

s 22(1)(a)(ii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)



Ministerial Submission

Cleared by:

Date sent to MO: PLE to complete

Action Requested By: 20 March 2024

Reason for Urgency: Urgent policy priority

FOR: Senator the Hon Penny Wong
The Hon Pat Conroy MP

UNRWA: Decision to resume funding

Key Issues: s 33(a)(iii)

It is contingent on Australia concluding a bilateral funding arrangement with appropriate control measures, with negotiations ongoing. The humanitarian need in Gaza is dire and deteriorating.

Recommendation:

That you:
s 33(a)(iii)

Decision:

Noted

Noted

Agreed / Not Agreed

see note

Noted

Noted

Domestic/Media Considerations: Extensive media coverage of the UNRWA humanitarian funding pause

Action:
Penny Wong
15/3/24

Pat Conroy
11

Information:

Dec 21 agreed as per NSC decision, contingent on UNRWA agreeing a bilateral funding arrangement with appropriate control measures [Signature] 15-7

From: Jan Adams, Secretary, DFAT
s 22(1)

Contact: Craig Maclachlan, DepSec ISG
s 22(1)(a)(ii) / Rod Brazier, DepSec DMG
s 22(1)(a)(ii)

Can this proposal be funded from within your existing divisional allocation (departmental/aid)? Not Applicable
If the proposal high risk/high value (over \$100m) concept has been approved by the Development Program Committee? N/A

Consultation: LGD



Background:

Further to s 22(1)(a)(ii) , s 33(a)(iii)

s 33(a)(iii), s 42(1)

s 33(a)(iii), s 42(1)

Provision of funding is contingent on Australia concluding a bilateral funding arrangement with UNRWA with appropriate control measures, which provides necessary assurances.

s 33(a)(iii), s 33(b)

5. We will also continue to engage with the UN and with UNRWA on implementation of any findings arising from the UN Office of Internal Oversight Services (OIOS) investigation and the independent Colonna review.

s 33(a)(iii)



Ministerial Submission

s 22(1)(a)(ii)

Cleared by:

Date sent to MO: PLE to complete

Action Requested By: 21 May 2024

Reason for Urgency: Urgent policy priority

FOR: Senator the Hon Penny Wong
The Hon Pat Conroy MP

UNRWA: Grant Arrangement

Key Issues: The Department has concluded negotiations with United Nations Relief and Works Agency (UNRWA) on a bilateral arrangement for \$6 million in humanitarian funding to Gaza. This follows the Government's 15 March decision to resume the \$6 million in humanitarian funding to UNRWA announced on 16 January, subject to agreeing a bilateral funding arrangement with appropriate control measures s 22(1)(a)(ii) . s 33(a)(iii)

Recommendation:

That you:

- a) Note the Department has concluded negotiations with UNRWA on a bilateral arrangement for \$6 million in humanitarian funding to Gaza;
- b) Note the arrangement includes new or strengthened provisions on neutrality and counter-terrorism as well as additional controls on the use and disbursement of Australian funds; and,
- c) Note we will counter-sign the arrangement on 15 May 2024 with disbursement of Tranche 1 (\$2 million) to follow within 48 hrs; and, Tranche 2 (\$4 million) to be disbursed on receipt and assessment of UNRWA's Action Plan in response to the Colonna Review.

Decision:

Noted

Noted

Noted

Domestic/Media Considerations: Extensive media coverage of the UNRWA humanitarian funding pause

Action:

Penny Wong
14/5/24

Pat Conroy
/ /

Information:

*V. thorough w.d & brief.
I appreciate your collective efforts on this.
The. RW 14.5*

From: Craig Maclachlan, DepSec ISG s 22(1)(a)(ii) / Rod Brazier, DepSec DMG s 22(

Contact: Beth Delaney, FAS Humanitarian Division, s 22(1)(a)(ii).

Can this proposal be funded from within your existing divisional allocation (departmental/aid)? Not Applicable
If the proposal high risk/high value (over \$100m) concept has been approved by the Development Program Committee? Not Applicable

Consultation: LGD, AGS, MAD



Background:

Further to s 22(1)(a)(ii) the Department has concluded negotiations with UNRWA on a bilateral arrangement for \$6 million in humanitarian funding to Gaza.

s 33(a)(iii), s 42(1)

3. The Department has documented considerations to inform its decision to resume funding at **Attachment A.** s 33(a)(iii)

4. s 33(a)(iii) The first tranche (\$2 million) will be disbursed on signing of the arrangement. During the negotiations, the independent Colonna Review of UNRWA was released. The Review confirmed that UNRWA was indispensable but made 50 recommendations in eight areas related to engagement with donors, governance, management and internal oversight, neutrality of staff, neutrality of installations, education, staff unions and enhanced cooperation with UN Agencies. We have made the release of the second tranche payment (\$4 million) contingent on DFAT's receipt of UNRWA's revised action plan incorporating the Colonna Review recommendations. We expect UNRWA to provide the Action Plan no later than the end of May.

s 33(a)(iii), s 33(b)

This ongoing engagement will inform the parameters of any new Strategic Partnership Framework we negotiate with UNRWA in relation to core funding (which will be included in the 2024-25 ODA Budget Summary on 14 May).

