

**FRAMEWORK FOR COOPERATION BETWEEN
THE UNITED NATIONS RELIEF AND WORKS AGENCY FOR
PALESTINE REFUGEES IN THE NEAR EAST AND
THE UNITED STATES OF AMERICA
2018-2019**

I. Introduction:

This Framework for Cooperation (the "Framework") sets forth understandings between the United Nations Relief and Works Agency for Palestine Refugees in the Near East (hereinafter referred to as "UNRWA" or "the Agency") and the United States of America (hereinafter referred to as "the United States" or "U.S."). The United States and UNRWA (the "Participants") have been working in partnership through a Framework for Cooperation since 2005 to provide humanitarian assistance, human development, and protection to UNRWA's beneficiaries in accordance with its mandate as approved by the United Nations General Assembly.

This document focuses on shared goals and priorities; continued support; monitoring and reporting; and communication and partnership.

It is understood that this document, in its entirety, including the attached Annex, constitutes policy commitments by UNRWA and the United States, and is therefore not legally binding.

II. Shared Goals and Priorities

The United States and UNRWA are jointly committed to addressing the needs of Palestinian refugees through effective provision of humanitarian assistance and protection, and to promoting the enhanced human development potential of Palestinian refugees until a comprehensive and lasting peace agreement is secured.

- The United States and UNRWA intend to work together to provide efficient and effective delivery of core education, primary health care, and relief and social services, and other humanitarian assistance to UNRWA- registered refugees and other persons falling under the mandate of UNRWA, and to promote the human development of Palestinian refugees by protecting human rights, improving living conditions, and supporting economic empowerment and livelihoods of Palestinian refugees, as outlined in UNRWA's 2016-2021 Medium Term Strategy.
- The United States and UNRWA intend to cooperate to support continued provision of emergency assistance to Palestinian refugees.
- The United States and UNRWA intend to build on past successes to integrate curriculum on human rights, conflict resolution and tolerance into classrooms; to train and develop teams of Operation Support Officers (OSOs) to uphold the Agency's neutrality; and to further enhance policies and procedures to prevent gender-based violence and keep women and girls Safe from the Start; and other mutually identified priorities.

Conformance with conditions on U.S. contributions pursuant to section 301(c) of the Foreign Assistance Act of 1961 (hereinafter referred to as "section 301(c)"), and conducting operations consistent with UN humanitarian principles of neutrality, humanity, independence, and impartiality, remain shared priorities. The United States and UNRWA share concerns about the threat of terrorism, including within the context of the United Nations' firm commitment to counter terrorism and conditions on U.S. contributions under section 301(c). Section 301(c) provides that, "No contributions by the United States shall be made to [UNRWA] except on the condition that

[UNRWA] take all possible measures to assure that no part of the United States contribution shall be used to furnish assistance to any refugee who is receiving military training as a member of the so-called Palestine Liberation Army or any other guerilla-type organization or who has engaged in any act of terrorism." UNRWA commits to take all possible measures to ensure funding provided by the United States to UNRWA does not provide assistance to, or otherwise support, terrorists or terrorist organizations. Further, the United States and UNRWA condemn without reserve all manifestations of religious intolerance, incitement, harassment or violence against persons or communities based on ethnic origin or religious belief, including anti-Semitism.

UNRWA is expected to provide semi-annual reports to the U.S. Department of State's Bureau of Population, Refugees, and Migration (PRM) on activities to inform evaluation of conformance with conditions on U.S. contributions to UNRWA, based on the attached Annex to this Framework. Priority activities for 2018-2019 to ensure conformance with conditions on U.S. contributions to UNRWA are expected to include, but are not to be limited to:

- Continuing the OSOs program, which is a key component of UNRWA and U.S. efforts to ensure neutrality of UNRWA facilities and staff and a critical piece of UNRWA's protection program.
- Further development and implementation of a strategy for training all UNRWA staff on the principle of neutrality.
- Strengthening UNRWA's investigative capacity into allegations of staff misconduct.
- Continuing to take clear, consistent, and prompt administrative or disciplinary action for violations of UNRWA's neutrality policy, consistent with appropriate procedural safeguards and the Agency's regulatory framework, and following due process.
- Taking suitable action with respect to discretionary benefits to UNRWA beneficiaries determined to have engaged in inappropriate conduct, consistent with appropriate procedural safeguards and the Agency's regulatory framework.

