

Policy Paper

THE ONGOING UNRWA CRISIS: CONTEXT, DIMENSIONS, PROSPECTS AND RESPONSES

August 2018



CommonSpace Initiative
For Shared Knowledge & Consensus Building



Al-Zaytouna Centre
for Studies & Consultations

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Foreword

The Lebanese-Palestinian relations in their various dimensions have provided the overall framework for the Lebanese-Palestinian Dialogue Forum work since it was launched under the Common Space Initiative in 2011. This matter was the thrust of "The Common Vision for the Lebanese-Palestinian Relations" document adopted by the Forum on October 29, 2013, following nearly two years of continuous discussion. The document addressed the issue of Lebanese-Palestinian relations and the reality of Palestinian refugees rights in Lebanon.

At the time, the Lebanese-Palestinian Dialogue Forum was created in response to the need for an objective and sustained Lebanese-Palestinian dialogue. Forum members are either independent researchers or activists reflecting almost the entire Lebanese and Palestinian political spectrum, without being institutionally representing their parties or factions. Their interests are as varied as their workplaces and positions.

The production of the present paper was a part of the forum's work, which deal, among other issues, with the Lebanese-Palestinian common responsibility towards UNRWA. As UNRWA's financial crisis has been exacerbated in 2018, there is an urgent need to address the background, dimensions, prospects, ways of confronting the crisis and the possible scenarios that govern its development.

In this context, in March 2018, the concerned Task group proposed to hold a symposium for this purpose, involving members of the Forum and specialists from outside. The symposium was held jointly with Al Zaytouna Center for Studies and Consultations on 26/4/2018, based on a background paper prepared by the Forum. The paper was revised in the light of the in-depth discussions at the symposium and in light of the accelerated developments of the UNRWA crisis to date. This policy paper, which we put in the hands of specialists and decision-makers, contains the following main axes:

- Birth of UNRWA: political context
- The UNRWA mandate: Its nature and limits
- Plans for the liquidation of UNRWA's role (economic / social approach and political approach)
- The manifestations of the crisis, especially in Lebanon
- UNRWA Crisis and Figures Problem (Lebanese Model)
- Lebanon and UNRWA: What policy?
- Prospects and possible scenarios
- Abstracts, recommendations and suggestions

Finally, we hope that the themes of this paper will contribute to a better understanding of the structural crisis of UNRWA associated with its political birth and its dual mandate, which helps decision makers understand and analyze UNRWA's successive periodic crises in the context of its structural crisis. We hope that this paper will help the Lebanese and Palestinian sides formulate a joint plan to deal with the repeated crises of UNRWA at the national and local levels, based on their shared responsibility to preserve the vital role of this international organization in the relief of Palestine refugees and in preserving their identity of refuge.

Today, there is an urgent need to develop specific and clear Lebanese policies towards the dangers and challenges that threaten the existence of UNRWA, as this issue is linked to the concealed solutions for the problem of the Palestinian refugees and the future of their presence in Lebanon, aiming to impose settlement and eliminate their right of return.

[The editor]

Introduction

The frantic Israeli/American attempts targeting UNRWA's role by draining its resources or merging its mandate within the competences of the United Nations High Commissioner for Refugees (UNHCR), are an integral part of broader US plans aiming at eliminating the Palestinian cause, including the refugee issue and the right of return. This issue falls within a regional and international context and circumstances related to the "peace process", in its new version called "Deal of the Century". At the same time, these schemes have local repercussions on all areas of UNRWA operation, especially Lebanon, given the special situation of Palestinian refugees in the country.

Beyond UNRWA's humanitarian role and given its political and national symbolism, this international organization has become the last body allowing to defend the right of return, and one of the tools of resistance and struggle against plans to liquidate the refugee issue. However, it is important to confirm that the right of return is not only linked to the presence of UNRWA or to the UN General Assembly Resolution no. 194 and other relevant resolutions, as they have not established the right of return. This right is firmly entrenched in the International Human Rights Law, specifically the International Bill of Human Rights (the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights). However, the focus of Israel and the United States of America on UNRWA and targeting Resolution 302, stipulating its establishment, aims indirectly at annulling Resolution 194 and liquidating the refugee issue. The revocation of this right without holding Israel accountable for creating the Palestinian refugee problem constitutes the essence of the current American political approach in this regard.

To better understand the political contexts and the regional and international dimensions of the UNRWA crisis and its current prospects and manifestations, this paper discusses the following issues: The political birth of UNRWA and its "ambiguous" mandate; plans to end UNRWA's role since the fifties until today; the implications of the crisis and its repercussions in Lebanon in particular. It also discusses the prospects of the crisis, the long-term scenarios and possible means and mechanisms of confrontation.

I. UNRWA's establishment: Political Context/Crisis

In response to the wishes of the international mediator Count Bernadotte, the United Nations General Assembly established, under Resolution 194/1948, the United Nations Conciliation Commission for Palestine (UNCCP). Under paragraph 12 of the same Resolution, the Conciliation Commission decided (on 23 August 1949) to form the Economic Survey Mission, which was entrusted by the United Nations to the American Gordon Clapp. The composition of the mission came as a result of the political impasse faced by the refugee problem at the Lausanne Conference.¹

However, it is important to note that the idea of creating the Economic Survey Mission was not originated by the Conciliation Commission, but by an initiative of the U.S. Department of State. The initiative figured within the framework of the project elaborated by George McGee, Coordinator on Palestinian Refugee Matters at the Ministry, seeking to reintegrate refugees into the political and economic life of the Middle East through regional development projects, according to McGee's memorandum to the U.S Secretary of State (22/4/1949).²

