not necessarily part of the problem, but it needs fixing to become part of the solution. The report's purpose is to examine UNRWA critically and fairly with the insight available only to someone who has worked at a senior level in the agency. The goal is to make UNRWA more effective and supportive of U.S. policy objectives.

The study suggests UNRWA undertake the following reforms:

- End the oxymoronic policy of providing refugee aid to "citizen-refugees." A great number of UNRWA aid recipients are not refugees in any conventional meaning of the term, including the definition used by the office of the UN High Commissioner for Refugees, the body that coordinates worldwide action to protect all other refugees around the world. These "refugees" are citizens of a country and thereby have a claim on that country's protection and national services. Thus UNRWA should end its assistance to the hundreds of thousands of refugees who are Jordanian citizens.
- Focus on shifting from a status-based to a needs-based system of aid delivery. It is true, for example, that education

is a universal right, but should U.S. taxpayers be paying for education for those who can afford to contribute to their own education?

- Limit public pronouncements to humanitarian and relief issues, rather than getting involved in political issues, especially when taking Hamas's point of view. There are other UN platforms for political pronouncements. UNRWA claims that it condemns attacks by both sides, but in reality, the agency responds only to Israeli attacks and condemns Hamas's firing of Qassam rockets toward Israeli civilians only as an afterthought.
- Vet staff and beneficiaries more rigorously. The United States has laws prohibiting taxpayer funds going to terrorist organizations such as Hamas. Although UNRWA says it takes measures to ensure that it is avoiding those with terrorist ties, in reality it does not check its staff and beneficiaries against conviction records or appropriate terrorist lists. UNRWA crosschecks against the UN's 1267 list, but this register contains only a few hundred al-Qaeda and Taliban terrorists and none from Palestinian terrorist groups. UNRWA has rebuffed attempts to have staff and beneficiaries checked against U.S. lists of terrorist suspects on the grounds that these lists come from a single country rather than from the UN.
- Monitor textbooks more carefully. The agency should not use textbooks that do not meet international standards. A different agency -- such as UNESCO -- might be appropriate for taking responsibility for this.
- Toughen welfare eligibility rules to discourage large families.
- Expand loans to refugees who want to move out of refugee camps and become self-sufficient.

UNRWA does valuable work. It should not be dissolved. It should be repaired so that it can give Palestinians a greater opportunity to lead normal lives.

A draft of Fixing UNRWA was submitted to the agency in July 2008 for general comment. The agency's official readers were struck by, among other things, the report's "inaccuracies" and "faulty analysis." Despite repeated requests, however, UNRWA did not provide any specific comments, citations, or corrections to fix the alleged errors.

Andrew Whitley

UNRWA is preparing a rebuttal to Mr. Lindsay's publication. The agency is disappointed by the findings of the study, found it to be tendentious and partial, and regrets in particular the narrow range of sources used. The study ignores the context in which UNRWA operates and the tight line the agency walks due to various pressures. Someone reading this paper with no background would assume that the Israeli government was a benign actor. No mention is made of the occupation of the West Bank and the Gaza Strip.

UNRWA defines who is a Palestine refugee for the practical purpose of identifying who is entitled to its services, not to define who is entitled to return to their former homes. One criticism of the agency is that assistance to second- and third-generation refugees perpetuates the problem, though from the beginning, UNRWA has recognized that all members of the family are entitled to its services. In times of emergency, UNRWA has a mandate to help people in need, whether or not they are carrying a refugee card. If someone is starving or trapped behind the separation wall, UNRWA will not deny that person food or medical assistance. The agency acts in line with general humanitarian principles.

The agency has a significant record of integrating refugees into local societies and not perpetuating its own role. Refugees are entitled to the same rights as citizens in the countries where they are located, and it is essential to eliminate distinctions between them. UNRWA is building a cadre of trained, educated, self-sufficient Palestinians who will be the backbone of a future Palestinian state.

UNRWA does not have a resettlement mandate. It does, at the same time, recognize the impracticality of the return of Palestinian refugees to their former homes. The agency has followed accepted principles of international law and

not attempted to force the refugees to give up choices for the sake of a particular agenda; rather, it has tried to help individuals make choices that improve their lives.

The agency has cut 150,000 names from the registers because of duplications and other reasons. Work still needs to be done. Many people still receive benefits for which they are not entitled. UNRWA, however, focuses on the neediest.

UNRWA is not a passive actor on hot-button issues here in Washington. It does not condone terrorism. In Gaza, it has cut people off without warning, including a senior staff member who failed to warn international staff about the extramural activities of one teacher. It has no investigative or police capability, but it does present Israeli authorities with staff lists to check.

All Palestinian textbooks are under review. In Syria, they are particularly egregious, but replacing them with sanitized UN textbooks runs counter to the goal of integration of refugees into local societies. UNRWA provides mandatory supplementary courses in human rights and conflict resolution. The textbooks are not perfect, but frankly neither are Israeli textbooks. UNRWA is working amid an ongoing conflict between two peoples over the same territory.

UNRWA's relations with the U.S. government have always been close and cooperative. Washington has been glad to recognize the agency's stabilizing role, fund it, and help in its reform process.

This is not a purely humanitarian issue, but a political one. The refugee question is one of the core issues that Israeli and Palestinian negotiators have dealt with; it goes back to the circumstances under which Israel was formed and its responsibility for the expulsion of large numbers of Palestinians.

This rapporteur's summary was prepared by Washington Institute research assistants. ❖

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