Israel's International Legal Obligations to Protect UNRWA from 'Terrorist' Activities and Armed Interference

Briefing Note, June 2025

UN Special Rapporteur on the Promotion and Protection of Human Rights and Fundamental Freedoms while Countering Terrorism, Ben Saul



Executive Summary

Israel's allegations after the 7 October 2023 attack that UNRWA's personnel in Gaza had been infiltrated by Palestinian armed groups were taken seriously by the United Nations. Israel largely failed to provide supporting evidence and most of the allegations were not substantiated by multiple independent reviews. UNRWA nonetheless committed to strengthening its existing robust procedures for ensuring its neutrality. Almost all donors who paused funding have since resumed support.

The near-exclusive international focus on UNRWA's responsibilities has, however, neglected Israel's own international obligations to protect UNRWA personnel and premises from armed interference by non-state armed groups. This Briefing Note sets out these obligations, deriving from Israel's duties to maintain public order and safety in occupied territory, facilitate humanitarian aid, protect the inviolability of UNRWA's premises and property and prevent and suppress terrorism.

The 2024 Colonna Report noted that protecting UNRWA is a shared responsibility. UNRWA is rigorously meeting its responsibilities. It is time for Israel to meet its own obligations, in a context where unfounded accusations against UNRWA have been part of a sustained political campaign to discredit and dismantle it. Critically, of all actors, Israel has the strongest capacities to ensure the neutrality and security of UNRWA personnel, premises and operations, including by promptly warning and informing UNRWA of any credible information about suspected armed interference.

Link to this Briefing Note:
https://www.ohchr.org/sites/default/files/documents/issues/terrorism/activities/SR-CT-UNRWA-brief.pdf

---

The Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism is an independent expert mandated by the United Nations Human Rights Council to advise on the promotion and protection of human rights while countering terrorism, most recently under resolution 58/14 (2025).
Website: https://www.ohchr.org/en/special-procedures/sr-terrorism

1. Introduction

The Government of Israel has persistently alleged that the personnel and premises of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) have been infiltrated by Hamas "terrorists", including in the context of the 7 October 2023 attack on Israel. Israel has claimed that as many as 450 UNRWA personnel were members of armed groups, out of approximately 13,000 UNRWA staff in Gaza.

Credible allegations that any United Nations personnel or premises are involved in armed activities must always be promptly and thoroughly investigated by the United Nations and appropriate remedial action taken where allegations are substantiated, even where personnel appear to be acting a personal capacity outside of their official functions. Armed interference with UNRWA could violate its core principles of humanity, impartiality, neutrality and independence, undermine the confidence of beneficiaries, governments and donors, and impede its operational effectiveness and legitimacy.

The international response to Israel's accusations against UNRWA has largely focused on the role and responsibilities of UNRWA in preserving its neutrality, including oversight, investigations and disciplinary mechanisms, the regulatory framework, screening and vetting, training and staff care, and inspections of premises. Extensive independent scrutiny of UNRWA identified few personnel who had violated UNRWA's strict neutrality requirements and robust internal control mechanisms, while exposing Israel's failure to substantiate most of its claims. The hasty and politicized response from some donors led to the suspension of vital UNRWA funding amidst an unprecedented humanitarian crisis in Gaza, despite the then lack of evidence of any sizeable problem within or failures by UNRWA itself – as opposed to the unauthorized activities of a few individual personnel and the high-risk operational context that is largely outside of UNRWA's control.

While it is vital to continuously improve the United Nations' response, as UNRWA's Advisory Commission confirms UNRWA has been doing, this near-exclusive focus on UNRWA has deflected consideration of Israel's own international legal responsibilities to protect UNRWA from violations of neutrality and other security risks. This Briefing Note identifies such obligations arising from: (1) the duty to maintain public order and safety under the law of occupation; (2) the duty to facilitate humanitarian assistance under international humanitarian law; (3) the duty to ensure the inviolability of UNRWA's premises under the law on the privileges and immunities of the United Nations; and (4) the duty to prevent terrorism under international counter-terrorism law.