The Economic Survey Mission, known as "Clapp Mission", handed over its interim report on 6 November 1949 to the International Conciliation Commission and to the Secretary-General of the United Nations. The report concluded that refugees should be provided with work instead of relief, with the aim of reintegrating them into the political and economic life of the Middle East through the implementation of an "economic development program with large-scale public works projects". The report also recommended merging the public works program while maintaining the necessary relief within a single operation and in agreement with Arab host countries. The report warned that "if the Palestine refugees be left forgotten and desolate in their misery, peace will recede yet further from these distracted lands". But none of the interim and final reports of the mission proposed political concessions by Israel, nor did they require the urgent return of refugees. The two reports focused on economic solutions for the refugee problem, while ignoring interdependence between the political and economic aspects of the problem. Thus, the mission has contributed to strengthening the status quo that Israel maintains.³

The Mission outlined its program with the simple slogan "more work and less relief" and the projects for using refugees were based on their resettlement in host Arab countries within a broad development plan: Project of the Litani River (Lebanon); Wadi Al Zarka (Jordan); Wadi Al Ghab Development Project (Syria).

The concerned Arab governments were prepared to accept the Clapp Mission report, even though it was clearly inclined towards the de facto resettlement of refugees as a solution to their long-term problem, provided that references are made to paragraph 11 of General Assembly resolution 194 to protect the legitimate right of return of refugees.⁴

¹ The conference of Lausanne was held by the Conciliation Commission during the period (27/4-12/9/1949) in the presence of representatives from Israel, Egypt, Jordan, Lebanon, Syria and the Arab Higher Committee to resolve the conflicts resulting from the 1948 war, particularly the return of refugees.

² Jean-Yves Ollier, United Nations Conciliation Commission for Palestine (1948-1951), translation by Mroueh Naseer (Beirut: Institute for Palestine Studies, 1991), first edition, p.139 (Arabic).

³ Ibid, pages 142-145.

⁴ Ibid, page 146.

Upon the recommendations of the Economic Survey Mission, the General Assembly established, under its Resolution no. 302 (dated 8 December 1949), the United Nations Relief and Works Agency for Palestine Refugees in the Near East / UNRWA. Thus, UNRWA was born as a "humanitarian organization" in the throes of a political crisis, following the failure of the Lausanne Conference.

The establishment of UNRWA has created competition in terms of competencies or a sort of "institutional competition" with the Conciliation Commission. In addition to that, the lack of coordination between the work of the Agency and the Commission was surprising, as the two bodies met only once during the first half of 1950. The main dispute between the two bodies was related to the resettlement of refugees. UNRWA requested the Conciliation Commission to limit its efforts to the issue of the return of refugees, while it would be responsible for the discussions on resettlement. Regarding the repatriation of refugees, the Commission considered itself to be a higher executive body than UNRWA.⁵

II. The UNRWA mandate: Its nature and limits

Under the mandate given by the United Nations General Assembly to UNRWA, and in accordance with the recommendations of the Economic Survey Mission, the UNRWA was assigned by the UN General Assembly a dual task: To replace the International Committee of the Red Cross, the Red Cross Associations and Quakers in providing relief, on the one hand, and to carry out the works programme on the other hand.

At the beginning, UNRWA's work in Palestinian refugee relief was essentially seen as a short-term exercise dictated by sensitive political circumstances. The original concept of UNRWA's mandate is inherent in the name of UNRWA itself: "The United Nations Relief and Works Agency for Palestine Refugees in the Near East", which means that the Works programme will at the end lead to the resettlement of refugees instead of providing relief.

This concept was strongly and clearly present in the first annual report of UNRWA (1950-1951), which stated: "UNRWA was principally to transform the existing programme of direct relief into a dynamic programme of works projects. It was hoped that employment of refugees would not only arrest the demoralizing effects of long continued relief and the development of a professional refugee mentality but would also stimulate the economy of the host countries".⁶

⁵ Ibid, page 147.

⁶ UNRWA, A brief History (1952-1982), UNRWA Headquarter (Vienna), p. 291.

III. Plans for the liquidation of UNRWA's role

Plans concerning UNRWA's liquidation are not new. In fact, they have accompanied the Agency since its birth and have been linked to the political context and temporary nature of the Agency, on the one hand, and its ambiguous and double mandate for relief/works on the other hand.

We can distinguish here between two complementary approaches for the liquidation of UNRWA's role; the first is an economic/social approach linked to the concept of resettlement and is based on the interpretation of UNRWA's mandate and the attempts to adapt it since the 1950s to serve the purpose of liquidation; and the second is a political approach based on direct and explicit political pressure on the international community, and is currently seen through the intensive and accelerating pressure of the US and Israel in this regard, while linking these pressures with the requirements of the so-called "peace process."

A. Economic/Social Approach: Works programme

This approach is summarized in UNRWA's attempts to implement the Works Programme shortly after its establishment, in accordance with the recommendations of the Economic Survey Mission. Preliminary negotiations were held with host country governments (Lebanon, Syria, Jordan, and Egypt) to strengthen their economies and provide job opportunities for refugees, in order to provide them with a degree of self-support and thus remove them from relief records.

In this context, UNRWA has implemented large scale public works projects, a reintegration program and small self-support projects, as well as attempts to adapt the education programme to serve the objectives of the Works Programme.⁷

1. Large Scale Public Works Projects

These projects included: Providing land for agriculture in all UNRWA operation areas, building roads (especially in Jordan, Syria and Lebanon), planting trees (all regions), irrigation works, building schools (Jordan), handcrafts (in all regions).

