



Reference No: **TIGO IOR 10/2024.5160**

*To the attn. of:*

**Mr Josep Borell Fontelles**

EU High Representative for Foreign Affairs and Security Policy / Vice-President European External Action Service (EEAS)

**Mr Janez Lenarčič**

European Commissioner for Crisis Management

**Foreign Affairs Ministers of Bulgaria, Cyprus, Denmark, France, Greece, Poland, Portugal, Slovakia, Sweden**

30 January 2024

Dear Ministers of Foreign Affairs,

## **AMNESTY INTERNATIONAL LETTER ON CERTAIN GOVERNMENTS' ALARMING DECISION TO SUSPEND FUNDING TO UNRWA**

We are writing to share Amnesty International's utmost concern regarding certain governments' decision to suspend funding to the United Nations Work and Relief Agency (UNRWA) and **urge you to ensure that the European Union and other governments do not follow that course.** These decisions to suspend funding **will exacerbate the suffering of over two million Palestinian refugees**, who are registered as refugees with UNRWA. Gaza's population, over 70% of which are refugees displaced in 1948, **is currently facing a serious risk of genocide.** The International Court of Justice (ICJ) interim ruling found plausible grounds that Israel is committing at least some of the acts that falling under the Genocide Convention. In view of the risk of genocide against Palestinians in Gaza, we are **sharing our concerns on the decisions to suspend funding to UNRWA** and call on you to ensure that **the European Union refrains from suspending funding to UNRWA.**

We recognize the gravity of the allegations voiced by the Israeli government against **12 of UNRWA's 30,000 staff members** regarding their participation in crimes under international law, including war crimes, against Israeli civilians on 7 October. We note that UNRWA announced the suspension of the staff concerned and has opened an investigation into the allegations. All those accused must be subject to an effective, independent and transparent investigation, and those against whom there is sufficient evidence of responsibility for crimes under international law be held accountable in fair trials that adhere to international law standards.

However, **allegations against a few individuals, for actions outside of the scope of their employment, can never justify such a draconian decision that has disastrous implications for the lives and the very survival of millions.** Amid the humanitarian catastrophe in Gaza, UNRWA's role in providing aid, food and shelter has been indispensable and lifesaving.

1.7 million of the people in Gaza have been internally displaced, nearly a million of whom have sought shelter in overcrowded UNRWA-run schools and shelters. At least 26,422 Palestinians have been killed in Gaza since 7 October, with over 10,000 believed to be missing under the rubble. 65,087 Palestinians have been injured, according to the Palestinian Ministry of Health in Gaza. 2.2 million people are at imminent risk of an engineered famine and are deprived of sufficient access to food, clean water, sanitation, and medical care.

**Suspending funding to UNRWA will exacerbate these conditions** and would be in **clear contradiction to the European Union and your government's stated commitment** to ensuring that humanitarian assistance is distributed to the civilian population in Gaza quickly and without any obstructions.

Certain governments' decision to suspend the funding also risks **legitimizing the practice of collective punishment of Palestinians**, over the alleged actions of a few individuals. Indeed, Israeli officials have attempted to justify their violations of international law, including indiscriminate bombing, blockade and denial of food and water to the population in Gaza by citing the attacks by Hamas and other Palestinian armed groups on 7 October. Denying lifesaving aid to millions of Palestinians based on allegations against a limited number of staff employed by UNRWA for actions outside of the scope of their employment will harm the civilian population and may amount to collective punishment.

The alarming decision **is even more stark when considering Friday's decision by the International Court of Justice (ICJ) to order provisional measures against Israel** in the case of South Africa Vs. Israel under the Genocide Convention in several ways:

- The decision to suspend funding to UNRWA, in a context where alarming signs of genocide exist, **risks significantly exacerbating if not contributing to the harms which the Genocide Convention seeks to prevent and punish**, by preventing UNRWA from doing its humanitarian work as explained above.
- As noted by references to UNRWA by the ICJ in the case of South Africa vs. Israel, **UNRWA is one of the few agencies systematically and meticulously documenting and reporting on the toll of Israel's military campaign on civilians in Gaza**. Indeed, the ICJ cited several statements by UNRWA as relevant facts and circumstances in its determination of whether to order provisional measures. Suspending funding to UNRWA at this time risks damaging a vital 'witness' to ongoing acts committed in Gaza, which could potentially serve as evidence relevant to the Court's future proceedings. It is not implausible to suggest that stopping UNRWA's work could lead to violations of the Genocide Convention going unreported or being concealed.
- The **decision to defund UNRWA undermines the reasoning of the ICJ's provisional measures order against Israel**, which was grounded on enabling the provision of urgently needed basic services and humanitarian assistance to address the adverse conditions of life faced by Palestinians in the Gaza Strip.

We note that for years, the state of Israel, as well as pro-settler groups dedicated to the forcible transfer of Palestinians and expansion of the settlements project, have launched a smear campaign against UNRWA, with a view of facilitating the **forcible transfer of the Palestinian population** of the OPT and **undermining the right to return of millions of Palestinian** refugees.

UNRWA plays a key role in protecting the Palestinians right to return as per UNGA Resolution 194. The smear campaign aimed to defund UNRWA risks undermining the right to return of 5.6 million Palestinians. Israel's Foreign Minister Katz hinted at the underlying objective of this campaign **"We have been warning for years: UNRWA perpetuates the refugee issue."** In 2017, the then foreign minister Avigdor Lieberman advocated for the dissolution UNRWA, citing its role in safeguarding the right to return. In 2018, Prime Minister Netanyahu also echoed the same call, saying: **"It is an**

**organization that perpetuates the problem of Palestinian refugees, it also perpetuates the narrative of the right of return, ...therefore UNRWA should be removed from the world."**

Defunding UNRWA also **risks undermining the viability of Gaza, thereby increasing pressure on the population to leave Gaza.**

Given the above, we call on you to:

- Ensure that the EU and your governments do not suspend funding to UNRWA and continue publicly supporting UNRWA and its essential mission in view of the risk of genocide against Palestinians in Gaza.
- Urgently and publicly urge states that have suspended their funding to reverse their decision and to reaffirm their commitment to supporting the work of UNRWA,
- Publicly reject plans to forcibly transfer the Palestinian population in Gaza and affirming commitment to the Palestinians' right of return.

We stand ready to meet you to discuss our concerns detailed above or provide any further information as you may require.

Sincerely,



Eve Geddie  
Director  
Amnesty International – European Institutions Office