The responsibilities of Israel and the United Nations are without prejudice to the obligations of armed groups to respect international humanitarian law, including in relation to the protection of civilians, precautions, and respect for humanitarian and medical personnel and facilities.

2. Context

On 26 January 2024, in response to Israel alleging their involvement in the 7 October 2023 attack, UNRWA terminated the employment of 12 UNRWA staff members in order to protect its ability to deliver humanitarian assistance. UNRWA asserts that this was done in accordance

with staff regulations, although there were reportedly concerns that the required standard of proof to establish misconduct was not met.

At the request of the Secretary-General, the United Nations Office of Internal Oversight Services investigated the allegations into 19 UNRWA staff and found, on 5 August 2024, that there was no evidence to support the allegations in one case; the evidence was insufficient in nine other cases; and in the remaining nine cases, the evidence, if further authenticated and corroborated, could indicate that the staff members may have been involved, and their employment was terminated.

On 20 April 2024, the Final Report for the United Nations Secretary-General was issued on the Independent Review of Mechanisms and Procedures to Ensure Adherence by UNRWA to the Humanitarian Principle of Neutrality ("Colonna Report"). It confirmed UNRWA's long standing commitment to uphold the humanitarian principle of neutrality and concluded that UNRWA has a more developed approach to neutrality than similar United Nations entities or non-governmental organizations. It found further that UNRWA has established and updated a significant number of policies, mechanisms, and procedures to ensure compliance with neutrality, to ensure rapid and adequate responses to allegations, and to implement disciplinary sanctions for breaches. It also confirmed that over the previous two years UNRWA reviewed all external allegations made and opened an investigation when warranted.

Crucially, the Colonna Report noted that UNRWA shares staff lists annually with Israel but that Israel had not informed UNRWA of any concerns relating to any UNRWA staff based on these staff lists since 2011.[1] Israel indicated that it did not use such lists to conduct screening or vetting of UNRWA personnel. Further, while after 7 October 2023 Israel claimed that a significant number of UNRWA employees were members of terrorist organizations, it did not provide any supporting evidence to the Colonna Report or to UNRWA. Further, it should be emphasized that Israel's definition of "terrorism" is not consistent with international standards,[2] such that some of its accusations may concern conduct that is not genuinely terrorist in nature.

The Colonna Report also found that UNRWA, as a United Nations agency, does not have policing, military or wider investigative capacities or competencies required to detect breaches such as the misuse of UNRWA premises by armed groups. UNRWA itself noted that its staff members would be endangered if they were to investigate possible terrorism or take action against any terrorists or terrorist organizations. The Colonna Report consequently recommended closer dialogue between UNRWA and Israeli and Palestinian authorities to address their shared responsibilities.

The Colonna Report concluded that despite UNRWA's "robust framework", some neutrality related issues persisted. UNRWA has committed to implementing all 50 recommendations of the Colonna Report, including through a High-Level Action Plan.

---

[1] Colonna Report, 22.

[2] See e.g. United Nations Human Rights Committee, Concluding Observations: State of Israel, CCPR/C/ISR/CO/5 (22 March 2022), para. 18 ("The Committee is concerned that Counter Terrorism Law 5776-2016 contains vague and overbroad definitions of 'terrorist organization' and 'terrorist act' and may be used to oppress and criminalize legitimate political or humanitarian acts") and communications from United Nations Special Procedures mandate holders to Israel: ISR 6/2022, ISR 15/2022, ISR 6/2023, ISR 9/2023, ISR 11/2024 and ISR 12/2024.

In response to Israel's allegations that UNRWA personnel were involved in terrorism, 16 State donors suspended or paused US$450 million in funding, and others imposed conditionalities.[3] Following the Colonna Report, the Office of Internal Oversight Services investigation, and the failure of Israel to substantiate its allegations, all but the United States resumed funding.