The Economic Survey Mission was expecting that these projects would result in the removal of more than 100,000 refugees from the Relief Programme by mid-1951. However, signs of doubt concerning the feasibility of this project started appearing, and the periodic report (October 1950) recognized the existence of inhibiting factors. Among these constraints and limitations: limited employment opportunities in Lebanon, Jordan and Gaza, where projects on the ground have not kept pace with the planning.

The Mission concluded that UNRWA's motives behind these projects were not clearly understood by the host Governments. The Mission drew attention to the fact that those Governments could only cooperate with UNRWA if the said projects did not interfere, in any way, with the provisions of Resolution 194, which reserved the right to return and the right to compensation.

⁷ UNRWA, *Ibid*, p 97-102.

This pessimistic view was also reflected in the report of UNRWA's Commissioner-General (30 June 1950), which confirmed that the positive effects anticipated by the Mission had not been realized on the ground. The Commissioner-General commented on this situation by saying: "The cost of providing employment for a man had proved to be five times as high as the cost of providing him with relief, and he conceded that the works programme had done nothing to circumvent the fundamental obstacles facing the Agency and the refugees".⁸

The Agency quickly found that the Public Works Programme was unable to provide the refugees with the required employment opportunities, thus accomplishing the resettlement of a large number of able workers and incapable of removing 100,000 refugees from relief records by the end of the Agency's first year of operation. UNRWA then recognized the need to adopt a more direct approach in this regard in case the reliance on international relief was ceased.

2. Reintegration Programme

Based on past experiences, the Agency has decided to focus its efforts on actions leading to the reintegration of refugees rather than temporary employment opportunities in public works. In the special report of the Commissioner-General and the UNRWA Advisory Committee (November 1951), components of a three-year plan focused on integration projects were presented. The report recommended that: "Every effort should be made by the Agency and the governments to arrange for the transfer of relief administration to the governments not later than 1 July 1952"⁹ and the relief expenditures were to be reduced progressively. The main objective of the plan, as the report claims, was to improve the living conditions of Palestinian refugees, to "eliminate the camp life" and ration rolls, but without prejudice as to rights to return or compensation.

The report sought to achieve this goal through the following methods: Assisting refugees in obtaining employment, whenever necessary; training refugees for occupations required by the labour market; providing loans or grants that enable refugees to establish their own small businesses; building houses in or near urban areas where employment opportunities can be found; establishing villages in areas with arable land; providing agricultural infrastructure such as: digging wells, irrigation works/networks and facilitating access to these areas through road construction; financing economic development and providing technical support, where appropriate.

Upon this, USD 200 million have been approved for the reintegration programme and USD 50 million for relief. The plan was adopted by the United Nations General Assembly in its Resolution 513 (V) of January 1952, however funding never reached the full amount (USD 200 million). One of the promising projects of this Programme was the use of the Nile and the Yarmouk River for agricultural development in the Sinai Desert and the Jordan River Valley.

The Programme sought to create employment opportunities for 150,000 to 200,000 refugees to enable them to reach a state of "self-support". By 1954 a small portion of the amount had been spent. Programme sponsors realized then that projects aiming at bringing a significant number of refugees into self-support required several years at best. Thus, no significant progress was made until December 1954, when UNRWA's mandate was renewed for an additional five years.

⁸ UNRWA, *Ibid*, p 98.

⁹ UNRWA, *Ibid*, p 99.

By 1957, the Programme had practically reached its inevitable end, after UNRWA had spent USD 37.7 million only of the approved budget (USD 200 million). Since then, about 23,800 refugee names only had been crossed off from relief records permanently. This was considered as a big failure for the Programme, hence pushing the Agency to launch micro-credit projects, in order to enable refugees to reach self-support.

3. Other Self-Support Projects

Since the beginning of its operation, UNRWA has launched a number of small self-support projects. In 1950, it proposed a microfinance programme to help individuals or groups to reach self-support.

The loan programme for individuals, which began in 1951, was suspended in 1957 and then resumed in a limited manner in 1959. Up until then, the Programme had financed about 700 projects in agriculture, housing, industry and trade. It helped around 5,400 refugees in Jordan and 1,800 in Syria for a total cost of about USD 2.1 million. After its resumption in 1959, 84 family projects were established in the Jordan Valley.¹⁰

In sum, based on previous data concerning works, reintegration and self-support programmes the following conclusions can be drawn:

The Works Programme has only achieved very limited success. There are several reasons for this failure, the most important are: The failure to implement the resolutions of the United Nations General Assembly concerning return and compensation, and the stances against those projects by the majority of refugees, even some host governments, as well as the scarcity of resources available for project implementation.

During the discussion of the Palestinian issue at the United Nations in 1959, the Secretary-General of the Organization returned to the Palestine problem stressing "the urgent need to overcome the political difficulties and calling for an international efforts to provide for agricultural and industrial investment as a means of reintegration of a large unemployed population into the economic life of the area."¹¹ In return, the host Arab governments did not reject the concept of economic development, but emphasized the right of refugees to return to their country of origin.

4. Education Programme

At the beginning, the education programme was considered as supplementary for the economic rehabilitation process. But due to downsizing the works programme and putting less emphasis on the rehabilitation process, education has become an end in itself. The interest in vocational and technical education programmes dates back to the early days of UNRWA's creation in 1950. In his first report, in the summer of 1950, the Commissioner-General of UNRWA announced the Agency's interest in vocational training programmes. He stressed the need for young people and young women to receive practical training, leading to partial or full self-support.

After 1959, UNRWA's focus was on public education, vocational and technical education and teacher training. In general, the education programme goes beyond UNRWA's relief programme in terms of budget. UNRWA has been betting on the economic and social consequences of education as a social capital that provides employment opportunities for refugees, especially in the Gulf countries. UNRWA recruitment offices have worked in this direction.