The United States and UNRWA expect to continue to work in partnership to promote UNRWA's financial stability, both through efforts to control and contain costs, as well as to mobilize additional resources. Ongoing UNRWA reform initiatives have improved management capacity, increased program quality and efficiency, and increased financial sustainability and accountability of the Agency. Consistent with the priorities outlined in the 2016-2021 Medium-Term Strategy, implementation of UNRWA's reform initiatives is expected to continue in 2018-2019.

UNRWA has worked in recent years on efforts to expand the donor base for voluntary contributions to UNRWA and to develop partnerships with international financial institutions, and the U.S. intends to continue to support the Agency as it furthers these efforts in 2018-2019. In 2017, following an extensive consultation process with a broad range of stakeholders, the Secretary-General issued a report on several possible avenues to explore in an effort to ensure "sufficient, predictable, and sustained funding" for UNRWA.

The United States and UNRWA assess that priority reform and resource mobilization activities for the Agency over the next two years may include, but are not limited to, the following. The United States intends to support UNRWA in these efforts as appropriate:

- Developing partnerships with international financial institutions.
- Continuing outreach to expand the base of donors who voluntarily contribute to the Agency, with a focus on securing sufficient, predictable, and sustained voluntary contributions, and early fulfillment of pledges. This includes outreach to non-traditional donors and regional partners.

- Continuing to consolidate programmatic reforms in the health, education, and relief and social services sectors, and analyze efficiencies gained through reforms.
- Managing the Agency's workforce to improve the quality and professionalism of staff, eliminate staff redundancies, and as resources permit, set compensation for staff to promote parity in salary levels between UNRWA staff and host government officials in comparable sectors and positions, commensurate with UNRWA's pay policy.
- Continuing to refine targeting and prioritization within UNRWA's budgeting process, with regard to both the Program Budget and Emergency Appeals.

UNRWA intends to continue to strengthen the Agency's internal governance and oversight processes. UNRWA and the United States affirm the importance of risk management, including increasing coordination across departments and programs on contextual, institutional, programmatic, fiduciary, and professional risk management. Among these efforts, the United States encourages UNRWA to:

- Provide more robust resourcing and staffing to the Department of Internal Oversight Services.
- Continue efforts to improve the safety and security of UNRWA's personnel, particularly those who do not fall under the purview of the UN Department of Safety and Security, and including through efforts to ensure the neutrality of UNRWA facilities and address violence affecting UNRWA facilities.
- Continue applying and strengthening the ongoing curriculum review process, which enables UNRWA's educators to use consistent criteria in analyzing and enriching educational materials, in order to promote UN values and principles in UNRWA classrooms.
- Continue to implement recommendations in internal UNRWA audits and evaluations and the UN Board of Auditors' reports, as well as improve tracking and transparency with regards to implementation of recommendations, and finalize implementation of appropriate recommendations relating to UNRWA put forward by the UN Secretary General's Board of Inquiry investigation into incidents affecting the neutrality of UNRWA's facilities and operations during the Gaza 2014 conflict.
- Build upon progress to date towards UNRWA's Grand Bargain commitments, particularly in relation to improving transparency in the costing of humanitarian and reconstruction rehabilitation programs and more systematic accountability to affected populations.

