Understanding Israel's New Anti-UNRWA Laws

On October 28, the Knesset barred UNRWA from Israeli territory and from having contact with Israeli officials.

Knesset Legislation Overview

The legislation passed with overwhelming support, due to centrist opposition parties joining with the coalition to vote in favor. Both pieces of legislation will go into effect after 90 days.

Law 1: Ban on UNRWA Operations Within Israeli Territory

- Most immediate impact in East Jerusalem, where UNRWA operates 10 schools and three healthcare centers
- Mandates the shuttering of UNRWA's headquarters in East Jerusalem

Law 2: Severing Israeli-UNRWA Ties

- Cancels the Comay-Michelmore Agreement of 1967 that established Israel-UNRWA ties
- Bars contact between agency and Israeli officials
- Revokes Israel's agreement to allow UNRWA trucks and international staff free movement through its territory
- Ends UNRWA's exemptions from custom duties and taxes

Implications

No Contact

- Israeli banks will face legal and logistical constraints in working with UNRWA, jeopardizing salary payments and supply chains
- Israel will no longer issue entry visas for UNRWA's international staff
- Coordination with Israeli customs will be prohibited, preventing UNRWA from importing and moving goods through Israel

Deconfliction and Security Risks

- Ends Israel's protection of UNRWA personnel and property
- Will disrupt vital deconfliction procedures in the West Bank, where UNRWA coordinates closely with the IDF's Civil Administration. This will affect IDF operations in densely populated refugee camps where terror groups have proliferated, escalating the risk to Israeli soldiers and exacerbating unrest
- Will worsen West Bank economic crisis by adding to unemployment, closing schools, and disrupting social welfare assistance

Humanitarian Work and Service Provision

- UNRWA services between local staff and beneficiaries in West Bank and Gaza could continue in theory, but much of its operations will be paralyzed due to dependence on Israeli institutional cooperation
- Basic service provision will require complex workarounds, undermining UNRWA's functional capacity
- Strangulating UNRWA in Gaza will exacerbate humanitarian crisis

No Clear Immediate Replacement

Israel's political establishment fast-tracked this legislation without preparing a clear alternative to UNRWA's role. All options on the table have serious drawbacks.

Israel: Israel taking over humanitarian distribution operations in Gaza and UNRWA's service provision in the West Bank carries substantial security risks, heavy financial burdens, and divisive political implications.

Other U.N. agencies and INGOs: Other organizations in Gaza lack UNRWA's logistical capacity and local expertise, making them ill-equipped to fully take up UNRWA's mantle within 90 days. In the West Bank, UNRWA functions as a quasi-state institution, a structure not easily replicated by other agencies.

Palestinian Authority: Israel's opposition to PA involvement in Gaza, coupled with the PA's likely reluctance to assume responsibility for UNRWA's functions without a political horizon, renders this scenario improbable.

UNRWA finds workarounds: Some argue UNRWA could adapt to operate without contact with Israeli state entities. This could include channeling services through other agencies, relocating to premises outside of Israel, and altering payment methods. However, this approach is likely to be complex, highly technical, and challenging to implement.

No replacement found: Given the divisive nature of dismantling UNRWA without a prepared alternative or a strategic process to transfer responsibilities, no option is also a possibility. This will produce more chaos, law-and-order challenges, increased suffering for Palestinian civilians, and security challenges for Israel.

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