¹⁰ UNRWA, *Ibid*, p 98. 101-102.

¹¹ UNRWA, *Ibid*, pp. 102-104.

B. Political approach

UNRWA is considered as a "humanitarian organization" but was born in the throes of a political conflict, after the failure of the Lausanne Conference to find a solution to the Palestinian refugee problem and the establishment of the Economic Survey Mission, which recommended the creation of UNRWA. Therefore, UNRWA plays a political role whenever required by the major powers of the international community. Besides its involvement in the settlement projects of the Palestinian refugees launched in the 1950s, the Oslo Accords required the transfer of its headquarters from Vienna to the Gaza Strip in order to be able to keep abreast of developments in the peace process.

In this context, the PLO and UNRWA have exchanged letters in June 1994 to enable the latter to continue its operations in the Palestinian autonomous areas. As such, the Palestinian Authority replaced Jordan and Egypt as host countries before 1967. In the early years following the signing of the Oslo Accords, UNRWA adopted the so-called Peace Implementation Plan (PIP) and the "Harmonization of Services" project, which aimed to harmonize its services with those of host countries, with a view to hand those services to the host countries, assuming the Oslo peace process progresses towards final status issues, including refugees.

Since then, Israel has continued to exert various pressures on UNRWA and to violate its international obligations stipulating the facilitation of its work, especially in times of crisis and emergency (the first and second Intifada and the recurrent wars against Gaza). The successive annual reports of the Commissioner-General of UNRWA have referred to these violations, which have reached the point of bombing UNRWA schools and centres under false pretences. These pressures have extended to UNRWA's education system, with a view to changing school curricula in the West Bank and Gaza Strip to be consistent with the language of the "peace process".

Since the end of 2015, and even before at the US Congressional Budget Committee (2013), we have been witnessing a fierce and coordinated Israeli/US campaign against UNRWA at the United Nations, questioning its political and moral justification for undermining its existence. The statements of the campaign include accusing UNRWA of being an "obstacle to peace", "perpetuating the Arab/Israeli conflict" and "applying double standards when it does not resettle Palestinian refugees within the Office of the United Nations High Commissioner for Refugees" and that the mere assignment of a U.N. organization to deal with Palestinian refugees exclusively is a systematic bias by the U.N. system against Israel. The campaign also attacked the curriculum adopted by UNRWA, which follow the curricula of the host countries in each region, describing them as working on "demonizing Israel".

The Israeli Prime Minister Netanyahu told the United States Ambassador to the United Nations, Nicky Healy, at a meeting in Jerusalem on 7 June 2017 that "the time has come for the United Nations to reconsider the existence of UNRWA". During the weekly meeting of the Israeli cabinet on 11/6/2017, he said: "UNRWA perpetuated, rather than solved, the Palestinian refugee problem, and it is time UNRWA be dismantled and merged with the United Nations High Commissioner for Refugee".¹²

The US/Israeli war on UNRWA has escalated since the US President announced his intention to move his embassy from Tel Aviv to Jerusalem and following the adoption of the UN Resolution [ES-10/L.22], against the Trump declaration, which considered efforts to change the status of Jerusalem as "null and void" (December 2017).

¹² Reuters, 11/6/2017.

Commenting on the resolution, the United States ambassador to the United Nations (2/1/2018) declared that the Trump administration "does not intend to continue supporting UNRWA until the Palestinians agree to return to the negotiation table". Immediately (3/1/2018) Trump tweeted the following: "We pay the Palestinians hundreds of millions of dollars a year and get no appreciation or respect. They don't even want to negotiate a long overdue peace treaty with Israel... But the Palestinians no longer willing to talk peace, why should we make any of these massive future payments to them?"¹³

It is worth mentioning that the United States of America is the largest contributor to UNRWA's budget. Its contribution, according to the estimates for 2016, is about USD 369 million, including the funds allocated to support Palestinian refugees in Syria and Lebanon. The US contribution to the regular budget of UNRWA usually amounts to USD 300 million out of USD 1.4 billion. However, based on the aforementioned US positions that linked support to the requirements of the peace process, Trump announced (16/1/2018) a freeze of USD 65 million of the USD 125 million payment due in the first half of 2018.

Despite the opposition of EU countries and many other countries to the position of the Trump administration towards UNRWA, each for its own reasons, the meagre results of the Rome Conference in support of UNRWA (15/3/2018) - which was attended by more than 90 countries - cannot be isolated from the effects of the American position. The outcome of the Conference was disappointing for the refugees and host countries and to the aspirations of many States supporting the rights of the Palestinian people as it resulted in the pledge to raise USD 100 million out of the USD 446 million budget deficit.

Despite UNRWA's cautious optimism, considering that the USD 100 million was a "satisfying start" and that it could build on the international mobilization and political support provided by the Rome Conference for the continuation of UNRWA's work, the crisis persists and is reflected on the various services UNRWA provides to Palestinian refugees in all its five areas of operation, both in terms of quality and quantity. This is what we are beginning to witness in Lebanon for example, as we will demonstrate later.

At the UNRWA Advisory Committee meeting held in Amman (18-19 June 2018),¹⁴ the UNRWA Commissioner-General confirmed that it has been an extraordinarily difficult year (2018) for UNRWA but expressed his optimism over the first phase of mobilization in response to the funding crisis. He added "It is extremely important that, so far, we have protected the school year and other vital services." On the other hand, the Commissioner-General emphasized that UNRWA still needs USD 250 million so that it can preserve core and emergency assistance in the second half of 2018.¹⁵

As for Arab host countries and the League of Arab States, they have reiterated their refusal to reduce UNRWA services. The Head of the Jordanian delegation to the meetings of the Committee expressed his position on behalf of the Arab host countries and the Arab League. He stressed that the League of Arab States and all its members emphasized the importance of providing the necessary and sustainable international funding to enable UNRWA to preserve its role and avoid the consequences of violating it. He drew the attention to the fact that the Committee's discussions focused on a number of certainties, notably encouraging host countries to partner with international, regional

¹³ Carnegie Centre, "The Sharpest Cut", Jan. 12 2018.

