



# General Assembly Security Council

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**General Assembly**  
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Agenda items 34, 35, 49 and 72 (b)

**Security Council**  
**Seventy-ninth year**

**The situation in the Middle East**

**Question of Palestine**

**United Nations Relief and Works Agency for Palestine  
Refugees in the Near East**

**Strengthening of the coordination of humanitarian  
and disaster relief assistance of the United Nations,  
including special economic assistance: assistance to  
the Palestinian people**

## **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**

I would like to bring to the attention of the General Assembly and the Security Council the serious situation which the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) is facing in carrying out its activities in the Occupied Palestinian Territory, including East Jerusalem.

The Knesset of Israel, on 28 October 2024, enacted two laws concerning UNRWA: the Law to Cease UNRWA Operations and the Law to Cease UNRWA Operations in the Territory of the State of Israel. I understand that the laws were published on 30 October 2024.

The Law to Cease UNRWA Operations (unofficial translation by Israel from Hebrew) provides as follows:

### *Expiration of the exchange of letters between Israel and UNRWA*

1. (a) The invitation to UNRWA, based on an exchange of letters between Israel and UNRWA from 6 Sivan 5727 (14 June A.D. 1967), will expire on 5 Tishrei 5785 (7 October A.D. 2024).

(b) The Minister for Foreign Affairs shall notify the United Nations of the expiration under subsection (a) within seven days of the passage of this law by the Knesset.



*No contact with UNRWA*

2. A government authority, including other bodies and individuals performing public duties according to law, shall not have any contact with UNRWA or anyone acting on its behalf.

*Retention of laws*

3. Nothing in the provisions of this law shall preclude any criminal proceeding against UNRWA employees, including such proceedings related to the events of 7 October 2023 or the Swords of Iron War, or any other criminal proceeding under Counter-Terrorism Law 5776-2016, or the exercise of powers against them within the framework of such proceedings.

*Entry into force*

4. This law shall come into force three months from the date of its publication. However, section 1 shall come into force on 5 Tishrei 5785 (7 October A.D. 2024) or on the date of the publication of this law, whichever is later.

*Reporting to the Knesset*

5. The National Security Council Director or their representative shall report to the Knesset Foreign Affairs and Defence Committee every six months and in the first year from the commencement of this law, every two months, on the implementation of the provisions of this law.

The Law to Cease UNRWA Operations in the Territory of the State of Israel (unofficial translation by Israel from Hebrew) provides as follows:

*Purpose*

1. The purpose of this law is to prevent any UNRWA operations within the territory of the State of Israel.

*Prohibition of operations within the territory of the State of Israel*

2. UNRWA (United Nations Relief and Works Agency) shall not operate any representative office, provide any services or carry out any activities, directly or indirectly, within the sovereign territory of the State of Israel.

*Entry into force*

3. This law shall come into force three months from the date of its publication.

*Reporting to the Knesset*

4. The National Security Council Director or their representative shall report to the Knesset Foreign Affairs and Defence Committee every six months and in the first year from the commencement of this law, every two months, on the implementation of the provisions of this law.

These laws, if implemented, could prevent UNRWA from continuing its essential work in the Occupied Palestinian Territory, including East Jerusalem, as mandated by the General Assembly. The cessation of or restrictions on UNRWA activities in the Occupied Palestinian Territory would have devastating consequences

for Palestine refugees, considering that there is currently no realistic alternative to UNRWA which could adequately provide the services and assistance required.

Following the establishment of UNRWA by the General Assembly in its resolution 302 (IV) of 8 December 1949, UNRWA has been providing assistance to Palestine refugees in the Occupied Palestinian Territory, including East Jerusalem, since 1950. Under normal conditions, UNRWA operates almost 400 schools, over 65 primary health clinics and 1 hospital in the Occupied Palestinian Territory, which enable the provision of education to over 350,000 children and over 5 million health consultations annually. More specifically, in East Jerusalem, UNRWA schools provide education to approximately 2,000 students and its health clinics serve around 40,000 registered patients. UNRWA has also been providing vital poverty relief and social services, including a social safety net, emergency assistance and food vouchers, benefiting over 1.2 million people.