Israel's allegations against UNRWA appear to be part of a long-standing and systematic campaign of misinformation to discredit UNRWA's humanitarian and protection mandate and to undermine international political and financial support for it. Two Israeli laws[4] that entered into force on 20 January 2025 seek to undermine UNRWA by prohibiting Israeli cooperation with it and preventing any UNRWA activities within Israel and occupied East Jerusalem. United Nations Special Procedures mandate holders have warned that these laws are inconsistent with international law,[5] including with Israel's duty to cooperate with UNRWA and to respect its privileges and immunities, including the inviolability of its premises.

Israel's efforts to establish humanitarian relief alternatives to UNRWA and other United Nations entities and partners have been staunchly opposed by the General Assembly, Security Council[6] and the Secretary-General.[7] The General Assembly stressed that UNRWA is "indispensable" and the "backbone of all humanitarian response in Gaza" and that "no organization can replace or substitute" its capacity and mandate to serve Palestine refugees and civilians in urgent need of life-saving humanitarian assistance".[8] It warned that "any attempts to dismantle or diminish the operations and mandate of" UNRWA would have "severe humanitarian consequences for millions of Palestinian refugees".[9] This risk has materialized, after the Israeli-backed "Gaza Humanitarian Foundation" commenced operations in June 2025, bringing chronic insecurity (including numerous deaths), lack of distribution capacity, geographic inaccessibility, and a breach of fundamental neutrality principles.

Further, in the case of *South Africa v Israel*, concerning the applicability of the Genocide Convention in Gaza, the International Court of Justice issued a second provisional measures order in March 2024 which required Israel to "[t]ake all necessary and effective measures to ensure, *in full cooperation with the United Nations*, the uninterrupted provision of urgently needed basic services and humanitarian assistance".

3. Israel's Obligation to Ensure Law and Order in Occupied Territory

Before and since the attack on 7 October 2023 it has been widely accepted that Gaza is Palestinian territory occupied by Israel under international humanitarian law,[10] since it exercises effective control, albeit "remotely", over Gaza through key elements of military and

[3] See press releases on 17 May 2024, 02 February 2024, 08 December 2023, and 16 November 2023.
[4] Law for the Cessation of UNRWA Activities, 5784-2024 and the Law for the Cessation of UNRWA Activities in the Territory of the State of Israel, 5784-2024, both adopted on 28 October 2024.
[5] Communication by Special Procedures mandate holders to Israel, ISR 3/2025, 19 February 2025, https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=29706.
[6] Security Council Press Statement SC/15874 (30 October 2024).
[7] A/79/684-S/2024/892 (10 December 2024).
[8] General Assembly resolution ES-10/25 (11 December 2024), entitled "Support for the Mandate of UNRWA", paras. 4, 7 and 31.
[9] Ibid, para. 9.
[10] See e.g. *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, ICJ, 19 July 2024, paras. 86–94.

administrative authority, and despite the absence of any ground forces prior to 7 October 2023. The degree of Israeli control over Gaza increased after 7 October 2023 with the intervention of Israeli ground forces and has varied since then according to the intensity of Israeli operations.

International treaty and customary law require an occupying power to take all the measures in its power to restore, and ensure, as far as possible, public order and safety in occupied territory.[11] In conventional occupations, an occupying power typically maintains law and order through the presence on the ground of its military forces and other authorities such as police, including by conducting law enforcement operations (such as investigations, searches, arrests and detention) and military operations where permitted under international humanitarian law.

In such situations, the duty to maintain public order and safety is a general one, requiring the protection of not only the inhabitants of occupied territory, their property and public infrastructure, but also of other actors present there, such as foreign nationals, foreign corporations, foreign non-governmental organizations, foreign state officials, the personnel of international organizations, and the property and premises of such actors. The standard of due diligence is heightened where particular categories of actor enjoy special protection under international law, as is the case for the United Nations (see section 5 below).

Before and since 7 October 2023, Israel has not implemented an effective law enforcement system capable of maintaining public order and safety, as envisaged by the law of occupation. Nonetheless, at a minimum, it must still fulfil its duty to maintain public order and safety to the extent of its effective control as occupying power.