¹⁴ The UNRWA Advisory Committee established in 1949, was composed of only four States, but today it has 27 Member States and three Observer Members. The Committee meets twice a year and is limited to assisting the Commissioner-General in the implementation of UNRWA's mandate.

¹⁵ www.unrwa.org/who-we-are/advisory-commission-adcom-news.

and non-governmental organizations, the private sector and the international financial institutions to enhance the role of the Agency, without compromising its primary role in providing care and basic services. He confirmed that the Agency's budgets should be prepared based on the basic program requirements and in a more sustainable and predictable manner for the implementation of the medium-term strategy. He called for increased contributions from donor countries, broadening the donor base without further burdening host countries due to their difficult economic conditions.¹⁶

IV. The implications of the crisis, particularly in Lebanon

UNRWA Commissioner-General, Pierre Krähenbühl, debated that the Trump administration's decision to cut off millions of dollars of the US contributions to UNRWA budget has left it as "a sinking ship".¹⁷ In an interview with The Guardian, he said: "We are used to dealing with funding crises", referring to the 2015 crisis when the Agency was about to shut down its schools and he added: "but this is the biggest and most severe in our history".¹⁸

If left without a solution, the crisis will particularly affect the education programme, representing 73% of UNRWA's budget, reaching around half a million students enrolled in UNRWA schools (700 schools) and providing jobs to 22,000 teachers in all its operation regions.

In this context, UNRWA Spokesperson, Sami Mshasha (Agencies, 19/3/2018), indicated that the deficit will affect emergency services provided in Syria and the Palestinian occupied territories (the West Bank and Gaza Strip). In this regard, emergency in-kind assistance provided to around a million refugees in the Gaza Strip and 400,000 in Syria will be impacted.

The repercussions of the crisis in Lebanon may be the most dangerous among the rest of the region, since UNRWA spends USD 186 million in Lebanon including on regular programmes and private projects (such as the reconstruction of Nahr el-Bared). Austerity measures, due to the budget deficit, also affect UNRWA regular programmes in Lebanon (education, health and social services).

Regarding education, as of January 2018, UNRWA decided to reduce the retirement age for teachers from 62 to 60 years. Accordingly, teachers who reached the age of retirement during the current scholastic year have been extended on a daily basis, provided that they were to be removed from the system by July 2018 and without replacing them with new teachers or linking this action with the attempt of UNRWA to overcome its financial crisis. This will entail merging some schools and thus increasing the number of students per classroom. Moreover, UNRWA ended teachers' contracts in the additional "Learning Support" programme which was offered to third grade students and financed by UNICEF.

¹⁶ Alghad News Jordan, 20/6/18.

¹⁷ Daily Star, 17 February 2018.

¹⁸ Guardian International, 21 February 2018.

As for health, UNRWA reduced the number of working days for health clinics within Palestinian communities in South Lebanon to its minimum, in addition to its intention of merging, if necessary, all health clinics in other areas of Lebanon. In addition to that, certain UNRWA clinics stopped conducting some regular analyses and medical tests, due to the lack of necessary material. Concerning social services provided to special hardship cases, UNRWA stopped accepting new applications, due to pending applications that have not been processed.

Private projects (like Nahr el-Bared, etc.) are particularly impacted since the priority will be given to providing support to the regular programmes. In this context, it is worth mentioning that half of Nahr el-Bared residents are still waiting to return to the camp after 11 years (2486 of 5000 households). In addition to that, the camp reconstruction budget of USD 345 million is still suffering from a deficit of USD 106 million, needed to pursue the reconstruction process.

V. UNRWA Crisis and the Figures Dilemma (the Lebanese example)

The implications of the UNRWA crisis in Lebanon overlapped with the publication of the National Population and Housing Census of Palestinian Camps and Gatherings (December 2017), conducted by the Central Administration of Statistics in Lebanon, in partnership with the Palestinian Central Bureau of Statistics, and under the supervision of the Lebanese-Palestinian Dialogue Committee.¹⁹ These results, estimating the total number of Palestinian refugees currently living in Lebanon to around 174,422, came as a surprise for several parties, and raised many questions on both Lebanese and Palestinian sides. Additionally, it has not escaped attempts of political manipulation and investment, domestically and internationally.

In this regard, it is important to clarify that the given figure (174,422) does not represent the actual number of Palestinians living in Lebanon *in abstracto*. It rather reflects the number of Palestinians covered by the census in 12 camps and 156 communities, present during the census (17/7/2017 - 30/7/2017). The percentage (5.6%) of households and members that were not included, as well as the refusals and lack of response should also be considered.

Moreover, the census did not include Palestinians living in other communities or in other Lebanese cities and villages, as it did not have access to them. Neither did it include members of the household that were absent during the last 6 months prior to the census (according to the physical count questionnaire), estimated at around 11,000. In addition, this last figure did not include those who were absent for more than 6 months. This raises a legitimate question on the actual total number of household members absent during the census.

¹⁹ Lebanese-Palestinian Dialogue Committee, the National Population and Housing Census of Palestinian Camps and Gatherings in Lebanon, Central Administration of Statistics (Lebanon) and Palestinian Central Bureau of Statistics (Palestine), 2017.

