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**United Nations Relief and Works Agency for Palestine  
Refugees in the Near East****Security Council  
Seventy-ninth year****Identical letters dated 18 December 2024 from the Permanent  
Representative of Israel to the United Nations addressed to the  
President of the General Assembly and the President of the  
Security Council**

In reference to the identical letters dated 9 December 2024 from the Secretary-General addressed to the President of the General Assembly and the President of the Security Council ([A/79/684-S/2024/892](#)) and previous correspondence addressed to Israel regarding the legislation recently passed by the Israeli Knesset concerning the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), I find it necessary to address several important issues. While the Secretary-General's letters are, regrettably, replete with misrepresentations, and without wishing here to point to all of them, five points merit particular attention.

First, what the Secretary-General repeatedly fails to mention, but must constantly be borne in mind, is the widespread infiltration of UNRWA ranks by Hamas and other terrorist organizations in blatant disregard for the Agency's duties and mandate. This undeniable and inexcusable reality, in which UNRWA has kept numerous terrorists on both its premises and payroll, has compromised its impartiality beyond repair.

As has been documented and widely reported in the media, a significant share of UNRWA personnel in Gaza have been members of Palestinian terrorist organizations. At least 75 out of 510 senior UNRWA school administrators in Gaza are confirmed members of Hamas or Palestinian Islamic Jihad, and many were actively involved in terrorist activities, including the heinous deadly attacks on Israeli civilians on 7 October 2023. Horrifically, an UNRWA "social worker" was captured on video abducting the body of a murdered 21-year-old Israeli citizen and driving off with it (back into Gaza); in another example, an UNRWA staff member was involved in the killing and abducting of a number of civilians who sought shelter near Kibbutz Re'im, including a 23-year-old Israeli-American, Hersh Goldberg-Polin, who lost his arm during the attack and was later executed by Hamas while languishing in an underground tunnel in Gaza. Time and again, such UNRWA staff members remained employed by the Agency even after Israel notified the Agency that they were in fact terrorists. Similarly, terror tunnels located under UNRWA schools that Israel has



exposed and complained of in the past were found still to be operational when Israeli forces reached them during the current hostilities. As *The New York Times* reported this month, “residents of Gaza said in interviews that the idea that Hamas had operatives in UNRWA schools was an open secret”.<sup>1</sup>

What is more, no fewer than 32 UNRWA facilities in Gaza have been found to house, or to be in the immediate surroundings of, permanent terrorist infrastructure, including tunnel shafts and operational rooms for launching and conducting armed attacks. A terror tunnel lying 18 metres deep, which served the intelligence command centre of Hamas and included a central server farm, was supplied with electricity through UNRWA headquarters. Weapons, rocket launchers and other military equipment have been found in and adjacent to numerous UNRWA facilities, including schools. Rockets were fired indiscriminately at Israeli populations centres from such premises on multiple occasions. This widespread and methodical exploitation of UNRWA installations for terrorist purposes, which is morally reprehensible, has further violated the fundamental principle of impartiality and the most basic standards of international civil service. Moreover, since the beginning of the war in Gaza, Israel has not been informed by UNRWA, not even once, of any instances where Hamas has infiltrated or used UNRWA infrastructure, yet another breach of the Agency’s neutrality. As information continues to emerge from Gaza, figures stated here are not final and may continue to grow.

While the Secretary-General seeks to highlight the role of the Agency’s school system in Gaza, multiple independent investigations, including by the United States Government Accountability Office and the Georg Eckert Institute, have identified systematic incitement and promotion of hatred within UNRWA education facilities, including the glorification of suicide bombing. There have also been innumerable instances of UNRWA educators’ praising terrorist acts on social media and indoctrinating their young students with such extremist ideologies. These repugnant practices not only undermine peacebuilding efforts, which the United Nations was established to advance, but also very much contribute to perpetuating the Israeli-Palestinian conflict. They, too, constitute grave violations by UNRWA of the duty of neutrality.

Second, despite repeated substantiated complaints by Israel over the years, including in numerous meetings between Israeli officials and senior UNRWA and United Nations representatives, UNRWA has failed to ensure that its staff and facilities uphold standards of neutrality and impartiality and has not sought to address this concern in any systematic manner. Instead of expressing determination to root out Hamas from UNRWA operations, the Agency’s Commissioner-General maintained the unacceptable position that “our employees are part of the social fabric of Gaza and its ecosystem. And as part of the social fabric in Gaza, you have also Hamas”.<sup>2</sup> A former UNRWA general counsel has conceded in reference to the Agency that “the U.N. has been unable and or unwilling to eliminate Hamas militants and their supporters, as well as those from other terrorist groups, from their ranks”.<sup>3</sup> He added that “the numbers the Israelis are talking about are probably pretty close to the truth”.<sup>4</sup>

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<sup>1</sup> Jo Becker and Adam Rasgon, “Records seized by Israel show Hamas presence in U.N. schools”, *The New York Times*, 8 December 2024.