- Australia continues to believe UNRWA is indispensable for the provision of health, education and other essential services in Gaza and the other four areas of its operations
 - there is no practical alternative
 - note that over 1.7 million displaced people are currently being supported in UNRWA shelters and UNRWA is the key organisation in the humanitarian relief response in Gaza.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

Australian funding for UNRWA

- Australia will lift its temporary pause on funding for the United Nations Relief and Works Agency (UNRWA), following steps to strengthen the integrity of UNRWA operations.
- We have been working closely with a group of donor countries and UNRWA on the shared objective of ensuring the integrity of UNRWA's operations, rebuilding confidence, and ensuring that aid flows to Gazans in desperate need.
- The decision was made after key steps were taken by the UN Secretary-General and UNRWA to address donor concerns
 - and in recognition of the rapidly deteriorating humanitarian situation in Gaza and UNRWA's indispensable role in in

s 33(a)(iii)

s 47E(d)

s 22(1)(a)(ii)

- UNRWA must continue to do all it can to ensure the highest standards of governance and accountability are met
 - there can be no tolerance for members of terrorist organisations working for UNRWA.
- Australia is finalising an updated funding arrangement that will include stringent conditions such as guarantees of staff neutrality, and confidence in supply chains.

s 33(a)(iii), s 33(b)

- Australia's decision to lift its temporary pause on funding is in line with steps taken by the European Commission, Sweden and Canada.
- Only UNRWA has the infrastructure and staff to distribute aid on the scale needed right now in Gaza
 - urge Israel to recognise its mandate and work transparently to support its integrity.

s 22(1)(a)(ii)

s 22(1)(a)

s 22(1)(a)

s 22(1)(a)(ii)

s 33(a)(iii)

If raised: allegations of Hamas building infrastructure under UNRWA premises

- Deeply concerned about the allegations of Hamas building infrastructure under UNRWA premises.

s 22(1)(a)

s 22(1)(a)(ii)

- UNRWA has advised that they systematically condemned any violations of the neutrality of UNRWA sites by armed actors, including the most recent allegations
 - UNRWA Commissioner General Philippe Lazzarini said on 11 February on X (formally Twitter) that “UNRWA did not know what is under its headquarters in Gaza. UNRWA staff left its headquarters in Gaza City on 12 October and we have not used that compound since we left it.”
- Prior to 7 October, UNRWA undertook quarterly assessments by specially trained staff of all its facilities to review adherence to neutrality.
- The UN has announced an independent review of UNRWA’s neutrality led by former French Foreign Minister Colonna
 - Australia looks forward to the outcomes of the review in due course.

Announcement of an external review into UNRWA

- Welcome the announcement by UNRWA and the UN Secretary General of the independent review of mechanisms and procedures to ensure UNRWA’s adherence to the humanitarian principle of neutrality.
- The review is being led by former French Foreign Minister Catherine Colonna and conducted by three Scandinavian institutions.
- It is premature to comment further on the review as its work is ongoing.

What assurances did Australia seek to ensure none of this money went to Hamas before disbursement?

- Australia takes our counterterrorism and sanctions obligations when delivering assistance very seriously
 - should an allegation be raised about the diversion of UNRWA resources to terrorist actors, we have and will demand a prompt and rigorous investigation
 - and anyone found responsible are held accountable to the fullest extent.
- DFAT’s funding agreements have strict counterterrorism and sanctions requirements which are closely monitored and applied.
- We conduct annual partner performance assessments and conduct risk assessments of investments quarterly.

- Our Ramallah post actively participates in the UNRWA donor Advisory Commission with key donors which examines UNRWA performance.
- In 2023, DFAT commissioned an independent review of its bilateral assistance in the Occupied Palestinian Territories

s 33(a)(iii)

- The review included comprehensive stakeholder engagement including with organisations overtly critical of the UN's role
 - the Australia/Israel Jewish Affairs Council and Israeli NGO's IMPACT-Se and NGO Monitor all participated in key informant interviews
 - and the review included a field monitoring mission in Gaza and the West Bank in September 2023 which included engagement with UNRWA in both locations.

s 33(a)(iii)

s 22(1)(a)(ii)

s 22(1)(a)

s 33(a)(iii)

Doesn't this prove UNRWA is supporting a terrorist organisation and should not be funded?

- Allegations extremely concerning, s 33(a)(iii)

UNRWA provides the names, roles and ID numbers of all staff to the Israeli Government and the Palestinian Authority on an annual basis.

- UNRWA does vital, lifesaving work
 - it is providing essential services in Gaza directly to those who need it, with 1.7 million Palestinians currently sheltering in its facilities
 - there is no viable alternative to UNRWA.

s 33(a)(iii)

Does any of Australia's assistance to UNRWA end up with Hamas?

- Australia takes our counterterrorism and sanctions obligations when delivering humanitarian assistance very seriously
 - should an allegation be raised about the diversion of UNRWA resources to terrorist actors, we have and will demand a prompt and rigorous investigation
 - and anyone found responsible are held accountable to the fullest extent.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

- UNRWA as an institution has played an overwhelmingly positive role supporting Palestinians in need but cases of individual misconduct have occurred
 - UNRWA employs around 13,000 people in Gaza alone and they have consistently emphasised that zero tolerance does not mean zero risk
 - it is a question of minimising that risk and ensuring any violations are responded to immediately, appropriately and effectively
 - and that is why our agreements have strict counterterrorism and sanctions requirements which are closely monitored and applied.