Despite all that, the above number remains very close to the previous estimate of Palestinians in Lebanon which was based on field surveys conducted by different actors, including the American University survey (2015). According to these estimates, the number ranges from 214,000 to 228,000 - i.e. 200,000 on average. However, only the global census in Lebanon is able to provide the precise number of Palestinians in Lebanon.

Israel and the USA were the first to try to use these numbers in their campaign against UNRWA, claiming that "UNRWA lies" about the figures it publishes, especially the number of Palestinian refugees in Lebanon, as well as in the other areas of its operation in general. It is no secret that the number of refugees takes a political significance and a central role in the Arab- Israeli conflict, and is linked to the contributions made by donor countries to the total budget of UNRWA.

In this regard, both Lebanese and Palestinian sides should deal realistically with the figures resulting from the census, with emphasis on two basic issues: Firstly, that the given figure does not cancel or replace the number of Palestinian refugees registered at UNRWA or at the General Directorate for Political Affairs and Refugees, which preserves the legal status of Palestinian refugees in Lebanon and safeguards their right of return.²⁰ Secondly, that this figure, in its various interpretations, should not detract from the nature and magnitude of the responsibility of the international community, especially UNRWA, towards the Palestinian refugees in Lebanon, or should not affect the level of their services to them.

In the same context, it is important to avoid official Lebanese approaches in international forums that might weaken this stance, by arbitrarily associating Syrian and Palestinian refuge cases and the comparison between the two.

VI. Lebanon and UNRWA: What policy?

Unlike other Arab host countries, particularly Syria and Jordan, the Lebanese State's intervention in UNRWA policies and working mechanisms, or even its coordination with UNRWA in this regard, has been almost non-existent over the past seven decades, with the possible exception of the establishment of the camps in the early 1950s and the Nahr el-Bared reconstruction phase. There are two possible reasons for that: 1) the weakness of the framework regulating the relations between the Lebanese government and UNRWA and 2) the weakness of the government during certain periods thus neglecting the Palestinian presence.

Regarding the first factor, there is no comprehensive agreement regulating the relations between the Lebanese government and UNRWA, but rather several letters exchanged during 1954, aiming to resolve some pending issues going back to the period during which UNRWA started operating in Lebanon, such as: rights, privileges and facilitations that UNRWA and its employees might benefit from according to the Convention on the Privileges

²⁰ The number of refugees registered at UNRWA reached 459,292 by March 2016. The Ministry of Interior counts 592,711 Palestinian refugees in its registries as of December 2016.

and Immunities of the United Nations (February 1946); Lebanon's annual contribution to UNRWA budget; financial settlements related to UNRWA reimbursing the Lebanese government, or vice versa, as the result of expenditure between 1951 and 1954 without agreeing on the party that bears these costs, such as: The expenditure of the Lebanese government on aiding Palestinian refugees, and in particular the expenses of the Central Committee for Refugees (established by the Legislative Decree No. 11657 dated 26/4/1948) as well as the fees collected upon the landing of UNRWA planes, among others.²¹

Decades later, and after the prolongation of Palestinian refuge and the absence of a just international solution to the Palestinian refugee's issue in general, it is time for the Lebanese government to restructure its relation with UNRWA by signing a comprehensive agreement to replace the exchanged letters from 1954.²²

As for the second factor, the return of public institutions in Lebanon to regular work should result in a more active policy towards the ongoing UNRWA crisis, compared to the previous period, within the framework of a unified Lebanese vision of the Palestinian presence in Lebanon and the issues related to this presence. During the 2015 crisis, the Lebanese-Palestinian coordination was weak on the local and national levels, and the Lebanese intervention was very limited and was dictated by security - rather than political - considerations related to the nature of the situation of Lebanon at that time. Therefore, it was not surprising that this intervention took the form of mediation by the highest-ranking Lebanese security officials between the Director General of UNRWA and the Palestinian political leaders, in anticipation of any unexpected security implications of the massive protest movement that swept the camps.

Since the ongoing crisis that UNRWA is experiencing is the most dangerous in its history, as described by Pierre Krähenbühl, Commissioner General of UNRWA, it is hoped that the Lebanese government will deal with this crisis as a Lebanese national crisis requiring maximum coordination - and not just solidarity - with the official and popular Palestinian side. This also requires bridging the gap between the theoretical and practical positions of some Lebanese political parties as to the issue of the Palestinian presence in Lebanon and the UNRWA crisis. As already mentioned, the crisis is basically the result of international, regional and Arab interactions within the framework of the so-called "Deal of the Century" related to the essence of the Arab-Zionist conflict and to the Palestinian cause. This requires developing Lebanese policies targeting the threats on UNRWA's existence, as this issue is related to the concealed solutions for the Palestinian refugees and the future of their presence in Lebanon, aiming to impose settlement and cancel their right of return.

²¹ These letters are available at the Lebanese Parliament archives.

²² It may be useful to recall here that UNRWA's main headquarters were in Beirut since its establishment until 1978, then it was temporarily relocated to Amman/Jordan due to the civil war in Lebanon, then settled in Vienna for 18 years before returning to the Palestinian occupied territories following the Oslo Accords.

VII. Future Horizons and Possible Scenarios

Based on previous experiences in dealing with UNRWA crises on an international level, over the past 7 decades, and based on the various data available to date, there are, from our point of view, 3 possible scenarios regarding the future of this international organization, following the most serious crisis in its history, as expressed by the Commissioner-General of UNRWA, Pierre Krähenbühl. We believe that there are no strictly defined boundaries between the 3 scenarios, as they can mix or overlap, according to the evolution of the crisis; and this will be discussed after the presentation of all 3 scenarios.