Before and since October 2023, Israel has maintained extensive and sophisticated intelligence gathering capabilities in relation to armed activities in Gaza, including electronic and aerial surveillance, human informants and advanced analysis methods, including for processing mass surveillance data and through artificial intelligence tools. In this context, while Israel may not have been able to conduct routine law enforcement operations to prevent or suppress the abuse by Palestinian armed groups of UNRWA's neutrality, whether in relation to personnel or premises, it was still able to contribute to public order and safety by taking appropriate action to the extent of its expansive intelligence capabilities.

Consequently, the international obligation to maintain public order and safety necessarily entails a duty on Israel to inform and warn UNRWA of credible information that Israel possesses which indicates that individual UNRWA personnel or premises may have been used, or are at risk of use, in violation of UNRWA's neutrality, such as in armed activities or preparations for them. Such information should be shared promptly and in sufficient detail and with adequate corroboration to enable UNRWA to make further inquiries, reasonably assess the veracity of the allegations, and take corrective action as necessary, such as dismissal of staff. While Israel is entitled to protect its intelligence methods and sources, it should disclose the allegations with sufficient particularity to enable UNRWA to effectively respond.

[11] Hague Regulations 1907, article 43; Trial of the Major War Criminals, International Military Tribunal in Nuremberg, in (1947) 41 AJIL 172, in particular at 248–249; *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, Advisory Opinion, ICJ, 9 July 2004, paras. 89 and 124.

4. Israel's Obligation to Facilitate Humanitarian Assistance

Under international humanitarian law, in occupied territory Israel has obligations to provide for the education of children and ensure food, medical supplies and health care,[12] as elements of its wider obligation to ensure public order and safety[13] and administer occupied territory for the benefit of the population. It has the further obligation to "agree to relief schemes" where the population is "inadequately supplied" and to "facilitate them by all means at its disposal".[14] Israel must therefore "allow and facilitate rapid and unimpeded passage of humanitarian relief for civilians in need, which is impartial in character and conducted without any adverse distinction, subject to their right of control".[15]

Israel has largely not directly provided the requisite material assistance in Gaza to fulfil its obligations. Instead, until very recently, Israel has long depended on international organizations, especially UNRWA, to provide humanitarian assistance and to coordinate its provision by other humanitarian partners.

Any violation of UNRWA's neutrality – whether concerning personnel or premises – by armed militants could clearly interfere in the delivery of humanitarian assistance to the civilian population, such as by casting suspicion on UNRWA as an organization and the independence and impartiality of its operations, rendering its personnel or premises subject to increased security restrictions or even military attack, and by diverting aid from its intended recipients.

The duty to "allow" and "facilitate" humanitarian aid has negative (not to impede) and positive (to enable) dimensions. The positive duty to "facilitate" humanitarian aid necessarily requires an occupying power to take measures in response to any impediments to the delivery of assistance that are within its knowledge and capacities, and to cooperate and coordinate with humanitarian organizations to address those impediments. Thus, in order to facilitate aid, Israel should inform UNRWA of any credible information in its possession which indicates that UNRWA personnel or premises have been compromised by armed activities or preparations.

Further, the duty to allow and facilitate humanitarian assistance is subject to Israel's right of control, which can include the right to search relief consignments and their delivery under supervision.[16] Again, Israel's sharing of credible information about violations of UNRWA's neutrality by armed groups, due to its negative effects on civilian beneficiaries of aid, would be a necessary and appropriate control measure by Israel to prevent and suppress such risks.

International humanitarian law further requires the parties to a conflict to respect and protect humanitarian relief personnel and objects used for relief operations.[17] These rules entail a negative obligation to respect humanitarian personnel and objects (i.e., not to attack or harass them) and a positive obligation to protect them (i.e., to take reasonable measures to prevent and suppress threats from other actors). The positive duty to protect UNRWA personnel and premises from armed activities accordingly requires Israel to take measures reasonably within its power, namely, to share credible information with UNRWA about such threats.