If raised: UNRWA textbooks

- UNRWA understands that adherence to humanitarian principles – including neutrality – is critical to its credibility
 - UNRWA reviews educational materials continuously and trains its teachers to ensure its teaching is consistent with UN values.
- Australia will continue to hold UNRWA accountable for its adherence to humanitarian principles
 - and vigorously engage with UNRWA's senior leadership as a matter of course
 - and any time we are concerned by a specific allegation.

s 33(a)(iii), s 33(b)

s 22(1)(a)(ii)

s 33(a)(iii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

In Jordan, s 33(a)(iii)

Natalie Bouly, s 33(a)(iii)

visited an UNRWA health clinic with Deputy Commissioner

During the visit, you announced an additional \$21.5 million in humanitarian assistance to the Middle East, s 33(a)(iii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

s 33(a)(iii)

Following his meeting with you (Foreign Minister), UNWRA Commissioner Lazzarini s 33(a)(iii) said he had commissioned an independent review into the agency's operations in Gaza, including allegations regarding its activities.

Establishment of an independent Review Group into UNRWA

On 6 February, the UN Secretary-General in consultation with UNRWA Commissioner-General Phillipe Lazzarini announced the appointment of an independent Review Group to assess whether UNRWA is doing everything within its power to ensure neutrality and to respond to allegations of serious breaches when they are made. It will also make recommendations on how to strengthen the mechanisms in place.

The Review Group is being led by former French Foreign Minister Catherine Colonna who is working with three Scandinavian development thinktanks: the Raoul Wallenberg Institute in Sweden, the Chr Michelsens Institute in Norway and the Danish Institute for Human Rights.

The Review Group began its work on 14 February 2024 and is expected to submit an interim report to the Secretary-General late March 2024, with a final report expected to be completed by late April 2024. The final report will be made public.

The review will be conducted in parallel with the investigation being undertaken by the UN Office of Internal Oversight Services (OIOS). The OIOS interim report was delivered to the UNSG on 28 February. s 33(a)(iii)

On 11 February, a joint IDF-ISA statement announced the discovery of “a significant underground Hamas intelligence asset and weapons” within UNRWA facilities. UNRWA said in a statement that reports of tunnels under its headquarters “merit an independent inquiry,” and it “does not have the military and security expertise nor the capacity to undertake military inspections of what is or might be under its premises.”

On 22 February 2024, UNRWA Commissioner General Lazzarini wrote to the President of the General Assembly in New York to express his profound regret that the Agency had reached breaking point. Lazzarini said that UNRWA’s ability to fulfil the mandate given through General Assembly resolution 302 was now seriously threatened. Lazzarini said since the beginning of the conflict over 150 UNRWA premises have been hit by bombardment or shelling, killing over 390 people, and injuring over 1300

On 26 February 2024, Izzat Abdulhadi, Head of Palestinian Delegation to Australia, New Zealand the Pacific, published an op ed piece in The Guardian, calling on Australia to resume its funding of UNRWA.

On 11 March 2024, UNRWA Commissioner General Lazzarini wrote to Foreign Minister Wong to request a resumption of Australia’s funding.

On 15 March 2024, Foreign Minister Wong announced that Australia would lift its temporary pause on funding for the United Nations Relief and Works Agency (UNRWA), following steps to strengthen the integrity of UNRWA operations.

s 22(1)(a)(ii)

s 22(1)(a)(ii)

12 August 2024

s 22(1)(a)(ii)

UNRWA (UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST)

ISSUES

Funding for UNRWA, OIOS investigation, Colonna Review, potential Israeli designation of UNRWA as a terrorist organisation, US lawsuit against UNRWA.

KEY MESSAGES

New funding for UNRWA

- Australia has committed \$20 million in core funding to UNRWA for 2024-25
 - and is negotiating a new Strategic Partnership Framework to underpin this funding
 - which will continue to ensure stringent controls and safeguards, consistent with Australian law.
- UNRWA does vital work
 - that is why successive Australian governments have funded it since 1951.
- The humanitarian situation in Gaza is catastrophic, and only UNRWA has the mandate and infrastructure to receive and distribute aid on the scale needed now in Gaza.

UN Office of Internal Oversight Services (OIOS)

If raised: What is Australia's response to the OIOS report?

- We welcome the completion of the OIOS investigation and the swift action to terminate the employment of **all** individuals found to be implicated in the abhorrent 7 October terror attacks.
- Welcomed the Colonna Review earlier this year, which found that UNRWA was 'indispensable,' and that the organisation had not been captured by Hamas.
- Australia, alongside our partners, continues to push the UN and UNRWA to implement reforms and address findings from the two investigations.
- UNRWA must continue to do all it can to ensure the highest standards of governance and accountability are met.

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Position: Assistant Secretary
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Phone: s 22(1)(a)(ii)

12 August 2024

s 22(1)(a)(ii)

If raised: Doesn't the OIOS outcome prove UNRWA staff are involved in terrorism?

s 33(b)

- We condemn the actions of these staff and again urge UNRWA to take any further appropriate action swiftly.
- Important to note that the Colonna Review found UNRWA had robust principles and processes to safeguard neutrality
 - there was no systemic failure of neutrality
 - and no finding that UNRWA's operations had been systematically captured by Hamas or other terror organisations.

If pressed: How do we know that UNRWA is not still employing terrorists?

- Welcome UNRWA's decision to dismiss all staff implicated in the OIOS report
 - have made clear to UNRWA that Australia has no tolerance for members of Hamas or any other terrorist group working for the organisation
 - we continue to expect UNRWA to take swift action to investigate any credible allegations.
- Note the independent Colonna Review made no finding that UNRWA's operations had been systematically captured by Hamas or other terror organisations.

If raised: Why did Australia resume funding UNRWA before the OIOS investigation concluded?