1. The First Scenario

This optimistic scenario consists of UNRWA being able to overcome the ongoing financial crisis for the following reasons:

- UNRWA is used to facing such crises. In this regard, we refer to the 2015 crisis which almost forced UNRWA to interrupt its scholastic year.
- The political support of UNRWA by a large number of UN member states that would ensure it continues its work, especially EU countries, supposedly have more influence on the American role, based on their common vision of the need to maintain stability in the region, in the absence of actual opportunities for a just and durable solution for the Palestinian refugee issue. In addition to that, a rather significant number of Democrat deputies in the Congress are opposed to Trump's policy. This explains the optimistic but careful message sent by some of the highest-ranking officials in UNRWA after the Rome summit (15/3/2018), despite its weak results regarding the compensation of the financial deficit. They considered this conference as a political and moral support of 90 countries, for the continuation of UNRWA's work, as it expressed the international community's determination despite the pressures exerted by the Americans behind the scenes.
- Relying on the campaign²³ "Dignity Is Priceless" launched by UNRWA in January 2018 to compensate the American contribution which amounts to about one third of the Agency's budget. The objective of this campaign is to raise USD 500 million to provide education to around 525,000 students and provide healthcare and emergency food assistance as well as in-kind assistance to refugees in all regions where it operates. The campaign did not only target the states, but it targeted NGOs, the private sector in addition to independent individuals. UNRWA also launched an emergency appeal to raise USD 800 million to finance its emergency programmes in Syria and the occupied territories, of which USD 60 million targeted Palestinians from Syria living in Lebanon.
- UNRWA hopes that Arab countries would increase their support, or at least commit to paying 7.8% of the UNRWA total budget that the Arab League committed to in its successive sessions since 1987 and which was not always respected by all countries. However, UNRWA is aware that some Arab countries fear that the international community might degrade its political and ethical responsibilities towards the Palestinian refugees' problem and burden the Arab countries with it, if they increased the percentage of their support to the UNRWA budget.

²³ #DignityIsPriceless

- UNRWA expects the 5 economically emerging countries (BRICS: Brazil, Russia, India, China and South Africa) to increase their contributions to the UNRWA budget.
- The decision of the Organization of Islamic Cooperation, at its 7th Conference (Istanbul, 18/5/2018), related to the establishment of a "Waqf" fund to support UNRWA, which is considered as a step forward to overcome its financial crisis.
- Relying on Turkey presiding the UNRWA Advisory Committee as of July 2018, as it is expected that Turkey will work on activating the role of this Committee that meets twice a year.

2. The Second Scenario

This scenario supposes the failure of UNRWA in compensating the American funding, and that the active campaign of the USA and Israel against UNRWA's existence will continue, for the purpose of political extortion in the framework of the vision of the so-called "Deal of the Century" and the requirements of the peace process. It also supposes that the Palestinian leadership (PLO /PNA) will not return to the negotiations with Israel given the American/Israeli conditions which do not meet the minimum Palestinian national demands. This means that the American policy of draining UNRWA's financial resources will continue, which complicates the implementation of its mandate given by the General Assembly of the UN for the relief of Palestine refugees, until their return.

Beyond the political extortion of the Palestinian leadership to return to the negotiating table, and regardless of the Palestinian responsiveness to the conditions of the peace process, this scenario involves one of the following possibilities:

- At the very least, the American policy of draining UNRWA's financial resources will continue, which impedes the implementation of its mandate in the relief of the Palestine refugees, until their return.
- At most, "paralyzing" UNRWA and "disabling" its role as well as emptying the UNRWA mandate of its content according to Resolution 302, so that it ends up like the UNCCP.²⁴

The second scenario, at its most, may lead to the third scenario. The latter consists of changing the mandate of UNRWA, which practically means cancelling Resolution 302/1949 which stipulated its creation.

3. The Third Scenario

This scenario supposes that the USA and Israel succeed in changing or transforming UNRWA's "mandate" stipulated by Resolution 302, by getting the approval of the UN General Assembly to merge this mandate within the competences of the UNHCR, which practically means cancelling Resolution 302. This brings back the discussions at the General Assembly to the political context which gave birth to UNRWA and to the preliminary discussions that established the 1951 Convention related to the Status of Refugees and the establishment of the UNHCR. At that time, the concerned Arab countries had refused the inclusion of Palestinian refugees under UNHCR protection and insisted on the specificity of their status, considering that the right of return guaranteed by Resolution 194

²⁴ The UNCCP worked from December 1948 to November 1951 according to its mandate, on reaching political solutions to the Palestinian refugees' problem. These 3 years are considered as "the active period" for the Committee during which it actively tried to establish conciliation. By the end of 1951, the Commission informed the UN of its deficit after the failure of the summit organized in Paris and the refusal by the concerned parties to implement the General Assembly resolutions that govern the activity of the Commission, in particular Resolution 194 under which it was established. From 1952 to the late 1960s, the Commission had only a technical activity related to counting and evaluating the remaining Palestinian refugee properties in Israel. Thus, the Commission practically stopped its conciliation efforts, but it remains theoretically existent until today without any effectiveness as to its original mandate.

of the UN General Assembly rises above the advantages of protection that Convention and its executive instrument (meaning the UNHCR) can provide to them.²⁵

What tempts the USA and Israel to move forward with this scenario, given the strategy of Trump's Administration for the region that is consistent with the Israeli vision, is the existence of a precedent, after the cancellation of Resolution 3379/1975 in 1991, which equated Zionism with racism.

