

MEMORANDUM

To: Maher Abdalqader, Chairman of the Board of Directors,
Palestinian American Congress, New York

CC: Peter Hoffman

From: Ghassan Shabaneh

Date: January 7, 2004

Re: The Role of the United Nations In State Building: The Case of Palestine

The purpose of this interim report is to reflect upon the concerns of my sponsor organization, the Palestinian American Congress (PAC) about the future of UNRWA and the refugees¹. PAC fears that a Palestinian Israeli peace agreement could be reached between the parties without drawing a just and a comprehensive solution to the dangling question of the Palestine refugees². Thus, PAC is troubled that all the peace initiatives, Oslo I, Oslo II, The Road Map, and The Geneva Accords, have neglected the future of the refugees and, therefore, the future of UNRWA. Accordingly, PAC believes that UNRWA must remain operational until a comprehensive peace is reached between the Palestinians and the Israelis, the logo of “No Refugees No UNRWA” and “No UNRWA No Refugees” is something I heard often while talking to their officials and to the many refugees in the camps. As a result, PAC would like for me to address the following questions in my final policy recommendation, which I will submit to them this summer.

1. What would be the future of UNRWA if most of the refugees were not permitted to return to their original homes in today’s Israel? Would UNRWA continue to operate in the region? If not, who will take care of the refugees?
2. Who would determine the number of refugees that will be allowed to go back: the Palestinians, the Israelis, or the eleven member nations of The United Nations Special Committee on Palestine (UNSCOP), which was established on May 15, 1947 to monitor and recommend solutions to the Palestine question at the UN?
3. How and who should determine the amount of financial compensation that the Palestinian refugees who will not be allowed back will receive?

Background

¹ PAC is a Palestinian advocacy group. It has been lobbying on behalf of the Palestinian people in the United States for the last three decades. It has been counseling American and Palestinian leaders on the best ways to achieve peace in the region. PAC has also sponsored many forums and invited Israeli, Palestinian and American scholars and officials to debate on the future of peace in the region.

² By just and comprehensive, PAC refers to allowing the refugees to make a free choice on whether they want to return to their homes in 1948 Israel, or they want financial compensations and to relocate somewhere else.

In 1949, the United Nations General Assembly passed resolution 302(IV) by which it created the United Nations Relief and Works Agency for Palestine Refugees (UNRWA) to carry on the previous work of the UN and international non-governmental organizations in the provision of assistance for some 750,000 Palestinian refugees.³ UNRWA was established with a short-term mandate subsequently renewed on a regular basis given the inability of the United Nations to implement the framework and special guidelines set down in Resolution 194 (III) of December 1948 calling for the return and compensation of the refugees.

Today UNRWA provides basic health, education, and social services for some 3.7 million Palestinian refugees, or about three-quarters of the entire Palestinian refugee population, residing in the five areas of its operation - Gaza, West Bank, Jordan, Lebanon, and Syria. Through a works program, the Agency has focused on human resource development and improvements in the social infrastructure. The Agency administers 59 refugee camps and employs some 23,000 persons, the majority of whom are refugees.

What Would UNRWA Do

Most of the refugees and the majority of UNRWA workers including the foreign staff that had been interviewed during my field research in Amman and the West Bank of the Jordan River acknowledge that a solution based on paragraph 11, of the United Nations General Assembly Resolution 194, which calls on Israel to allow “refugees wishing to return to their homes and live in peace with their neighbors should be permitted to do so at the earliest practical date and that compensation should be paid for the property of those choosing not to return and for loss of or damage of property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible” is unattainable. They all know that Israel will not allow it and there is no power in the world that will likely force Israel to do so. This predetermined perception in the hearts and minds of many refugees substantiates the concern of PAC about the future of UNRWA and the refugees.

UNRWA officials, the vast majority of which are Palestinian refugees, and the refugees at large hope that the agency will not end its services until every refugee is fully compensated. According to one UNRWA official “refugees do not only look at UNRWA as a humanitarian agency, but also see it as an admission by the UN, the West, Israel, and the Arab world of their guilt against the Palestinian people”.⁴ Furthermore, he said “the

³ The GA gave UNRWA the following mandate: to carry out in collaboration with local governments the direct relief and works program as recommended by the Economic Survey mission. Then, to consult with the interested Near Eastern Governments concerning measures to be taken by them preparatory to the time when international assistance for relief and works projects is no longer available.

⁴ After all, it was the United Nations General Assembly that divided Palestine into two states in 1947. See resolution 181(II) in the appendix.

refugees themselves are not likely to accept the termination of UNRWA unless and until they see a comprehensive solution on the horizon”⁵.