- We resumed funding based on our assessment that strong steps had been taken to strengthen the integrity of UNRWA operations.
- Our funding arrangement with UNRWA includes stringent controls and safeguards that ensures compliance with Australian law.

s 33(a)(iii)

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12 August 2024

s 22(1)(a)(ii)

Lifting temporary pause on funding

- Australia's decision to lift its temporary pause on funding for UNRWA was made on 15 March following key steps taken by the UN Secretary-General and UNRWA to strengthen the integrity of UNRWA's operations
 - and in recognition of the rapidly deteriorating humanitarian situation in Gaza, and UNRWA's indispensable role in delivering assistance there.

s 33(a)(iii)

- In disbursing our \$6 million contribution in May, the new funding arrangement included stringent controls and safeguards
 - this ensures compliance with Australian law.
- UNRWA must continue to do all it can to ensure the highest standards of governance and accountability are met
 - there can be no tolerance for members of terrorist organisations working for UNRWA.
- Australia's decision to lift its temporary pause on funding is in line with steps taken by the European Commission, Canada, Denmark, Finland, Sweden, Germany, Iceland, Switzerland, Austria and Japan.

Colonna Review

- Australia welcomed the findings and recommendations of the independent review of UNRWA's neutrality, led by former French Foreign Minister Catherine Colonna (Colonna Review)
 - pleased the UN Secretary-General accepted the recommendations
 - and UNRWA committed to implement them.
- It found UNRWA was 'irreplaceable and indispensable' and pivotal in providing life-saving humanitarian aid and essential social services to Palestinians.

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12 August 2024

s 22(1)(a)(ii)

- It also found UNRWA had robust principles and processes to safeguard neutrality, and possesses a more developed approach to neutrality than similar UN organisations
 - we welcome the Review's recommendations to further strengthen UNRWA's neutrality policies and practices.
- There was no finding UNRWA's operations have been captured by Hamas, or that there has been diversion of funding.

If raised: Does UNRWA incite violence and terrorism through its teaching and textbooks used in its classroom?

- UNRWA understands that adherence to humanitarian principles – including neutrality – is critical to its credibility
 - we welcome recommendations from Colonna Review on educational materials.
- Australia continues to hold UNRWA accountable for its adherence to humanitarian principles
 - and continues to vigorously engage with UNRWA's senior leadership.

s 33(a)(iii)

- Only UNRWA has the infrastructure to distribute aid on the scale needed in Gaza
 - we urge Israel to recognise UNRWA's mandate and work transparently to support its integrity.

If raised: Further allegations against UNRWA employees

- Aware that Israel made further allegations against UNRWA employees on 4 July
 - and that UNRWA has sought additional information from Israeli authorities to substantiate these claims.
- We have made absolutely clear to UNRWA our expectation that swift action be taken to investigate any credible allegations
 - and all efforts made to implement in full the OIOS report and Colonna Review's findings as quickly as possible.

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12 August 2024

s 22(1)(a)(ii)

Background

Australia has been a consistent and long-standing contributor to UNRWA, making a financial contribution every year since 1951.

On 27 January, the Foreign Minister announced Australia would temporarily pause disbursement of funding to UNRWA. The temporary pause affected \$6 million to UNRWA's Flash Appeal announced on 16 January. It did not affect Australia's core contribution to UNRWA for 2023-24 worth \$20.6 million, which was disbursed on 23 October 2023. At a 12 July pledging conference for UNRWA in New York, Australia committed to continuing our funding to UNRWA with a core contribution for 2024-25 worth \$20 million.

Colonna Review

On 6 February, the UN Secretary-General, in consultation with UNRWA Commissioner-General Lazzarini, announced the appointment of an independent Review Group to assess whether UNRWA is doing everything within its power to ensure neutrality and to respond to allegations of serious breaches when they are made. Catherine Colonna was appointed to lead the Review, working with three Scandinavian development thinktanks.

An interim report was submitted to the Secretary-General on 20 March (not public), and the final report on 22 April (public). The Colonna Review did not draw conclusions on the specific allegations made earlier this year; this was the role of the OIOS investigation.

OIOS

On 5 August, the UN Office of Internal Oversight Services (OIOS) announced it had completed its investigation into the alleged involvement of UNRWA staff members in the 7 October 2023 attacks. The UN Secretary-General had announced the OIOS investigation on 28 January 2024 following the initial allegations against UNRWA staff. OIOS has made findings in relation to each of the 19 UNRWA staff members alleged to have been involved in the attacks.

The report has not been made public. s 33(a)(iii)

According to public messaging from UNRWA on the release of the final OIOS report, in one case, no evidence was obtained by OIOS to support the allegations of the staff member's involvement, while in nine other cases, the evidence obtained by OIOS was insufficient to support the staff members' involvement.

s 33(a)(iii)

Lifting of temporary pause

Australia engaged closely with other donors, the UN and UNRWA throughout the temporary pause to ensure allegations were being dealt with properly, and that progress was being made (and demonstrated) to enable Australia to lift its temporary pause when appropriate to

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12 August 2024

s 22(1)(a)(ii)

do so. On 15 March 2024, the Foreign Minister announced Australia would lift the temporary pause on the funding following steps to strengthen the integrity of UNRWA operations.

Disbursement of Australia's payment to UNRWA was subject to the negotiation of a funding arrangement with appropriate control measures. The arrangement (signed 14 May) includes stringent clauses to ensure Australia's funding of \$6 million would be spent according to Australia's rigorous controls, sanctions and legal requirements. Funding was split into two tranches: s 33(a)(iii)

Australia continues to take its counterterrorism and sanctions obligations very seriously. All agreements to deliver humanitarian assistance have strict counterterrorism and sanctions requirements, which are closely monitored and applied. This is augmented by ongoing diligence and vigilance with our partners (like Canada and the EU), the UN and UNRWA.