In Gaza specifically, UNRWA has been the main provider of basic and essential services, providing education to approximately 300,000 children in 288 schools and 2 training centres, healthcare services to around 900,000 patients and around 3.5 million patient consultations annually in 22 primary health clinics, and emergency assistance to approximately 1.1 million people. Under the current crisis in Gaza, UNRWA is the backbone of the United Nations humanitarian relief operations, providing a lifeline, shelter or other support for the large majority of the population of nearly 2.3 million in Gaza who have all been affected by the ongoing conflict. This includes food assistance to approximately 1.9 million people, polio vaccinations for over 200,000 children, healthcare to around 15,000 people representing more than 60 per cent of total primary healthcare provision in Gaza, and shelters for hundreds of thousands of internally displaced persons inside and in the vicinity of over 100 schools.

Any cessation of UNRWA activities in the Occupied Palestinian Territory would mean that millions of Palestine refugees who have been benefiting from UNRWA services and assistance would no longer be receiving them.

In the event that UNRWA is compelled to cease its activities in the Occupied Palestinian Territory, Israel would be left to ensure that the range of services and assistance which UNRWA has been providing are provided in accordance with its obligations under international humanitarian law and international human rights law.

In this regard, I recall that Israel continues to occupy the West Bank, East Jerusalem and the Gaza Strip (International Court of Justice, *Legal Consequences arising from the Policies and Practices of Israel in the Occupied Palestinian Territory, including East Jerusalem*, Advisory Opinion, 19 July 2024, paras. 86–94). Israel, as the occupying Power in the Occupied Palestinian Territory, is bound by the rules of international humanitarian law concerning occupation, including those contained in the Regulations respecting the Laws and Customs of War on Land (“the Hague Regulations”) annexed to the Convention respecting the Laws and Customs of War on Land of 18 October 1907 and the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 (“the Fourth Geneva Convention”).

Among other things, I would like to recall the provisions below.

Article 43 of the Hague Regulations provides as follows in its French authentic text: “L’autorité du pouvoir légal ayant passé de fait entre les mains de l’occupant, celui-ci prendra toutes les mesures qui dépendent de lui en vue de rétablir et d’assurer, autant qu’il est possible, l’ordre et la vie publics en respectant, sauf empêchement absolu, les lois en vigueur dans le pays” (unofficial English translation: “The authority of the legitimate power having in fact passed into the hands of the occupant,

the latter shall take all the measures in his power to restore and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country”). In this regard, the International Court of Justice, in the advisory opinion mentioned above, stated that “the occupying Power bears a duty to administer the territory for the benefit of the local population”. The obligation under article 43 includes an obligation to respect the applicable rules of international human rights law.

Article 50, paragraph 1, of the Fourth Geneva Convention provides that “the Occupying Power shall, with the cooperation of the national and local authorities, facilitate the proper working of all institutions devoted to the care and education of children”.

Article 55, paragraph 1, of the Fourth Geneva Convention further provides that “to the fullest extent of the means available to it, the Occupying Power has the duty of ensuring the food and medical supplies of the population; it should, in particular, bring in the necessary foodstuffs, medical stores and other articles if the resources of the occupied territory are inadequate”.

Article 56, paragraph 1, of the Fourth Geneva Convention provides that “to the fullest extent of the means available to it, the Occupying Power has the duty of ensuring and maintaining, with the cooperation of national and local authorities, the medical and hospital establishments and services, public health and hygiene in the occupied territory, with particular reference to the adoption and application of the prophylactic and preventive measures necessary to combat the spread of contagious diseases and epidemics. Medical personnel of all categories shall be allowed to carry out their duties.”

Israel has been and will continue to be bound by these obligations, alongside applicable treaties and customary rules of international human rights law, as long as its occupation of the West Bank, East Jerusalem and the Gaza Strip continues.