His response prompted me to ask about who controls UNRWA’s operations - the refugees or the donor countries? The answer was a mixed one. The official mentioned that on many occasions the refugees have the upper hand, especially when they refuse to cooperate with the Agency’s programs. Several times UNRWA’s employees and the larger refugee community declined to carry out the orders of their superiors in the field. Accordingly, UNRWA had to adjust to the concerns of the refugees. A case in point is the resettlement program, which UNRWA initiated in the late 1960s in the Sinai Peninsula⁶. As a result, UNRWA was forced to change directions in the region. Since the early 1960s UNRWA started promoting education and relief programs more than the resettlement and integration ones. In addition, UNRWA employees went on strikes on several occasions, something the international staff does not like to talk about. If the agency’s employees, the refugees, do not work then all the Agency’s operations will be paralyzed.

Some of the Western countries and Israel are eager to terminate UNRWA’s work immediately if they could. Many American politicians have been talking seriously for many years about cutting all the financial assistance to UNRWA in the Congress. A case in point is the objection to UNRWA’s functions during the Reagan Administration from some ideologues. Officials in the Reagan Administration objected to UNRWA because it was a “relief organization, violating their conservative ideology”. Others regarded it as anti-Israel pro-PLO, and thus a threat to America’s national security objectives in the region. Some maintained that UNRWA is not being managed rigorously enough, thus, it was wasting American taxpayer’s dollars.⁷

Furthermore, in the last few years more opposition to UNRWA surfaced in the US Congress. Congressmen Lantos of California and Smith of New Jersey introduced to the House Appropriations Committee a bill requesting that the United States government end all its financial assistance to UNRWA. The American Congress has been charging UNRWA of teaching hate and terrorism in its schools. Moreover, some Israeli scholars and security experts concluded that UNRWA was exceeding its mandate, thus, its mission became not welcomed. Nitza Nachmias, for example, argued that because UNRWA’s mandate was neither clear nor specific, the agency set its own two-pronged policy: (1) to provide humanitarian and relief assistance; (2) to promote economic development through educational, health, and social networks. In addition, the agency maintained its political agenda (1995: 70).

⁵ Interview with an UNRWA official in Bethlehem who chose to speak on conditions of anonymity.

⁶ The United States, Israel, and some Arab countries planned to resettle most of the refugees in the Egyptian desert. Through the UN, the US and others raised more than \$50 million for the project.

⁷ An interview with Ambassador Richard Murphy, former Assistant Secretary of State for Near Eastern Affairs, between 1983-1989, during the Reagan Administration, June 3, 2003 at the Council on Foreign Relations New York City, New York.

I brought the concerns of the refugees and the donor countries to Dr. Peter Hansen, Commissioner-General of UNRWA when we met in Manhattan last year. The first concern addressed to Dr. Hansen had to do with the Palestinian Israeli peace proposals that kept the refugee question out of the picture. He was also asked, “What would happen to UNRWA now that Oslo I, Oslo II, Camp David, and the Geneva Accords have not provided a clear end to the refugee question?” Another issue raised was about the attitudes of the donor countries and the American Israeli campaign to terminate UNRWA. Dr. Hansen replied, “UNRWA would end its operations only when a just and a comprehensive solution takes place in the region between the Arabs and the Israelis”. By a just and a comprehensive peace, Dr. Hansen’s viewpoint is similar to PAC’s aspiration of ending the problem once and for all in Syria, Lebanon, Jordan, the West Bank and Gaza. He also wants to see a comprehensive peace deal among all the parties in accordance with United Nations resolutions.

When asked about “What if Israel does not abide by the United Nations resolutions, thus, preventing the majority of the refugees to return to their homes?” It was safe to conclude from Dr. Hansen’s answer that he was betting on the good will of Israel in this issue, something my field research contradicts, considering the current political leadership in Israel and the Arab world. When the Issue of the size of the future Palestinian state and its inability to absorb all 3.5 million registered refugees that still live in refugee camps in Lebanon, Jordan, Syria, the West Bank, and Gaza was raised, the Commissioner-General responded with a vague answer in which he highlighted the possibility of some third countries accepting to settle refugees as long as the refugees agree. Dr. Hansen was also asked about the possibilities of continuing the Agency’s operations in fields where refugees might remain (i. e. Syria, Lebanon, and Jordan) if a solution was not declared for all the fields of operation. The Commissioner-General acknowledged that a new mandate from the UNGA will be required in such a case and mentioned that it would be very hard to accomplish due to America’s displeasure with the organization’s functions.