Allegations of antisemitic curricula

The Colonna Review found "UNRWA has consistently worked on ensuring neutrality in its education" and "developed and implemented a range of frameworks, manuals, mechanisms and procedures to align all educational materials and methods with UN values, principles and guidelines." The Review recommended more work needed to be undertaken to replace problematic content.

US Lawsuit against UNRWA – 24 June

On 24 June, a group of more than 100 Israeli plaintiffs, comprised of victims of the 7 October Hamas terror attacks (and their families) filed a lawsuit against UNRWA in New York for \$1 billion in damages. An UNRWA spokesperson has said, "The United Nations, including UNRWA, enjoys immunity from legal process, as do United Nations officials, including those serving with UNRWA."

The allegations of the suit are reportedly based on UNRWA's practice of paying its 13,000 employees in Gaza in U.S. dollars, using cash transported to Gaza from the branch of the Arab Bank in the West Bank. Reports explain that UNRWA employees then convert their pay into shekels, utilizing Hamas money changers who took a percentage on transactions.

In addition, the lawsuit criticizes UNRWA for allowing the group inside its facilities. The lawsuit includes, "The resulting atrocities were foreseeable, and the defendants are liable for aiding and abetting Hamas' genocide, crimes against humanity, and torture."

Anti-UNRWA bills in the Knesset

On 23 July 2024, the Knesset passed the first reading of three anti-UNRWA bills that were endorsed by the Knesset Foreign Affairs and Defense Committee in May. The bills included a ban on UNRWA operating on Israeli territory [which under Israeli law includes East Jerusalem], stripping UNRWA personnel in Israel of legal immunities and privileges, and designating UNRWA as a 'terrorist organisation.' These bills would need to pass a second and third reading to become law. s 33(a)(iii)

Allegations against UNRWA employees

On 4 July 2024, Israel made fresh allegations of UNRWA employees' links to Hamas in a letter to UNRWA Commissioner General Lazzarini. s 33(a)(iii), s 33(b)

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Hamas-Israel Conflict - OPT Humanitarian Brief, including UNRWA

Key Messages

- s 22(1)(a)(ii)
- Decision to lift the temporary pause on funding for UNRWA [announced 15 March] followed steps to strengthen integrity of UNRWA's operations.
- Welcome the recommendations of the independent Colonna Review into UNRWA [20 April] and UNRWA's commitment to implement them
 - review found UNRWA was "irreplaceable and indispensable"
 - no finding UNRWA's operations had been captured by Hamas.

Who made the decision to unpause funding to UNRWA?

- s 33(a)(iii)
- On 15 March, the Minister announced Australia would lift its temporary pause on funding to UNRWA.

If pressed: What advice did the Minister receive prior to making the decision to unpause funding to UNRWA?

- s 33(a)(iii)
- Long-standing practice not to disclose advice.

If pressed: Have you finalised the Arrangement with UNRWA?

- Yes [the arrangement was signed on 14 May 2024].

If pressed: Has the funding for UNRWA under this Arrangement been disbursed?

- Yes s 33(a)(iii)

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 Consultation: HPD, LGD, RLD

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 Group: ISG | MAD | MEB - Middle East Branch

If pressed: How were you satisfied funding UNRWA does not breach Australian law?

- Satisfied on the basis of the strong systems the department has in place to protect the integrity of the aid program and ensure it complies with the law.
- We also received independent legal advice from the Australian Government Solicitor.

If pressed: What assurances did you receive before restarting funding?

- The decision to resume funding was made after key steps were taken by the UN Secretary-General and UNRWA s 33(a)(iii)

- Following the decision to lift the pause [15 March], Australia negotiated a new funding arrangement with UNRWA, which included stringent controls and safeguards and ensures compliance with Australian law.

If pressed: Why didn't you wait for outcomes of OIOS and Colonna Review?

- UN leadership and UNRWA leadership had taken significant steps to demonstrate the seriousness with which they were responding
 - including initiating the Colonna Review and OIOS investigation, and developing an UNRWA action plan
 - and due to the gravity of the humanitarian situation.
- The decision was in line with other donors including Canada, Sweden and EU.
- UNRWA has an indispensable role in efforts to receive and distribute aid on the scale needed in Gaza.

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If pressed: How are you monitoring UNRWA? What action will you take if there are further allegations?

- . Australia's new funding arrangement includes monitoring and reporting obligations for UNRWA.
- . Will demand a prompt and thorough investigation when any credible allegation is raised
 - and that anyone found responsible is held fully to account.

If pressed: Did the Colonna Review conclude UNRWA is inciting violence through its textbooks?

- . The Colonna Review provided a thorough and evidence-informed assessment of UNRWA's neutrality practices.
- . Welcome the Colonna Reviews' recommendations on educational materials and UNRWA's agreement to implement them.
- . Continue to hold UNRWA accountable for its adherence to humanitarian principles and engage with senior leadership as a matter of course
 - the Foreign Minister raised the issue of educational material with UNRWA Commissioner-General Lazzarini during her visit in January
 - given concrete assurances from UNRWA it would remove 'toxic' content from textbooks used in its schools [15 April].

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Background

s 22(1)(a)(ii)

UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

UNRWA is the only UN body specifically mandated to provide relief and social services to Palestinian refugees. s 33(a)(iii)

Of the estimated 1.7 million displaced people [75 per cent of population] in Gaza, many are sheltering in or around over 150 UNRWA shelters.

The Australian Government has made a financial contribution to UNRWA every year since 1951.