<sup>2</sup> Patrick Kingsley and Ronen Bergman, “U.N. Agency in Gaza fought Hamas infiltration; not hard enough, Israel says”, *The New York Times*, 10 February 2024.

<sup>3</sup> Becker and Rasgon, “Records seized by Israel show Hamas presence in U.N. schools”.

<sup>4</sup> Ibid.

The Independent Review Group established this year by the Secretary-General to examine the mechanism and procedures that were meant to ensure the Agency's impartiality recognized in no uncertain terms that "UNRWA's neutrality has been consistently questioned by Palestinian and Israeli stakeholders" and that, despite existing mechanisms, "neutrality-related issues persist".<sup>5</sup> It also recognized that "any involvement in a militarized group that promotes discrimination or violence, such as Hamas or Islamic Jihad, violates the principle of neutrality".<sup>6</sup> The Review Group confirmed that the Agency's staff screening mechanisms are inadequate in this regard and that periodic inspections by UNRWA of its installations did not inquire into military misuse of such facilities. Remarkably, however, the Review Group had been instructed by the Secretary-General not to investigate any allegations of breaches of neutrality by UNRWA nor to make any findings of fact in respect of these allegations. The "action plan" subsequently adopted by UNRWA, which fails to make any mention of Hamas, disregards yet again the need to prevent the widespread employment of terrorists by the Agency and the abuse of its facilities for terrorist purposes.

Nor was the United Nations Office of Internal Oversight Services entrusted with inquiring into the widespread infiltration of UNRWA by Hamas and other terrorist groups. Instead, it was mandated with investigating only the involvement of 19 UNRWA employees in the massacre of 7 October 2023 and did not consider their membership in terrorist organizations or the extensive evidence that was presented by Israel regarding the broader and systematic infiltration of UNRWA. The Agency itself has neither announced that it would terminate the employment of all staff associated with Hamas nor adopted any such policy in practice. Israel's repeated calls for meaningful action in response to the Agency's glaring failings, including by a letter of 13 May 2024 that observed that "no UN agency is investigating the most extensive infiltration ever of a UN body by a terrorist organization", have been left unanswered. Donor funds continue to pay the salaries of hundreds of terrorists, while abuse of UNRWA facilities to the detriment of Israeli and Palestinian civilians alike is rampant.

Third, replacing UNRWA with relief schemes that will adequately provide essential assistance to Palestinian civilians is not at all impossible. Since the onset of the current hostilities in Gaza, a large-scale and effective humanitarian operation has been implemented in the territory, involving a variety of humanitarian actors, including United Nations agencies, non-governmental organizations and sovereign stakeholders. Throughout this period, Israel has cooperated and coordinated with more than 40 such actors to allow and facilitate the provision of necessary basic services and humanitarian assistance to the civilian population. United Nations agencies such as the World Food Programme, the United Nations Children's Fund (UNICEF) and the United Nations Development Programme (UNDP), along with the World Health Organization, have significantly expanded their operations in Gaza, including through the United Nations mechanism for accelerating the provision of humanitarian relief consignments to Gaza, and have proven their capacity to deliver aid effectively, on a very large scale, and without corrosive ties to terrorist entities. These humanitarian organizations are equipped to provide the necessary humanitarian response in Gaza, as they do elsewhere in the world. Most of the humanitarian aid entering the territory is already coordinated by actors other than UNRWA; the water, sanitation and hygiene response in Gaza is likewise being implemented primarily by UNICEF and UNDP, with very minimal involvement by UNRWA. The only barrier to expanding humanitarian operations by agencies other than UNRWA has been political.

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<sup>5</sup> Independent Review Group on the United Nations Relief and Works Agency for Palestine Refugees in the Near East, *Final Report for the United Nations Secretary-General: Independent Review of Mechanisms and Procedures to Ensure Adherence by UNRWA to the Humanitarian Principle of Neutrality*, 20 April 2024.

<sup>6</sup> Ibid.

As for the territory administered by the Palestinian Authority, the role and responsibilities of the latter over civilian affairs must not be overlooked.

In Jerusalem, all residents are entitled to government and municipal services under Israeli law; the Government of Israel has adopted a series of decisions, including most recently on 5 June 2024, to ensure the delivery of those services that were hitherto provided by UNRWA, including in the fields of health and education.

Fourth, the legislation recently passed by the Knesset of Israel on 28 October 2024 in relation to UNRWA came as a direct response to the significant national security risks posed by Hamas's pervasive infiltration of UNRWA and the latter's persistent refusal to remedy this intolerable situation. As noted above, after more than 10 months of good-faith engagement with the United Nations (and years of earlier related grievances), no meaningful action has been taken to address the grave concerns raised and substantiated by Israel. The Secretary-General's regrettable attempt to undermine a sovereign democratic State's right and obligation to defend itself and its territory, rather than to acknowledge the irreparable failings of UNRWA and support alternatives to it, raises deep concerns.