[12] Fourth Geneva Convention 1949, articles 50, 55 and 56.
[13] Hague Regulations 1907, article 43.
[14] Hague Regulations 1907, article 59.
[15] ICRC, Customary International Humanitarian Law (IHL) Rule 55.
[16] Commentary to ICRC Customary IHL Rule 55.
[17] ICRC Customary IHL Rules 31 and 32.

5. Israel's Obligation to Protect UNRWA's Inviolability

Under international law, United Nations premises, property and assets are inviolable,[18] including those of UNRWA as a subsidiary organ of the General Assembly under article 22 of the United Nations Charter. Where United Nations premises are located in occupied territory, the duty to ensure inviolability rests with the occupying power, at a minimum to the extent of its effective control. The exchange of letters between Israel and UNRWA of 14 June 1967[19] recognizes that the 1946 Convention on the Privileges and Immunities of the United Nations applies,[20] and commits Israel to "ensure the protection and security of the personnel, installations and property of UNRWA".[21] In 2024 the General Assembly and Security Council reaffirmed Israel's obligation to respect UNRWA's privileges and immunities,[22] which derives from article 105 of the United Nations Charter, the 1946 Convention, General Assembly resolution 302(IV) (8 December 1949), paragraph 17 and customary international law.

The obligation to respect and ensure the United Nations' inviolability firstly involves a negative obligation not to interfere with United Nations premises and property without the United Nations' consent. State practice establishes that it secondly entails a positive duty on the State to protect them from interference by private actors,[23] including armed groups,[24] reflecting the similar duty of protection of receiving States towards foreign diplomatic and consular premises on their territory. In 2024 the General Assembly reaffirmed that respect for the privileges and immunities of the United Nations requires Israel to "ensure the safety of the personnel of the Agency, the protection of its installations and the safeguarding of the security of its facilities in the Occupied Palestinian Territory".[25]

The duty to protect United Nations premises specifically requires the occupying power to take all appropriate steps to protect the premises of the mission against any intrusion or damage.[26] The standard of care requires due diligence depending on the degree of threat generally in the territory and foreknowledge of any specific threats to particular premises.[27] Measures taken

[18] Convention on the Privileges and Immunities of the United Nations 1946, article 2(3).
[19] Exchange of Letters Constituting a Provisional Agreement Concerning Assistance to Palestine Refugees, 14 June 1967.
[20] Ibid, para. (g). Israel acceded to the 1946 Convention on 21 September 1949.
[21] Exchange of Letters, above, para. (a).
[22] General Assembly resolution ES-10/25 (11 December 2024): "Support for the Mandate of UNRWA", paras. 2, 12 and 14; Security Council Press Statement SC/15874 (30 October 2024).
[23] Lance Bartholomeusz, 'IV Immunities and Privileges, B Inviolability of Premises, Inviolability of Premises (Article II Section 3 General Convention)' in August Reinisch (ed), *The Conventions on the Privileges and Immunities of the United Nations and its Specialized Agencies: A Commentary* (Oxford University Press, 2016), 125, 129.
[24] *Case Concerning Armed Activities on the Territory of the Congo*, Judgment, ICJ Reports 2005, para. 342; see also *United States Diplomatic and Consular Staff in Tehran*, Judgment, ICJ Reports 1980, paras. 61-67.
[25] General Assembly resolution ES-10/25 (11 December 2024), para. 14.
[26] Reflecting the standard for the inviolability of diplomatic premises: Vienna Convention on Diplomatic Relations 1961, article 22(2).
[27] Eileen Denza, *Diplomatic Law: Commentary on the Vienna Convention on Diplomatic Relations* (Oxford University Press, 2016), 138.

must be proportionate to the risk.[28] Aside from physical protection, such as armed guards[29] and law enforcement action, the provision of specialized security advice may be warranted.[30]

Accordingly, Israel has a duty to share any credible information with UNRWA about armed abuse of UNRWA premises, whether by external actors or "insiders", since such activities compromise the inviolability of UNRWA premises. Israel has intelligence capabilities to detect such activities, and sharing information is an appropriate step that is reasonably within the extent of its control as the occupying power.