Decision to unpause funding to UNRWA

The Australian Government's 15 March announcement to unpause funding to UNRWA followed actions from UNRWA and the UN to strengthen the integrity of its operations, including the UN Office of Internal Oversight Services (OIOS) investigation interim report

Prepared By:

Name: s 22(1)(a)(ii)
Branch: IGTF/MEB/MAD
Phone: s 22(1)(a)(ii)
Consultation: HPD, LGD, RLD

Cleared By:

Name: Craig Maclachlan
Position: Deputy Secretary
Phone: s 22(1)(a)(ii)
Group: ISG | MAD | MEB - Middle East Branch

118

Budget Estimates – June 2024

OFFICIAL

s 22(1)(a)(ii)

Last updated: 30 May 2024

Hamas-Israel Conflict - OPT Humanitarian inc. UNRWA

[29 February] and commencement of the Colonna Review [13 February]. UNRWA also delivered an action plan to the UN Secretary-General with strengthened internal controls to ensure neutrality [13 March]. The controls include: strengthened internal investigation and ethics offices; revised governance framework and risk management policy; new code of ethics; a new social media policy; and quarterly briefings to donors on neutrality.

s 33(a)(iii)

Australia continues to take its counterterrorism and sanctions obligations very seriously. All agreements to deliver humanitarian assistance have strict counterterrorism and sanctions requirements which are closely monitored and applied. This is augmented by ongoing diligence and vigilance with our partners [like Canada and the EU], the UN and UNRWA.

Colonna Review

The interim report of the independent Colonna Review was shared with donors on 22 March.

The final report [20 April] found UNRWA had robust principles and processes to safeguard neutrality, and had a more developed approach to neutrality than similar UN organisations. The report included recommendations to strengthen its neutrality policies and practices. It did not draw conclusions on the specific allegations made earlier this year that resulted in Australia pausing funding and UNRWA dismissing staff; the OIOS investigation is investigating these specific allegations.

s 22(1)(a)(ii)

Supporting information

s 22(1)(a)(ii)

On 15 March, Foreign Minister Wong announced the decision to lift the temporary pause on funding for UNRWA ([Media release](#)).

Prepared By:

Name: s 22(1)(a)(ii)
Branch: IGTF/MEB/MAD
Phone: s 22(1)(a)(ii)
Consultation: HPD, LGD, RLD

Cleared By:

Name: Craig Maclachlan
Position: Deputy Secretary
Phone: s 22(1)(a)(ii)
Group: ISG | MAD | MEB - Middle East Branch

119

Relevant Media Reporting

s 22(1)(a)(ii)

Numerous media articles covering Australia's decision to unpause funding to UNRWA and response to the Colonna Review including: ABC News, 15 March 2024, [Australia to resume funding to UN Palestinian aid agency UNRWA - ABC News](#); Sydney Morning Herald, 15 March 2024, [Australia to resume funding to UNRWA \(smh.com.au\)](#); ABC News, 23 April 2024, [UNRWA report finds Palestinian aid group has robust neutrality framework](#); The Australian, 25 April 2024, [UNRWA's insidious terror links](#).

Prepared By:

Name: s 22(1)(a)(ii)
Branch: IGTF/MEB/MAD
Phone: s 22(1)(a)(ii)
Consultation: HPD, LGD, RLD

Cleared By:

Name: Craig Maclachlan
Position: Deputy Secretary
Phone: s 22(1)(a)(ii)
Group: ISG | MAD | MEB - Middle East Branch

120

OFFICIAL: Sensitive



Australian Government
Department of Foreign Affairs and Trade

s 22(1)(a)(ii)

Senator the Hon Penny Wong

Meeting with Catherine Colonna, lead of Independent Review Group

7.00PM. Monday, 8 April 2024. by telephone.

s 22(1)(a)(ii)

OFFICIAL: Sensitive

s 22(1)(a)(ii)

s 22(1)(a)(ii)

OFFICIAL: Sensitive

s 22(1)(a)(ii)

s 22(1)(a)(ii)

OFFICIAL: Sensitive



Australian Government

Department of Foreign Affairs and Trade

s 22(1)(a)(ii)

Senator the Hon Penny Wong

Meeting with Philippe Lazzarini, Commissioner-General of the UN Relief and Works Agency

3.30pm (ACST) / 4pm (AEST) Wednesday, 10 April 2024. telephone. Adelaide

s 22(1)(a)(ii)

OFFICIAL: Sensitive

s 22(1)(a)(ii)

s 22(1)(a)(ii)

OFFICIAL: Sensitive

s 22(1)(a)(ii)

s 22(1)(a)(ii)

OFFICIAL



Australian Government

Department of Foreign Affairs and Trade

s 22(1)(a)(ii)

Senator the Hon Penny Wong

Meeting with Philippe Lazzarini, UN Relief and Works Agency Commissioner General

5.15pm, Wednesday, 7 February 2024

s 22(1)(a)(ii)

OFFICIAL

s 22(1)(a)(ii)

s 22(1)(a)(ii)

OFFICIAL

s 22(1)(a)(ii)

Senator the Hon Penny Wong

**Meeting with UN Senior Humanitarian and Reconstruction Coordinator for Gaza, Sigrid Kaag
6.00PM, Thursday, 4 April 2024, by telephone.**

s 22(1)(a)(ii)

s 22(1)(a)(ii)

s 22(1)(a)(ii)

FOR: Senator the Hon Penny Wong

INFO: The Hon Pat Conroy MP

Action Requested By: 31 January 2024

Reason for Urgency: Update on major issue

UNRWA: Proposed actions following decision to temporarily pause humanitarian disbursement for the Occupied Palestinian Territories