Pursuant to the legislation passed by the Knesset, Israel has withdrawn, by formal notification issued on 3 November 2024, its request issued to UNRWA as referred to in the exchange of letters constituting a provisional agreement between the United Nations Relief and Works Agency for Palestine Refugees in the Near East and Israel concerning assistance to Palestine Refugees, dated 14 June 1967. This provisional agreement has thus been terminated. UNRWA is, of course, expected to respect the laws and regulations of a host country and is afforded ample time to make the necessary arrangements in the period until the Israeli legislation in question enters into effect.

Fifth, the legislation enacted by the Knesset does not in any way undermine Israel's steadfast commitment to international law. As made clear by Prime Minister Netanyahu, Israel is willing and ready to work with international partners (and already does work tirelessly) so as to allow and facilitate the continued passage of humanitarian aid to civilians in Gaza and to ensure the unhindered provision thereof of necessary basic services, in a way that does not undermine Israel's security. In the same vein, the Chairperson of the Knesset's Foreign Affairs and Defense Committee, who introduced the legislation in the Knesset, stated that the expiration of the exchange of letters is not intended to hinder any of Israel's international legal obligations. As he put it, "the legislator does not intend through this bill any change as regards the provision of humanitarian aid or any other assistance needed by the civilian population. ... On the contrary, genuine organizations operating in this field, as opposed to those infiltrated by terrorist groups, could assist the population far more effectively than UNRWA has done until now". The Chairperson of the Knesset's Foreign Affairs and Defense Committee added, more specifically, that:

This provision [the prohibition of contact with UNRWA] does not harm the delivery of humanitarian aid to the Gaza Strip. The State of Israel has acted, and continues to act, in accordance with public international law and the law of armed conflict. It has carried out, and is carrying out, numerous actions aimed at preventing harm to the civilian population not involved in the fighting, including the delivery of humanitarian aid into the Gaza Strip; enabling the operations in the area of various aid organizations, such as the World Health Organization and other international organs; allowing movement of the civilian population subject to operational needs; and more. All these actions are carried out continuously, while ensuring the security of the State of Israel.

The Israeli legislation is moreover consistent with the obligations of every State, as recognized by the Security Council (for instance, in its resolution [1373 \(2001\)](#)), to

refrain from providing any form of support, active or passive, to entities involved in terrorist acts and to take the necessary steps to prevent the commission of terrorist acts. It is also without prejudice to the applicability of the 1946 Convention on the Privileges and Immunities of the United Nations.

It further bears mention that Israel does not in fact exercise effective control over Gaza and therefore is not an “occupying Power” within the meaning of the term under international law. Contrary to the Secretary-General’s suggestion, the International Court of Justice did not determine in the advisory opinion delivered by it last July that Gaza is currently occupied: indeed, the Court made it plain (at para. 81) that it was “of the view that the policies and practices contemplated by the request of the General Assembly do not include conduct by Israel in the Gaza Strip in response to the attack carried out against it by Hamas and other armed groups on 7 October 2023”.

While the law of belligerent occupation does not apply in respect of Gaza, Israel is committed to observing all the international legal obligations that are incumbent upon it, including those prescribed by the law of armed conflict and those reflected in the provisional measures indicated by the International Court of Justice. It regularly assesses its actions in the light of the applicable international law, including as part of the legal proceedings now pending before Israel’s High Court of Justice in relation to the provision of humanitarian aid to Gaza. As before, Israel goes to great lengths to continue to allow and facilitate the provision of necessary humanitarian assistance and services in Gaza under very challenging circumstances.

Finally, and without prejudice to Israel’s position in this regard or in connection with the law applicable to the other territories referred to by the Secretary-General, the provisions of the Hague Regulations and the Fourth Geneva Convention do not entail an obligation to authorize or permit the activities of any specific organization (international or local), let alone one that is not impartial. They do not, moreover, preclude the adoption of measures for the purpose of mitigating security threats posed by compromised and partial entities.

Indeed, international law does not require any State to assist and cooperate with an entity that jeopardizes and impairs its national security, not least an entity that has proven itself to be anything but neutral and impartial. UNRWA has not only failed to abide by its duties and uproot Hamas, but it has moreover repeatedly prioritized political agendas over efficient aid delivery and has often hindered broader humanitarian efforts by insisting on a monopoly of services.

Israel calls upon all Member States, who share the responsibility for ensuring that the United Nations is guided in its operations by the fundamental principles of neutrality and impartiality, to consider this matter objectively and to reach their own conclusions based on the facts as they actually stand. It stands ready to cooperate with international partners for the purpose of allowing and facilitating the continued free passage of humanitarian aid to civilians in Gaza and reiterates that humanitarian needs should be put above political considerations. It is in the common interest of all Member States, the United Nations and the beneficiaries of humanitarian assistance themselves that the unprecedented infiltration and abuse of a United Nations agency by terrorist organizations is put to a stop so that impartiality, accountability and the safety of all concerned can be guaranteed.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 49, and of the Security Council.

*(Signed)* Danny **Danon**  
Permanent Representative of Israel to the United Nations