Israel's duty to protect UNRWA from armed activities is reinforced by Israel's overriding duty to cooperate with UNRWA under international law. As a member State of the United Nations, Israel is required under article 2(5) of the United Nations Charter to give UNRWA "every assistance in any action it takes" in accordance with the decisions of competent principal organs adopted pursuant to the Charter, including General Assembly resolution 302(IV) and subsequent resolutions renewing UNRWA's mandate.[31] The continuing duty of cooperation is affirmed by over 75 years of consistent State practice concerning the implementation of UNRWA's mandate and cooperation by the concerned governments, and the international community's position expressed through regular General Assembly resolutions.

In this respect, a 2024 Israeli law[32] purporting to terminate the 1967 exchange of letters between Israel and UNRWA and prohibiting Israeli State authorities from maintaining any contact with UNRWA and its representatives is not consistent with Israel's continuing obligations under international law to respect the privileges and immunities of UNRWA and to cooperate with it, including to prevent and suppress security threats to UNRWA.[33]

Under international law, Israel is required to make full reparation for any breach of its obligation to ensure the inviolability of UNRWA premises,[34] including as appropriate compensation, apology and guarantees of non-repetition.

Duty to Respect UNRWA's Inviolability in Israel's Military Operations

Respecting inviolability also requires Israel to protect UNRWA premises and property from the effects of its own military operations while countering terrorism and non-state armed groups, including where Israel claims that armed groups are misusing UNRWA premises. Since 7 October 2023, over 300 UNRWA premises have been struck by ordnance in over 800 incidents, almost all known or presumed to be by the Israel Defence Forces, killing and injuring many people, and despite many dozens of letters from UNRWA alerting the Israeli authorities to each incident and asking for preventive and protective action. Separately, over 310 UNRWA team members have been confirmed killed since 7 October 2023.

---

[28] Ivor Roberts (ed), *Satow's Diplomatic Practice* (6th edition, Oxford University Press, 2009), 104.
[29] (1958) II *ILC Yearbook* 97.
[30] Denza, above, 218.
[31] See A/79/684-S/2024/892.
[32] Law for the Cessation of UNRWA Activities, 5784-2024.
[33] Communication by Special Procedures mandate holders to Israel, ISR 3/2025, 19 February 2025, https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=29706.
[34] International Law Commission, Draft Articles on the Responsibility of States for Internationally Wrongful Acts 2001, article 31(1).

The inviolability of United Nations premises is absolute under the 1946 Convention and customary law, including in armed conflict, and United Nations premises can only be entered with the United Nations' consent.[35] The United Nations Legal Counsel affirmed that it has:

> *consistently maintained that the inviolability of United Nations premises applies in times of armed conflict, and that such inviolability is absolute and mandatory. There are no exceptions, qualifications, or limitations as to the inviolability of premises and no demands of military expediency or security may justify their breach. No elements of practice or opinio juris support the idea that the inviolability of the United Nations ceases in times of armed conflict.*
>
> *A review of the practice of the General Assembly and the Security Council also seems to indicate that they also share the view that inviolability applies also when international humanitarian law applies, that is, in times of armed conflict.*[36]

Considerable forensic evidence suggests that many of the attacks on UNRWA premises, or attacks on other objects causing incidental damage to UNRWA premises, could be in violation of international humanitarian law, including due to failures to take adequate precautions, spare civilians and civilian objects, distinguish civilian personnel and objects from military personnel and objectives, refrain from launching attacks that would be indiscriminate or disproportionate, and accord special protection to humanitarian personnel and objects and medical facilities. At a minimum, Israel is required to investigate such attacks and prosecute alleged perpetrators and any responsible military commanders and political leaders.

