

Documenting the Enablers of Hamas War Crimes: UN Agencies, Government Aid Programs and NGOs

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"Everyone in Gaza including UN staff knows about the dual use of these facilities."
- Journalist Jan Franke

EXECUTIVE SUMMARY: UN agencies, government aid programs and NGOs have consistently and willfully aided and abetted Hamas as it built its vast terror infrastructure in the Gaza Strip. They diverted aid money to Hamas to fund its terrorist activities, provided propaganda and disinformation support to Hamas in its efforts to tarnish and discredit Israel, and indoctrinated Gazan schoolchildren to hate Jews. Systematic documentation of the roles played by UN and government officials, as well as NGOs operating under the vast framework of international humanitarian aid, in enabling and cooperating with Hamas, both tacitly and actively, is vital to prevent a repetition of this abdication of responsibility and accountability.

Detailed documentation of the brutal Hamas mass slaughter of October 7, 2023, which included rape, torture and other heinous crimes, is essential in preserving the historical record, particularly in an era dominated by social media propaganda and disinformation. Documentation has begun through Israeli frameworks, both governmental and private, and also by journalists, including at *The New York Times*. In addition, Steven Spielberg's Shoah Foundation is conducting a project to document the "unspeakable brutality."

In parallel, there is discussion of a special tribunal under the Israeli court system for trials of the perpetrators, particularly Hamas leaders who surrender or are taken alive. As in the trials of Nazi war criminals, including Adolf Eichmann, the testimonies of survivors will inform future generations in the face of campaigns working to erase and deny the atrocities.

A third layer is also required: the systematic documentation of the complicity of Hamas enablers and allies. This category includes numerous UN agencies and officials operating in Gaza, governmental aid organizations and diplomats, and non-governmental organizations (NGOs) claiming to promote human rights and humanitarian aid. Evidence of their involvement and behavior – specifically with respect to the large-scale theft ("diversion") of aid for construction of the massive terror infrastructure beneath Gaza and tens of thousands of lethal rockets – is available in numerous photographs and videos from the IDF. This and other information needs to be consolidated and systematically organized and made available in different forms to the general public.

The compilation of verifiable evidence is also essential in planning for "the day after" the war in Gaza and is independent of whatever political arrangements are eventually implemented. By carefully examining the activities of the organizations operating under international humanitarian aid frameworks, policies can be formulated to prevent a repetition of this behavior.

Many of the agencies and organizations comprising the multibillion-dollar Gaza aid industry have been active since at least June 2007. At that time, Hamas violently overthrew the Palestinian Authority, which had taken control when the Israeli government unilaterally ended its presence in Gaza in 2005. These agencies and organizations allowed Hamas to devote all available resources to building the terror network underground while relying on aid providers to supply the general population with food, water and essential above-ground services. As Hamas official Musa Abu Marzuk boasted in October, "We built the tunnels to protect ourselves from airplanes... The refugees, the UN is responsible for protecting them."

Throughout the 17 years since the Hamas takeover, numerous reports have been published and videos posted detailing the growth of the terrorist capabilities

inside Gaza. The frequent clashes with the IDF exposed additional information on the terror network and command centers located under and inside civilian locations, such as hospitals, <u>mosques</u>, <u>schools</u> and <u>residential buildings</u>. In the course of the operation that began following the October 7 attack, the IDF and journalists have added to this information, posting numerous pictures and videos showing the links between the aid operations and Hamas installations.

UNRWA is the largest aid framework operating in Gaza. It employs 30,000 staffers, mainly Palestinians, as well as about 200 international staff members, many based in Gaza or periodic visitors. It strains credulity to claim that the heads of the organization were unaware of the Hamas activities under and in the immediate proximity of their facilities and residences. In fact, evidence indicates that UNRWA international officials maintained a code of silence and cooperation with Hamas and associated terror groups, including promoting their propaganda and incitement and training of children for terror. Many UNRWA teachers have participated in antisemitic social media platforms, as documented repeatedly by UN Watch and other watchdogs. (On UNRWA corruption, see "UN Aid Chief Quits Amid Probe Into Palestinian Refugee Program.") In May 2021, following the 11-day conflict, the top UNRWA international staffer in Gaza was forced to resign after acknowledging that the IDF counterterror strikes had been "precise" and "sophisticated." The logical assumption, to be examined in this documentation process and evaluation, is that other UNRWA officials would have had similar information.

In addition to UNRWA, at least 12 other UN agencies are active in Gaza, including UN-OCHA (the Office for the Coordination of Humanitarian Affairs), the World Food Programme and the World Health Organization. A preliminary review of the history indicates that the officials and employees of these organizations also followed a policy of silence, and in some cases, directly cooperated with Hamas.

Similarly, UNICEF maintained direct and open cooperation with terror-linked NGOs, such as Defense for Children in Palestine (DCIP). UNICEF also <u>provided medical services during the Hamas-organized violent confrontations</u> along the border with Israel under the facade of the "Great March of Return" (2018-2019), which served as rehearsals for the October 7 massacre. In addition, UNICEF's

disregard for Israeli children targeted in missile attacks from Gaza, including those who were murdered, is another important part of the record.

The same questions and issues apply to documenting the terror-enabling activities of diplomats and officials from government aid organizations. The EU is the largest single financial supporter and aid donor to the Palestinians, and therefore likely to have been a major source of materials diverted to terror. In this context, it should be noted that the European Union's Head of Delegation (ambassador) to the West Bank and Gaza, Sven Kuhn von Burgsdorff (2019-2023), met with officials of NGOs linked to terror organizations (see below), and in February 2022, participated in an EU-funded workshop "focused on the strategies and mechanisms needed to combat counter-terrorism policies, regulations, and policies (sic)." In July 2023, von Burgsdorff smuggled a paraglider into Gaza and demonstrated its use, declaring, "Once you have a free Palestine, a free Gaza, you can do exactly the same thing." Three months later, the Hamas attack involved terrorists using paragliders.