I would also like to recall that article 59, paragraph 1, of the Fourth Geneva Convention provides that “if the whole or part of the population of an occupied territory is inadequately supplied, the Occupying Power shall agree to relief schemes on behalf of the said population, and shall facilitate them by all the means at its disposal”. If Israel is not in a position to meet the needs of Palestine refugees, it has an obligation to allow and facilitate the activities of the United Nations, including UNRWA, and other humanitarian agencies, until the needs of Palestine refugees in the Occupied Palestinian Territory are met. However, the fact that humanitarian agencies are providing services and assistance to Palestine refugees does not absolve Israel from its obligations to ensure that the necessary services and assistance are provided. This is reflected in article 60 of the Fourth Geneva Convention, which provides that “relief consignments shall in no way relieve the Occupying Power of any of its responsibilities under Articles 55, 56 and 59”. As such, the fact that UNRWA has been providing services and assistance to Palestine refugees in the Occupied Palestinian Territory does not absolve Israel from its obligations to ensure that the necessary services and assistance are provided. In the event that UNRWA is compelled to cease its activities in the Occupied Palestinian Territory, Israel would still continue to be under an obligation to ensure that the necessary services and assistance are provided.

I wish to stress that nothing in the foregoing constitutes recognition of the continued presence of Israel in the Occupied Palestinian Territory as being lawful or recognition of the situation arising from the unlawful presence of Israel in the Occupied Palestinian Territory as legal. In this connection, I recall that the International Court of Justice, in its advisory opinion referred to above, concluded that “the State of Israel’s continued presence in the Occupied Palestinian Territory is

unlawful” and that “the State of Israel is under an obligation to bring to an end its unlawful presence in the Occupied Palestinian Territory as rapidly as possible”. The Court further concluded that all States and international organizations, including the United Nations, “are under an obligation not to recognize as legal the situation arising from the unlawful presence of the State of Israel in the Occupied Palestinian Territory”.

I also recall that the General Assembly, on 18 September 2024, adopted resolution [ES-10/24](#), entitled “Advisory opinion of the International Court of Justice on the legal consequences arising from Israel’s policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and from the illegality of Israel’s continued presence in the Occupied Palestinian Territory”, in which it “demand[ed] that Israel brings to an end without delay its unlawful presence in the Occupied Palestinian Territory, which constitutes a wrongful act of a continuing character entailing its international responsibility, and do so no later than 12 months from the adoption of the present resolution” and “call[ed] upon the United Nations, and its bodies and organs, to respect and act in a manner consistent with the determinations made by the International Court of Justice”.

I would also like to take this opportunity to recall that Israel continues to be required to give effect to the terms of the Convention on the Privileges and Immunities of the United Nations (“the General Convention”), to which Israel has been a party since 21 September 1949 and which is applicable to UNRWA as an integral part of the United Nations, as well as the Exchange of Letters constituting a Provisional Agreement between UNRWA and Israel concerning Assistance to Palestine Refugees of 14 June 1967 (United Nations, *Treaty Series*, vol. 620, p. 183). While the Secretariat has sought assurances from the Government of Israel that Israel will comply with its obligations under the General Convention with respect to UNRWA by according to it in full the privileges and immunities, exemptions and facilities for which it provides, the Secretariat has, to date, not received such assurances.

I would further like to recall that, as a Member of the United Nations, Israel continues to be required, pursuant to Article 2, paragraph 5, of the Charter of the United Nations, to give UNRWA every assistance in any action it takes in accordance with the relevant decisions of competent principal organs adopted pursuant to the provisions of the Charter, including General Assembly resolution [302 \(IV\)](#) and subsequent Assembly resolutions renewing the UNRWA mandate.

In connection with all the foregoing obligations of Israel under international law, I recall that Israel may not invoke the provisions of its internal law, including the laws mentioned above, as justification for its failure to perform those obligations.

Finally, I would like to assure Member States that I intend to continue doing my utmost to enable UNRWA to continue its activities in the Occupied Palestinian Territory, including East Jerusalem, pursuant to the mandate given to it by the General Assembly.

In this regard, I appreciate the support of the General Assembly and the support of the Security Council for UNRWA, as reflected in its press statement of 30 October 2024 (SC/15874), and I would appreciate any further support which the Assembly and the Council could provide in order to enable UNRWA to carry out its activities as mandated by the Assembly.

I should be grateful if you would circulate the present letter as a document of the General Assembly, under agenda items 34, 35, 49 and 72 (b), and of the Security Council.

(Signed) António Guterres