Regarding the financial situation of UNRWA, Dr. Hansen agreed that most of the western donor countries think that UNRWA should terminate all of its operations soon. He spoke about the effects of the financial situation on the field of operation in the last decade. The Commissioner-General said, “ UNRWA can no longer afford all the services it used to grant the 3.5 million registered refugees before”. In the last decade UNRWA has reduced all its relief, food rations, and health services for only the very needy among the refugees, and saved the money for the education sector.

According to Dr. Hansen, the US and the United Kingdom are the largest contributors to the organization and if they stop their annual payments the Agency will suffer the most. In 2002 the US gave UNRWA \$115 million, followed by the United Kingdom at \$38 million, Sweden at \$17 million, the Netherlands at \$17 million, as well as money from other countries. As a result, if the US and the UK say no at any point, the existence of UNRWA will be threatened considering that the annual budget of the organization stands at \$400 million. Both the US and the UK have been giving very generously all along. For instance, in 1970 the US gave \$23 million, and the UK gave \$5 million and in 1979 the US gave \$52 million and the UK \$10 million.

Commissioner Hansen and others at the Agency as well as many of the refugees I interviewed during my field research are very worried about the future. They fear and they know that the parties will reach a final peace agreement without putting an end to their plight. Besides, they recognize that in such a scenario the UN, the US, Israel, and many other countries would argue that UNRWA should no longer exist, worse yet, they will argue against the continuation of financial donations to it. An authority on the refugees in Jerusalem referred me to what a top Palestine Liberation Organization (PLO) official told Milton Virost in 1989. He said, “ We in the PLO would like to engage in joint planning with UNRWA when the decision on establishing the state is made. It is our view that UNRWA will have to continue its work for the first five years of our independence, maintaining the operation of its schools and hospitals...Gradually its schools and hospitals will be turned over to the government, and UNRWA’s operation will dissolve into the Ministry of Health, the Ministry of Refugee Affairs, and the Ministry of Education”(Virost 1989: 22).

Since Oslo, UNRWA has been suffering from two fundamental problems: a financial and an operational one. On the financial front, UNRWA suffered its worst financial crisis in the last decade. The organization had to cut back on most of its relief and health operations in its five fields: Jordan, Lebanon, Syria, the West Bank and Gaza. The only service that the Agency has maintained is education. According to UNRWA’s officials the prime cause for the financial shortages is the perception among UNRWA donors that the conflict is about to be solved. However, UNRWA schools are no longer equipped to handle the human growth among the refugees.

Walking through UNRWA schools is a chilling reminder of the harsh difficulties that the children of the refugees go through. In the summer, lack of a ventilation system and efficient lavatories gives the classrooms a bad odor. The winters are just as harsh, too. Schools have no heating system and children sometimes have to be released earlier for schools cannot keep them warm. Furthermore, classes are very congested. The principle of one school in the Dheish refugee camp said, “In the last eight years we have been running classes for three shifts in order for us to cope with the number of students”.

On the operational front UNRWA has not been as flexible or as adaptable as it was before Oslo. In the past, whenever UNRWA perceived a problem it reacted to it in due course, and Israel had to put up with UNRWA, not the other way around. A case in point is the formation of the Refugee Affairs Officers (RAO). UNRWA established RAOs, in 1988 as a response to Israel’s human rights abuses in the occupied territories. UNRWA officials issued press releases, held press conferences, and issued their own condemnations of Israeli abuses against the Palestinians⁸. But during Oslo and after September 11, 2001, the Israeli military felt freer in treating UNRWA the way it has been treating the Palestinians rather than adhere to international standards when treating an international institution.

⁸ The Subject of the Refugee Affairs Officers is a chapter in my dissertation.

I carried my concerns to the refugee camps in Jordan and the West Bank regarding UNRWA and the prospects for a political solution in the region that will most likely leave them out. In Jordan, I spoke to Abu Ahmed, a Palestinian refugee from the Hussein refugee camp in Jordan. I asked Abu-Ahmed about the existence of UNRWA and what it means for him and other refugees in the Al-Hussein camp. Abu-Ahmed answered with conviction about the correlation between Palestinian identity and UNRWA. According to him, had UNRWA not been there, the Palestinian question would have dissolved into history like the Kurdish one. He said the difference between the Palestinians and the Kurds is the presence of UNRWA. The Agency's services kept the whole world informed about our existence. Thus, he argued that UNRWA should remain until all the refugees are dealt with based on UN General Assembly resolutions. He wonders why all the Arab countries have to obey the UN and Israel does not have to? But Abu-Ahmed along with other refugees, who left Palestine in 1947-8, have no hope of returning to their original homes in Jaffa, Haifa, or Majdel.

