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*To the attention of:*

**Ms Ursula von der Leyen**

President of the European Commission

28 February 2024

Dear President von der Leyen,

## **RE: URGENT NEED FOR EUROPEAN UNION TO CONTINUE FUNDING UNRWA**

I am writing to share Amnesty International's utmost concern regarding the European Commission's deliberations on releasing funding to the United Nations Relief and Works Agency (UNRWA) and **urge you to ensure that these funds are allocated to UNRWA without delay** to avoid **exacerbating the suffering of over two million Palestinians in the occupied Gaza Strip**, who are **currently facing a serious risk of genocide**. We are deeply concerned that UNRWA could run out of funding leading to closing its operation, should the organization not receive EU funds as scheduled.

We recognize the gravity of the allegations raised by the Israeli government against **12 of UNRWA's 30,000 staff members, 13,000 of whom are in Gaza**, regarding their participation in crimes under international law, including war crimes, against people in Southern Israel on 7 October. We note UNRWA announcement that it has fired 10 of the staff concerned by these allegations, as the two others were killed in Israeli strikes. The UN Office of Internal Oversight has also opened an investigation into the allegations, and UN Secretary General launched an independent investigation into UNRWA.<sup>1</sup> All those accused must be subject to an effective, independent and transparent investigation, and those for whom there is proven evidence of responsibility for crimes under international law be held accountable in fair trials that adhere to international legal standards.

**However, allegations against a few individuals, for actions outside of the scope of their employment, can never justify such a draconian decision with 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 Palestinians in Gaza have been internally displaced, nearly a million of whom have sought shelter in overcrowded UNRWA-run schools and shelters. At least 29,878 Palestinians have been killed, **including 158 UNRWA staffers**, in Gaza since 7 October, with over 10,000 believed to be missing under the rubble and 70,215 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, particularly given the absence of any other humanitarian actor able to fill the gap, would exacerbate these conditions** and contravene the **UNSC resolution 2720, which calls on the parties to increase, not decrease, the delivery of humanitarian assistance at scale directly to the Palestinian civilian population throughout the**

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<sup>1</sup> United Nations, "Statement by the Secretary-General – on UNRWA", 5 February 2024, <https://www.un.org/sg/en/content/sg/statement/2024-02-05/statement-the-secretary-general-%E2%80%93-unrwa#:~:text=The%20Secretary%20General%2C%20in%20consultation,breaches%20when%20they%20are%20made>

**Gaza Strip.** The heads of all UN agencies have clearly stated that: **“No other entity has the capacity to deliver the scale and breadth of assistance that 2.2 million people in Gaza urgently need.”**<sup>2</sup> The same message was reiterated by major humanitarian organizations.<sup>3</sup> Most recently, during the Foreign Affairs Council on 19 February 2024: *“it was underlined that discontinuing support would mean the interruption of lifeline services provided by the agency to the Palestinian civilian population not only in Gaza, but also in the West Bank, Lebanon and Jordan.”*

Suspending UNRWA funding also risks **legitimizing the practice of collective punishment of Palestinians**. 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 armed groups on 7 October.<sup>4</sup> These practices do not align with international law. 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 gravely harm the civilian population and may amount to collective punishment.

Such a suspension **would even be starker in the wake of the 26 January decision by the International Court of Justice (ICJ)** in the case of South Africa Vs. Israel, which found plausible grounds that Israel is committing at least some of the acts prohibited by the Genocide Convention and **ordered provisional measures against Israel**. Suspension of 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 work.

UNRWA’s role is not limited to the occupied Gaza Strip. The organization provides key services to Palestinian refugees in the occupied West Bank including East Jerusalem, Jordan, Lebanon and Syria. Without UNRWA, millions of Palestinians would be deprived of these services. Despite calls for defunding UNRWA, **Israel has not committed to providing these services in areas under its occupation, as required under international humanitarian law**. On the contrary, Israel continues to limit access of key service, not only in Gaza<sup>5</sup> Meanwhile, Syria, Jordan and Lebanon are facing economic crises and have a track record of failing to meet their obligations to refugees.

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

Sincerely,

Agnès Callamard  
Secretary General

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<sup>2</sup> Inter-Agency Standing Committee, “Statement by Principals of the Inter-Agency Standing Committee: We cannot abandon the people of Gaza”, 30 January 2024, <https://interagencystandingcommittee.org/inter-agency-standing-committee/statement-principals-inter-agency-standing-committee-we-cannot-abandon-people-gaza>

<sup>3</sup> Joint statement from NGOs, “Civilians are in crisis in Gaza – Donors must restore funds for UNRWA”, 3 February 2024, <https://www.rescue.org/press-release/civilians-are-crisis-gaza-donors-must-restore-funds-unrwa>

<sup>4</sup> The Times of Israel, “Defense minister announces ‘complete siege’ of Gaza: No power, food or fuel”, 9 October 2023, [https://www.timesofisrael.com/liveblog\\_entry/defense-minister-announces-complete-siege-of-gaza-no-power-food-or-fuel/](https://www.timesofisrael.com/liveblog_entry/defense-minister-announces-complete-siege-of-gaza-no-power-food-or-fuel/) ; The Guardian, “Israeli ministers reportedly considering limiting aid entering Gaza”, 1 February 2024, <https://www.theguardian.com/world/2024/feb/01/israeli-ministers-reportedly-considering-limiting-aid-entering-gaza>

<sup>5</sup> Amnesty International, *Automated Apartheid: How facial recognition fragments, segregates and controls Palestinians in the OPT*, 2 May 2023, <https://www.amnesty.org/en/documents/mde15/6701/2023/en/>