However, there are key obstacles to the application of this scenario, as follows:

- The awareness of the refugees of the dangers of liquidating their cause and their determination to resist, based on their historical experience in the 1950s and 1960s, when they managed to overcome all the schemes of liquidation and resettlement.
- The cancellation of Resolution 3379 in 1991 happened then in an optimistic atmosphere, by letting the peace process move forward after the launch of the Madrid Conference and before the signing of the Oslo Accords. That atmosphere is totally different from the current negative atmosphere which witnesses a big failure of the Oslo peace process.
- The realization of the USA and Israel that it is not easy to cancel the Resolution 302/1949, because the General Assembly which established UNRWA is the only authorized body to do so. In addition, doing such a move does not convene most of countries in the General Assembly (each country for its own reasons) including some ally countries to the USA and Israel.

Conclusion

The question here is: Which scenario is the most probable among the above three? We believe that the first scenario is probable for the previously mentioned reasons, and especially if the parties in favour of UNRWA engage in supporting this choice politically and financially,²⁶ and if we take advantage of the opposition between the American and European positions within the international frameworks that make UNRWA policies. However, the second scenario may have some success in the light of the Palestinian division and the Arab and Islamic fragmentation, and the existence of environments allowing both Israel and the USA to pressure towards this direction. We believe that the success of the third scenario - which is still less likely in the current conditions - is difficult because the General Assembly that established UNRWA is the only body authorized to cancel Resolution 302, and this does not correspond to the desire of most UN General Assembly members.

However, this depends on the way we manage the crisis and our capacity of raising it to the level of this fateful confrontation where the existence of UNRWA becomes the main body defending the right of return, by developing a popular and official global confrontation plan at the levels of host countries. A plan that adopts mechanisms of effective mobilization and advocacy at the Arab and international levels and benefits from the capacities of young people and their ability to employ social media for this purpose.

²⁵ Palestinian refugees fall under the mandate of UNRWA, which distinguishes them from the rest of the world's refugees who fall under the mandate of the UNHCR. The attempts to include refugees under UNHCR's protection would blur the specific status of Palestinian refugees, because the permanent solutions adopted by the UNHCR to resolve the refugees problem in general (the integration in the country of asylum, meaning the second country, or the settlement in a third country) does not comply with this specificity, as it also threatens their right of return.

²⁶ The Commissioner-General of UNRWA declared at the meeting of the Advisory Committee in Amman (16-18 June 2018) that UNRWA succeeded in decreasing the budget deficit during the second half of 2018 from USD 446 million to USD 250 million thanks to donations it received from some Gulf countries and other foreign countries. Currently the UNRWA is optimistic about overcoming its financial crisis after the success of the Commissioner-General's efforts following the New York Conference of Donors (25/6/2018) in reducing the budget deficit to \$ 217 million.

VIII. Conclusion, Recommendations and Proposals

The mere existence of UNRWA, and its continued role, according to the mandate, confirms the political and ethical responsibility of the international community in creating the refugee crisis and its commitment to the necessity of resolving it according to the principles of international law. In this context, it is to be noted that the preamble of Resolution 302, which establishes UNRWA, recalled the provisions of paragraph 11 of the General Assembly resolution 194. Moreover, paragraph 5 of Resolution 302 confirmed that continued assistance for the relief of the Palestine refugees is necessary, "without prejudice to the provisions of paragraph 11 of General Assembly resolution 194".

This requires establishing some kind of a balance between the political importance of UNRWA and its humanitarian role, regardless of the quality and quantity of its services. This requires distinguishing between objective and constructive criticism (which is needed) aiming to evaluate UNRWA's performance and enhancing its service, and the criticism aiming to undermine UNRWA's moral stature and liquidating its role.

Here are some recommendations on the general level and on the Lebanese level:

- It is crucial to develop a Palestinian vision, as well as a Palestinian-Lebanese and Palestinian-Arab common long-term vision towards UNRWA policies to respond effectively to the expected crises and not rely on reactions and temporary solutions; allowing the establishment of rules for joint action to pressure the concerned international bodies to find radical solutions for the chronic deficit in UNRWA's budget and to benefit from lessons learned from the 2015 UNRWA crisis.
- It is also important to strengthen the coordination between Palestine and Arab countries (in particular Lebanon) at a high level where UNRWA policy is made (the General Assembly, the Advisory Committee, donors conferences), and at the conferences of the supervisors on refugees affairs/Arab League, in order to maximize international support to UNRWA guaranteeing its viability, not to mention assuming its responsibility in meeting the urging needs of the Palestinian refugees in all its areas of operation.
- Allocating a permanent budget for UNRWA within the United Nations budget, that does not depend on grants and donations. In this context, it is important to work on reactivating the proposal made by the Secretary-General of the United Nations (August 2017) to make the UNRWA budget sustainable, sufficient and predictable - a proposal that the Israeli Vice-President of the General Assembly, Danny Danon, dropped from the agenda of the 72nd session. In this regard, it is to be noted that Ecuador will preside the next session of the General Assembly (73) starting December 2018, and Qatar will be Vice-President.
- Calling upon UNRWA to adopt a flexible financial policy that allows recycling aids and donations received outside the regular budget, namely those allocated to emergency programmes, in order to cover the deficit in the basic services programmes by adopting a specific mechanism that allows transferring a part of these aids and donations to the regular budget, if necessary.

- Working on strengthening the concept of community participation adopted by many international organizations, including UNRWA, which consists of involving refugees in planning, developing and implementing policies and programmes, through civil society organizations and popular committees, while keeping the pressure on UNRWA to rationalize expenditure and strengthen transparency in its financial and administrative systems.
- Multiplying Lebanese official efforts in order to reach the signing of a comprehensive agreement between Lebanon and UNRWA replacing the exchanged letters from 1954, in a way that restructures the relation between the Lebanese government and UNRWA, in accordance with international norms and on the same grounds as what is established with the other Arab host countries.