<p>Key Issues: Following your (Minister Wong) decision to temporarily pause disbursement of recently announced funding to UNRWA, we are seeking assurances from UNRWA on its investigation and other response measures, s 33(a)(iii)</p>	
<p>We continue to negotiate with UNRWA on safeguards associated with our \$6 million pledge, should the decision be made to lift our pause.</p>	
<p>Recommendation: That you:</p> <p>a) Note measures taken to inform consideration of an early resumption of funding to UNRWA.</p>	<p>Decision:</p> <p style="text-align: center;"><u>Noted</u></p>
<p>Domestic/Media Considerations: Extensive media coverage of the UNRWA funding issue</p> <p>Action:</p> <p style="text-align: center;">Penny Wong</p> <p style="text-align: center;">/ /</p>	
<p>Information:</p> <p style="text-align: center;">Pat Conroy</p> <p style="text-align: center;">/ /</p>	
<p>From: Marc Innes-Brown FAS MAD s 22(1)(a)(ii)</p>	<p>Contact: s 22(1)(a)(ii) HPD s 22(1)(a)</p>
<p>Can this proposal be funded from within your existing <u>divisional</u> allocation (departmental/aid)? Yes</p> <p>If the proposal high risk/high value (over \$100m) concept has been approved by the Aid Governance Board? Not Applicable</p>	
<p>Consultation: HPD</p>	

Background:

Following allegations that UNRWA staff were involved in the October 7 attacks, you (Minister Wong) moved quickly to welcome UNRWA's immediate response while announcing a temporary pause to the disbursement of recently announced funding. Other key partners also moved quickly to pause funding [US, UK, Canada, Japan, Germany and the Netherlands].

s 33(a)(iii)

3. Given UNRWA's critical role in providing humanitarian support to 2.1 million people in a conflict zone in Gaza, s 33(a)(iii) . UNRWA advise that at present they still have around 3,000 staff involved in the humanitarian response while other humanitarian agency staff number around 100-200. Most aid is flowing through UNRWA logistics systems. Over 1 million people are currently housed in UNRWA shelters. s 33(a)(iii)

s 33(a)(iii), s 33(b)

s 33(a)(iii), s 33(b)

6. We will revert with further advice on actions taken by UNRWA and possible conditions to guide a resumption of funding to UNRWA.

7. We are concurrently working with UNRWA to determine further safeguards on Australia's pledged \$6 million. s 33(a)(iii)

FOR: Senator the Hon Penny Wong
The Hon Pat Conroy MP
INFO: The Hon Tim Watts MP

Action Requested By: 2 April 2024
Reason for Urgency: To enable programming this financial year

Occupied Palestinian Territories: Further Allocations of Bilateral Development Budget

<p>Key Issues: s 22(1)(a)(ii)</p>	
<p>Recommendation: That you:</p> <p>a) Note that approximately \$22.6 million has been allocated to UNRWA (\$20.6 million) and Australia Awards Scholarships (\$2 million) through the OPTs bilateral development program this financial year.</p> <p>s 22(1)(a)(ii)</p>	<p>Decision:</p> <p style="text-align: center;"><u>Noted</u></p> <p style="text-align: center;"><u>Agreed / Not Agreed</u></p> <p style="text-align: center;"><u>Agreed / Not Agreed</u></p>
<p>Domestic/Media Considerations: Announcements in relation to the OPTs likely to attract media attention. Action:</p> <p style="text-align: center;">Penny Wong Pat Conroy</p> <p style="text-align: center;">/ / / /</p>	
<p>Information:</p> <p style="text-align: center;">Tim Watts</p> <p style="text-align: center;">/ /</p>	<p><u>Noted</u></p>
<p>From: Marc Innes-Brown, ISG MAD Israel-Gaza Taskforce s 22(1)(a)(ii)</p>	<p>Contact: s 22(1)(a)(ii) s 22(1)(a)(ii)</p>
<p>Can this proposal be funded from within your existing <u>divisional</u> allocation (departmental/aid)? Yes If the proposal high risk/high value (over \$100m) concept has been approved by the Development Program Committee? Not Applicable</p>	
<p>Consultation: HPD, DPD, PRD, LGD, Ramallah and Tel Aviv posts</p>	

Background:

Australia's assistance to the OPTs responds to the humanitarian and development needs of Palestinians, demonstrating in practical terms our support for a two-state solution. With a budget of approximately \$30 million, our bilateral development assistance for 2023-24 so far comprises core funding to UNRWA (\$20.6 million) and Australia Awards Scholarships (approximately \$2 million)—\$7.5 million remains unallocated.

s 22(1)(a)(ii)



Ministerial Submission

Cleared by: Rod Brazier

Date sent to MO: 1 March 2024

Action Requested By: 4 March 2024

FOR: Senator the Hon Penny Wong




The Hon Pat Conroy MP

INFO:

Reason for Urgency: Urgent Policy Priority

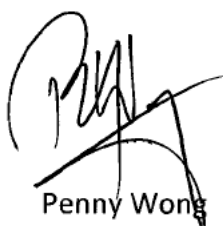
UNRWA: Update and conditions to resume funding

Key Issues: UNRWA relies on voluntary donor contributions and remains indispensable to the provision of humanitarian assistance in Gaza. s 33(a)(iii)

Recommendation: s 33(a)(iii)	Decision:  <u>Agreed / Not Agreed</u>  <u>Agreed / Not Agreed</u>  <u>Agreed / Not Agreed</u>
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Domestic/Media Considerations: Extensive media coverage of the UNRWA funding issue

