# Should the United States Cut Aid to the Palestinians?

January 25, 2018

By Peter Wertheim

Australian Broadcasting Corporation

http://www.abc.net.au/religion/articles/2018/01/25/4794603.htm

The United States government recently announced that it will reduce its funding to the UN Relief and Works Agency (UNRWA), which provides aid to Palestinians, to $125 million per annum, down by $60 million.

It [accuses UNRWA](https://www.cfr.org/blog/trump-gets-unrwa-right) of having close connections to Hamas and its racist, rejectionist ideology towards Jews and Israel, and of perpetuating rather than resolving the problem of Palestinian statelessness.

As well-founded as the accusation appears to be, many people will nonetheless feel uneasy about a funding cut that could jeopardise the provision of vital health, educational and food services to ordinary people in need.

An alternative might be for the United States to continue to provide the same level of aid, but have it administered by the United Nations High Commissioner for Refugees (UNHCR).

Not many people realise that the UN has one definition of "refugee" for Palestinian refugees, and a completely different definition for all of the world's other refugees, and one agency that deals with Palestinian refugees (UNRWA) and a [completely different agency](http://www.unhcr.org/en-au/about-us.html) to look after all of the world's other refugees (UNHCR).

UNRWA was [established](http://www.unrwa.org/userfiles/2010011995652.pdf) in December 1949 by UN General Assembly resolution 302. It [defines](http://www.unrwa.org/userfiles/2010011995652.pdf) "Palestine refugees" not only as "persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict," but also their descendants - ad infinitum. Fewer than 1% of the people currently served by UNRWA fled from their homes during the 1948 or 1967 wars against Israel. The rest are descendants of refugees, many of whom are natives of other countries or enjoy full citizenship rights or permanent residency in other countries. Some have become refugees from other conflicts, such as the civil war in Syria.

The notion of refugee status being inherited and passed down in perpetuity to remote descendants who have never fled from their homes is without parallel in international law. It is not applied to, nor is it claimed by, any other refugee group.

The [total Palestinian refugee population](https://www.rienner.com/title/Palestinian_Refugees_Mythology_Identity_and_the_Search_for_Peace), which was 711,000 in 1948 plus a further 155,000 who were added as a result of the 1967 war, has now grown to [approximately 5 million people](http://www.unrwa.org/?id=86) because of the artificial inclusion of their descendants. Not only does this falsely inflate the current total number of refugees, it ensures that their numbers will grow into the future, making it increasingly unlikely that the refugee problem will ever be resolved.

This is despite the fact that the total number of actual Palestinian refugees from the 1948 conflict who are still alive is now estimated to be [down to about 30,000](http://www.timesofisrael.com/us-senate-dramatically-redefines-definition-of-palestinian-refugees/), numbers which would make the refugee problem much easier to resolve.

Palestinian refugees and their descendants also attract a disproportionately high level of the UN's resources. As at 31 October 2016:

* UNRWA [provided services](http://www.unrwa.org/careers/working-unrwa) to 5.2 million people registered as "Palestine refugees" and had 30,000 employees;
* the UNHCR [provided services](http://www.unhcr.org/en-au/figures-at-a-glance.html) to 16.1 million refugees and a [further](http://www.unhcr.org/en-au/figures-at-a-glance.html) 10 million stateless persons who are not refugees, and had 10,700 employees.

The UNHCR operates under the 1951 Convention Relating to the Status of Refugees (Refugee Convention) which [defines as a refugee](http://www.austlii.edu.au/au/other/dfat/treaties/1954/5.html) any person who:

"owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return it."

It can be readily observed that this definition does not in any way extend to the descendants of refugees unless those descendants themselves satisfy the criteria of the definition. The vast majority of descendants of Palestinian refugees would therefore not be considered refugees according to the standard internationally-accepted criteria set out in the Refugee Convention. Even under a more generous definition that would consider anyone who has been forced to flee from their home to be a refugee, the vast majority of descendants of Palestine refugees would not be considered to be refugees.

Attempts have been made to justify the favoured treatment the UN gives to descendants of refugees who happen to be Palestinian. It has been argued that if Jews have returned to their land with international endorsement after 1,800 years of dispersion, the Palestinians should have the same right after 70 years. This just does not stand up to scrutiny. Jews returning to their ancient homeland have never claimed to be exercising an individual right of return as refugees. They have never claimed to be returning to their individual homes. Rather, they have claimed a collective right of national self-determination which entitles Jews, wherever they may live, to return to their national home, the State of Israel.

For the 99% of Palestinians classified by UNRWA as "refugees" who are in fact descendants of refugees, and have never fled from their homes, Israel has long accepted that they too have a collective right of national self-determination which would entitle them, wherever they may live, to return to a future State of Palestine, but not to Israel. Israel has also long accepted that they have a [right to be compensated](http://www.thejerusalemfund.org/images/PalestinianRefugeeCompensation.pdf) for the property they or their forebears lost in the 1948 war. The Arab states have yet to make a similar commitment to compensate the 820,000 Jews they expelled from their own countries after 1948.

There appears to be no good reason why there is one UN agency and one set of rules for Palestinian refugees and another agency and another set of rules for all of the world's other refugees. UNRWA explains this anomaly [thus](http://www.unrwa.org/who-we-are/frequently-asked-questions): "As UNRWA was set up in 1949, Palestine refugees were specifically and intentionally excluded from the international refugee law regime established in 1951."

However, this explanation only provides the historical reason for the existence of the two agencies, not a justification, and does not give a reason why the two agencies should not be merged, and why the criteria for determining who is a refugee should not be standardised, so that the same rules apply to everybody.