The third category concerns leaders and employees of NGOs that operated in Gaza. NGO Monitor has compiled a list, based on UN financial information, of 70 NGOs that were active in recent years, and the total is likely to be higher. The largest, as measured by budgets and extent of involvement, include the Norwegian Refugee Council (NRC), CARE International, Catholic Relief Services, Médecins Sans Frontières (Doctors Without Borders), and Islamic Relief. Many major donor countries, including the US, maintain a list of "trusted partners" whose activities and personnel are exempt from detailed oversight and review.

As has been documented in detail in other conflict zones and areas controlled by terrorist groups, the officials of self-defined humanitarian aid NGOs often adopt policies of silence and cooperation, including aid diversion, and justify their actions by claiming that assisting the population is the more important imperative. NRC head Jan Egeland, among others, actively and consistently opposes anti-terror oversight requirements in government aid grants. In December 2020, he spoke at a conference of the French Ministry for Europe and Foreign Affairs, demanding "exemptions from counter-terrorism laws and sanctions regimes...We need blanket humanitarian exemptions....We need you to champion that there will be no vetting of the ultimate beneficiaries of

humanitarian relief." From the evidence available, this unaccountable policy characterizes NRC activities in Gaza, as well as those of other aid organizations.

The result of such willful blindness to terror, both in general and specifically in Gaza, was documented in the case of World Vision (WV). In 2016, the head of WV's Gaza operations was arrested and charged with diverting approximately \$50 million over ten years to Hamas, using fictitious humanitarian projects and agricultural associations to divert money and materials. He was convicted in 2022. The court's verdict included strong criticism of WV officials in Australia (which provided most of the funds), who, the judge observed, "are apparently trapped in a preconceived notion that does not accord with the circumstances in the region..." Gaza, he continued, is "controlled by a cruel regime, in the form of a terrorist organization that nearly has a state, whose resources – including economic resources – are, *inter alia*, taken advantage of through trickery, threats, and force, for terrorist activity, including from organizations like World Vision..."

Médecins Sans Frontières (MSF) is another important case study pointing to silent cooperation with Hamas. MSF has had a major presence in Gaza for many years. Yet throughout this period, and particularly during the current conflict, MSF officials have remained silent or denied any knowledge of terror activity, while condemning the IDF for military operations near and in hospitals. In a few cases, individual doctors (not affiliated with MSF) broke the code of silence, admitting that access to the lower floors of Shifa Hospital was off-limits. A senior American aid official acknowledged that this information was well known, and a Dutch journalist posted: "I have been to the Al Shifa Hospital several times as a reporter during the Israel-Gaza war in 2014 and also afterward. .. It is a vast complex. I have personally seen Hamas fighters there. Everyone in Gaza including UN staff knows about the dual use of these facilities." The same journalist posted photographs taken secretly of "uniformed Hamas fighters (in blue) sitting cautiously next to the entrance where ambulances arrive."

During the years of Hamas control, many of these organizations have also provided Hamas with political and propaganda support, consistently condemning Israeli counter-terror actions and erasing the Hamas rocket attacks (each a war crime) that triggered the Israeli responses. They similarly erased the barbaric attacks by Hamas on October 7 that sparked the current war. The social

media posts and press releases from <u>NRC</u> and <u>MSF</u> repeat accusations of "collective punishment" and "war crimes" and dismiss the violence of Hamas as the actions of a few "extremists."

Powerful NGOs proclaiming to promote human rights have a long history of systematically demonizing Israel and labeling all counter-terror efforts "war crimes" and violations of international humanitarian law. Human Rights Watch and Amnesty International have led these campaigns, which began over 20 years ago (the 2002 Jenin massacre lie) and have continued throughout the era of Hamas control over Gaza. Their demonization of Israel includes numerous "reports," condemnations and media campaigns based on false or unverifiable accusations, such as "apartheid" and "genocide." It is important to document the role that NGOs claiming to promote human rights have played in enabling Hamas war crimes since 2007, and in the systematic demonization of Israel that contributed to the current flood of antisemitic attacks.

From the first days of the war, the UN agencies, government aid groups, and NGOs have used their access to media platforms and image of neutrality to campaign intensively for an immediate and unconditional ceasefire, which would leave Hamas intact and in control of Gaza. In most cases, there was either token mention of the Israeli hostages still in captivity or no mention of them at all.

Moving forward: Transitioning from aid dependency to economic development

Beyond the massive diversion of aid for terror, absence of accountability, and political advocacy on behalf of Hamas, 75 years of Palestinian dependence and the label of "refugee status" across generations has been central in perpetuating the conflict. As documented by Yishai Schwartz and Einat Wilf (*The War of Return: How Western Indulgence of the Palestinian Dream Has Obstructed the Path to Peace*), the aid industry is central to reinforcing the Palestinian belief that Israel's existence is temporary, and its creation can be reversed. UNRWA and powerful NGOs like NRC have a direct interest in this destructive inversion and do their best to reinforce it.

It is critical to begin Gaza's transition away from aid and toward economic development, and to do so quickly. The current division of labor (aid and civil services above ground, Hamas and terror below) must not be allowed to continue.

This will require different international actors – ones that can develop productive industry and jobs, and that can lead the construction and operation of civilian transportation and communications services. Large-scale funding, particularly from governments, will still be required, but it should be administered by different organizations. In contrast to the aid industry, it must be accompanied by careful vetting, continuous oversight, transparency, and accountability.

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¹ See for example Oliver May and Paul Curwell, *Terrorist Diversion: A Guide to Prevention and Detection for NGOs*, London: Routledge 2020