Action:


Penny Wong

Pat Conroy

7/13/24

//

Pls work i fund
s 33(a)(iii)

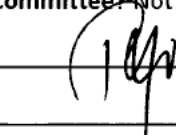
me.
s 47E(d)

From: Beth Delaney FAS HPD, s 22(1)(a)(ii) Marc Innes-Brown FAS MADS 22(1)(a)(ii)

Contact: Juliette Brassington AS HUB s 22(1)(a)

Can this proposal be funded from within your existing divisional allocation (departmental/aid)? Yes
If the proposal high risk/high value (over \$100m) concept has been approved by the Development Program Committee? Not Applicable

Consultation: Deputy Secretary ISG, Deputy Secretary DMG

Ths




Background:

Further to MS24-000136, we propose an approach to position Australia to resume UNRWA funding.

2. UNRWA remains indispensable to humanitarian operations in Gaza. UNRWA relies on voluntary donor contributions to manage cash flow and with 16 donors suspending (including key contributors the US and Germany) UNRWA anticipates a negative cash balance beyond March which could suspend or delay lifesaving services. We continue to seek regular updates on UNRWA's financial situation.

s 33(a)(iii)

s 33(a)(iii)

s 33(a)(iii), s 33(b)

s 33(a)(iii)



Ministerial Submission

s 22(1)(a)(ii)

Cleared by: Beth Delaney

Date sent to MO: 12 February 2024

Action Requested By: 14 February 2024

FOR: Senator the Hon Penny Wong

The Hon Pat Conroy MP

INFO: NA

Reason for Urgency: Update on major issue

UNRWA: update and humanitarian funding options for OPTs

Key Issues: s 33(a)(iii)

we are seeking strong UN leadership and the assurances necessary to resume funding. s 33(a)(iii) We propose retaining the pause on our planned UNRWA disbursement s 33(a)(iii)

Recommendation:

That you:

- a) Agree Australia maintains the pause on \$6 million humanitarian funding to UNRWA's flash appeal while we seek appropriate assurances, s 33(a)(iii)

s 22(1)(a)(ii)

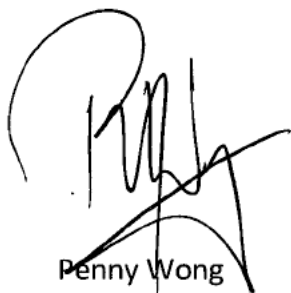
Decision:

Agreed / Not Agreed


s 33(a)(iii), s 47E(d)

Domestic/Media Considerations: Extensive media coverage of the UNRWA funding issue

Action: s 33(a)(iii)


Penny Wong

Pat Conroy

tho
 13-2.

13/12/24

11

From: Beth Delaney FAS HPD, s 22(1)(a)(ii) / Marc Innes-Brown FAS MAD s 22(1)(a)(ii)

s 22(1)(a)

Can this proposal be funded from within your existing divisional allocation (departmental/aid)? Yes
If the proposal high risk/high value (over \$100m) concept has been approved by the Development Program Committee? Not Applicable

Consultation: MAD, Deputy Secretary ISG, Deputy Secretary DMG



Background:

Further to your (Minister Wong) agreement on Australia's approach to UNRWA funding following allegations 12 staff members were involved in the October 7 attacks s 22(1)(a)(ii) s 33(a)(iii)

The UN has provided more details on actions taken or planned in response to the allegations, which provide a basis for discussions with others on minimum assurances needed prior to Australia resuming funding in good company.

s 33(a)(iii)

3. Further details provided by the UN on actions taken or planned in response to the allegations include:

- Activation of a UN Office of Internal Oversight (OIOS) investigation into the allegations with a interim report expected by the end of February 2024.
- Appointment of an independent Review Group to assess UNRWA's actions to ensure neutrality and respond to allegations of serious breaches [led by Catherine Colonna, former Minister of Foreign Affairs of France]. Commencing on the 14 February 2024, the Review Group is expected to submit an interim report late March 2024, with a final public report expected late April 2024.
- An internal review of UNRWA's control framework s 33(a)(iii)

s 33(a)(iii)

s 33(a)(iii), s 33(b)

We have emphasised that at a minimum Australia would need confidence in the robustness of the UN OIOS investigation and independent Review; detail of early actions taken by UNRWA to ensure integrity of its control framework; and, a commitment to implement any findings swiftly. We continue to seek regular and transparent communication from the UN.

s 33(a)(iii)

**Attachment A – public messaging (UNRWA and further humanitarian funding)**

s 22(1)(a)(ii)

- Separately, recognising the essential role UNRWA plays, we continue to follow up with UNRWA and international partners on the response to the grave allegations against UNRWA staff.
- I have welcomed UNRWA's immediate response, including terminating staff contracts and launching an independent investigation.
 - assurances from the UN that funding will be used appropriately is essential.
- Encouraged also by the UN's appointment of an independent review to assess UNRWA's actions
 - to ensure neutrality and respond to allegations of serious breaches
- Strong UN leadership is key to ensure the investigation and UNRWA review are expedited and thorough.
 - Essential Israel cooperates with the investigation team to enable work to be carried out quickly.
- I spoke with senior UN leadership last week
 - and emphasised our expectations on the transparency, credibility and timeliness of next steps.
- In responding to the dire humanitarian needs, I expect the entirety of Australia's humanitarian assistance to be disbursed
 - including the \$6 million I announced in January for UNRWA's flash appeal in the Occupied Palestinian Territories.