6. Israel's Obligations to Counter Terrorism under International Law

Security Council resolution 1373 (2001) requires all States to "[t]ake the necessary steps to prevent the commission of terrorist acts, including by provision of early warning to other States by exchange of information".[37] The General Assembly's 1994 Declaration on Measures to Eliminate International Terrorism similarly urges States "[t]o cooperate with one another in exchanging relevant information concerning the prevention and combating of terrorism",[38] a call reiterated in the 2006 United Nations Global Counter-Terrorism Strategy.[39] The Strategy and numerous resolutions of the General Assembly and Security Council further encourage States to cooperate with the United Nations in the prevention and suppression of terrorism.

The international obligation to cooperate to prevent terrorism requires States to share credible information in their possession about the terrorist activities or preparations by individuals or groups that threaten other States or international organizations. Accordingly, where Israel possesses information that UNRWA personnel are engaged in such activities or its premises are being misused for terrorist activities, it should share such information with UNRWA.

---

[35] Bartholomeusz, above, 129.
[36] Statement by the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, New York, 20 March 2024, 6, https://www.un.org/ola/sites/www.un.org.ola/files/documents/2024/04/mss-nyu-ihls-20032024.pdf.
[37] Para. 2(b).
[38] General Assembly resolution 49/60 (9 December 1994), annex, para. 5(d).
[39] Pillar IV, para. 4 ("To intensify cooperation, as appropriate, in exchanging timely and accurate information concerning the prevention and combating of terrorism").

Conditions conducive to terrorism

Under Pillar I of the United Nations Global Counter-Terrorism Strategy, all States have committed to address the conditions conducive to terrorism, which include "socio-economic marginalization" and violations of economic, social and cultural rights. UNRWA and its partners play an indispensable humanitarian role in alleviating endemic poverty in Gaza, with UNDP estimating that the current phase of conflict has increased poverty to almost 100% and unemployment to 80% and pushed back development to 1995 levels. Israel's protracted denial of sufficient humanitarian relief in Gaza has led the Integrated Food Security Phase Classification (IPC) to estimate that over 70,000 children, aged six to 59 months, will suffer from acute malnutrition between April 2025 and March 2026.

In this context, Israel's failure to share with UNRWA credible information about Hamas' interference with UNRWA personnel or premises could undermine UNRWA's capacity to neutrally deliver humanitarian assistance that alleviates the conditions conducive to grievances that could fuel further violence. The two recent Israel laws preventing Israeli cooperation with UNRWA, in the absence of feasible alternatives to United Nations' humanitarian operations, further undermine its professed commitment under the Global Counter-Terrorism Strategy to addressing the conditions conducive to terrorism.

7. Conclusion

There is broad international consensus that UNRWA is an indispensable humanitarian life-line to assist and protect Palestinian civilians, particularly during the present humanitarian crisis in Gaza but also in providing essential services for Palestinians across the occupied territories, including the West Bank. Israel's recent alternative for providing humanitarian assistance in Gaza has proved to be incompetent and insecure and has compromised the most fundamental principles of humanitarian action. It has also occurred in the context of a deliberate and protracted state policy to deny humanitarian relief and extensively displace Palestinians in a manner that is not justified by military necessity or ensuring the safety of civilians.

Israeli accusations of terrorist infiltration of UNRWA have been largely unfounded and, along with Israeli laws impeding UNRWA's operations, reflect an attempt to liquidate UNRWA's protection of Palestinian civilians and increase Israeli control over their lives. This narrative has obscured Israel's obligations to safeguard the neutrality and inviolability of UNRWA – and consequently its own legal responsibility for failures to prevent and suppress armed interference in UNRWA, including as a result of Israel refusing or neglecting to share credible information in its possession about threats to UNRWA.

Fresh international scrutiny and pressure should be brought to bear on Israel to meet its obligations to respect, protect and cooperate with the United Nations, including under international humanitarian law, human rights law and the United Nations Charter. All Member States should also affirm and renew their political and financial support for UNRWA – and through it, their commitment to uphold neutral, impartial and effective humanitarian assistance and protection for acutely vulnerable Palestinian civilians in their hour of greatest need.