

Adalah and Gisha:

Israeli Supreme Court Hearing on UNRWA Confirms Its Endorsement of Israeli Policies Aimed at Eliminating the Palestinian Refugee Issue and Undermining Their Rights

5 Aug 2026 – Statement of Facts

■ The petition filed by Adalah – The Legal Center for Arab Minority Rights in Israel and Gisha – Legal Center for Freedom of Movement, argued that these laws violate Israel’s obligations under international law as an occupying power and contradict the Advisory Opinion of the International Court of Justice, which affirmed Israel’s duty to facilitate UNRWA’s operations and refrain from obstructing its work.

■ On Monday, 3 August 2026, the Israeli Supreme Court held a hearing to consider a petition submitted by Adalah and Gisha on behalf of dozens of Palestinian refugees challenging two laws enacted by the Knesset in October 2024, as well as a legislative amendment adopted in December 2025. These measures target the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and seek to dismantle its operations.

■ The hearing took place nearly one year and seven months after the petition was filed, following repeated postponements despite the continued implementation of these laws and the grave violations they have caused to the fundamental rights of Palestinian refugees.

■ During the hearing, the Supreme Court based its questions and deliberations on the position advanced by the Israeli government in its written responses to the petition. The government argued that Israel bears responsibility for providing services in occupied East Jerusalem and therefore has the authority to terminate UNRWA’s activities and replace them with alternative service providers. The Court proceeded from this assumption without examining its legality or questioning its compatibility with international law, while also failing to address the consequences for the hundreds of thousands of Palestinian refugees who depend on UNRWA’s services.

■ Rather than addressing the violations of the refugees’ fundamental rights presented in the petition, the Court focused primarily on the powers of the Israeli authorities in occupied East Jerusalem. It also almost entirely ignored UNRWA’s indispensable role in the Gaza Strip and the occupied West Bank, despite the ongoing humanitarian catastrophe in Gaza and the extensive reliance on the Agency’s services following the war, settler attacks, and Israeli military operations in refugee camps across the northern West Bank. Instead, the Court appeared to accept the state’s assertion that the Palestinian Authority is responsible for service provision.

■ This approach clearly reflects the Court’s effective adoption of the legal and political framework advanced by the state, which treats the Palestinian refugee issue as one that can be eliminated, while disregarding both the individual and collective rights of Palestinian refugees and Israel’s obligations under international law.

■ The hearing was attended by Israeli National Security Minister Itamar Ben-Gvir, Mem-

bers of Knesset Tally Gotliv and Almog Cohen, along with other right-wing activists. They attempted to assault members of the legal defense team from Adalah and Gisha and shouted inciting slogans inside the courthouse, creating an atmosphere of intimidation throughout the proceedings.

■ At the conclusion of the hearing, the panel of judges recommended that the petitioners withdraw the petition. The legal team responded that it would submit its position to the Court within ten days regarding whether to continue the proceedings.

■ Background

■ The petition challenges two laws enacted by the Knesset in October 2024, together with a legislative amendment adopted in December 2025, which revoked the 1967 Co-operation Agreement between Israel and UNRWA, prohibited any official contact with the Agency, targeted its facilities and staff, cut off essential services, enabled the confiscation of its property, and undermined its capacity to continue providing humanitarian assistance and public services.

■ The petition argues that these laws violate the fundamental rights of Palestinian refugees, including the rights to dignity, health, education, and property. It further maintains that they breach Israel's obligations under international law as an occupying power and are inconsistent with the Advisory Opinion of the International Court of Justice, which affirmed Israel's obligation to facilitate UNRWA's work and refrain from obstructing its operations.

■ The hearing took place amid an ongoing escalation against UNRWA in recent months, including the raid on the Agency's headquarters in the Sheikh Jarrah neighborhood of occupied East Jerusalem and demolition activities carried out inside the compound. Israeli forces also raided the Qalandiya Vocational Training Centre, detaining students and staff, while water, electricity, and telecommunications services were cut off from several UNRWA facilities as part of a continuing policy aimed at undermining the Agency's presence and its ability to serve hundreds of thousands of Palestinian refugees.

■ Commenting after the hearing, Dr. Suhad Bishara, Director of the Legal Unit at Adalah, who submitted and argued the petition, stated:

"What we witnessed today confirms that the Court does not see Palestinian refugees, nor does it recognize their legal status or the rights guaranteed to them under international law as refugees. Instead, it seeks to eliminate their cause by dismantling UNRWA as a first step.

■ The Court has effectively adopted the same framework advanced by the state, ignoring the rights of one of the most vulnerable groups among Palestinian refugees. Rather than holding the state accountable for violating refugees' rights, the Court focused on persuading us that these actions fall within the state's authority. In doing so, it provides full judicial cover for policies aimed at undermining and ultimately eliminating the rights of Palestinian refugees."

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