A case in point is Abdel-Ghani, a Palestinian refugee from Al-Wehdat refugee camp. Abdel-Ghani, an older man, maybe in his 70s, reflected on what Abu-Ahmad said. When asked about the desire to return or to settle in a third country if a peace agreement was reached, he replied that returning to his original home in today's Israel would be impossible and that if he returned to a Palestinian state in the West Bank and Gaza he would be a refugee again since he would not be returning to his original home. He believed that remaining in Jordan would be the best option. When the author asked about the conditions under which he and others will be ready to settle in Jordan, Abdel-Ghani talked about financial and moral compensations.

The financial and moral compensations that he mentioned I had heard before from many refugees. The refugees that I spoke with last summer talked about a new beginning in the region. It is safe to say that more than 70% of them are willing to stay where they are if Israel accepts its moral responsibility and acknowledges its role in their expulsion. Israel's admission has to be accompanied with massive economic and rehabilitation programs, they add. Many of the refugees I spoke to do not want to see another generation of refugees grow up in despair and frustration the way they did. Talking to the elders of the communities, I sensed an authentic desire by them to prevent their children from suffering and to bury the conflict once and for all.

When the refugees were asked about the financial amounts that might please them, I had to struggle for numbers. No refugee I spoke to is sure about how much is too much or too little. They spoke of the price of the daily humiliation, about the price of despair, the price of psychological trauma and finally of the price of their property and lost labor and wages⁹.

⁹ There have been several estimates on how much financial compensation the refugees are likely to accept. Rashid Khaldi, put the number at \$92 Billion. However, the Norwegian peace center put it at \$600 Billion. Khaldi's estimation is based on property values only. The Norwegians, on the other hand looked at property value and the psychological damage that refugees endured. Neither the UN, nor the Palestinians or the Israelis have come to accept any amount as a base for negotiations.

I carried my conversation with Abdel-Ghani to the Dheish refugee camp in the West Bank. There I sat down with Immad, a college student who aspires to become a doctor. I informed Immad on what Abdel-Ghani said about return, compensation and settlements. I was struck that Immad did not share the same moderate views expressed by the older generation. Immad insisted that the Palestinian refugees should accept no less than a total return to their homes in Israel. I asked, "How could you achieve that?" He answered, with conviction, "The United Nations and the United States should assume their responsibility toward the Palestinians". He made a murky reference to the humanitarian assistance that the US and the UN have been giving to the Palestinians for the last five decades. He said, "I want to see a genuine UN and US role to end the conflict according to international law, not mere promises for food and medicine every year". Also, he mentioned that Israel was established by the UN and has been supported by the US for the last five decades. Furthermore, he brought to my attention the Kosovo refugees and how the world insisted on their return.

My conversation with Immad heightened my curiosity to know more about the attitude of the younger generation of refugees. Thus, I visited the Ayda refugee camp located on the outskirts of the holy city of Bethlehem. At Ayda, I asked the head of the camp, Mr. Afif Ghatasha, to arrange for a meeting between the younger generation of refugees and I. Two days later I sat with twenty-five people, mostly high school and college students. I asked them the same question I asked Immad about his aspiration to return back to Israel proper or resettle and take compensations. The overwhelming majority desired to return to Israel proper and reclaim their family's property.

The person that struck me the most was Ghadeer, a social science student at Al-Najah National University in the West Bank City of Nablus. Ghadeer's family came from Lydia, a suburb of Tel-Aviv. Before they left in February of 1948, her grandfather owned more than ten farms. She brought the keys and the documents of those farms to the meeting. She spoke emotionally about her family, a year later in 1949 begging for food and shelter. Furthermore, she mentioned that almost every year she and her family go and visit the location of their farms in Lydia. I asked her if the farms are still there. She said, "All are apartment buildings now". I did not hear this tone from the older generations. I sensed bitterness and dismay in their voices about the world and its hypocrisy but not a zeal about the right of return anymore.

My field research shows that the refugee question promises to be the most difficult of all problems in the Arab Israeli conflict. Its difficulty stems from the ambiguity of the future of the refugees and of UNRWA. Both UNRWA and the refugees are not going to be eliminated easily. The refugees are adamant about their rights. My preliminary findings show that many refugees are willing to forget and forgive if Israel seizes the opportunity and acknowledges its role in the expulsion of the refugees. Furthermore, I learned that most of the refugees would like to see the United Nations fully involved in any final settlement between them and the state of Israel. Refugees are not easy about any Israeli role that will determine their future. They poignantly stated, "Israel determined our future once and we suffered so much, now its time for us to determine our own".