III. Continued Support

The United States is committed to continuing its partnership with UNRWA to assist UNRWA-registered refugees and other persons falling under the mandate of UNRWA until a comprehensive and lasting peace agreement is achieved and UNRWA's mandate ends. Recognizing the need for early, sufficient, predictable and sustained funding, the United States intends to strive to provide flexible and early contributions to UNRWA for the Agency's Program Budget and Emergency Appeals. The United States is committed to providing, subject to the availability of funds, a fair share contribution to UNRWA's annual Program Budget, Emergency Appeal (EA) for West Bank/Gaza, and EA for the Syria Regional Crisis Response, based on past practice and consistent with the Good Humanitarian Donorship principle of providing predictable and flexible funding. In addition, subject to the availability of funds, the United States intends to continue support for selected special projects mutually identified by the United States and UNRWA, including continued support for the Operation Support Officers (OSO) programs and the human rights, conflict resolution, and tolerance curriculum. UNRWA understands that U.S. support depends on UNRWA's demonstration of needs and results.

IV. Monitoring and Reporting

The United States commends UNRWA for the transition to the Annual Organizational Report (AOR) as a performance tool, and appreciates the ongoing consultative implementation of this initiative to ensure that organizational-level reporting on performance is consistent with donors' programmatic reporting requirements. Reflecting the principles of Good Humanitarian Donorship, the U.S. believes that the standardized reporting included in the AOR should satisfy the majority of U.S. reporting requirements for U.S. contributions to the Program Budget for 2018-2019.

UNRWA intends to continue to provide semi-annual section 301(c) reporting to PRM, as discussed in Section II of this Framework.

UNRWA also intends to continue to provide reporting separate from the AOR on the following appeals and special projects, though the reports may reflect a harmonized approach to donors' reporting requirements where applicable:

- Semi-annual reports on UNRWA's Emergency and/or Flash Appeals receiving U.S. funding, including reconstruction of the Nahr el-Bared refugee camp in Lebanon.
- Semi-annual (or, as called for by contribution language, quarterly) reports on U.S.-funded special projects, including U.S.-funded reconstruction projects in Gaza.
- Semi-annual reports on visibility efforts, per the U.S.-UNRWA Visibility Plan.
- Quarterly (or, as called for by contribution language, monthly) expenditure reports on all U.S. contributions to Emergency and/or Flash Appeals and reconstruction projects.
- Additional information for UNRWA's operations inside Syria, per the U.S.-UNRWA enhanced monitoring plan for Syria.

V. Communication and Partnership

In pursuit of meeting the goals and achieving the results articulated in this Framework, the United States and UNRWA remain committed to continuous information sharing and cooperation at all levels. The United States has a close working relationship with UNRWA and is in frequent contact with the organization through UNRWA's Representative Office in Washington, D.C., UNRWA Headquarters, and in the fields of operation. UNRWA intends to work closely with the PRM Refugee Coordinator's Office in Jerusalem, PRM Program Officers in Washington, D.C., and other U.S. Embassy and Consulate staff in its fields of operation to inform the United States of developments, challenges, and achievements throughout the year.

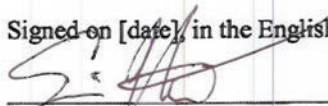
The United States monitors UNRWA on an ongoing basis and in a number of ways, including by actively participating in the semi-annual meetings of the Advisory Commission, regular meetings of the Sub-Committee of the Advisory Commission, regular meetings of the Harmonized Results Working Group, and other *ad hoc* working groups; analyzing UNRWA's regular reports and updates; undertaking field visits by PRM RefCoords and Program Officers; and attending briefings by UNRWA staff. UNRWA's Chief of Staff serves as the neutrality management focal point for the Agency, liaising with relevant Department of State officials on all relevant neutrality-related issues. Through regular reporting and dialogue, including on policy and program issues identified in this Framework, PRM intends to continue to monitor closely the organization's work, and also aims to ensure UNRWA is strengthening its capacity to monitor its own programs. The United States will continue to share with UNRWA the results of its monitoring and analysis, and welcomes feedback from UNRWA in response to U.S. findings and recommendations.

PRM and UNRWA intend to hold annual consultations on the shared objectives identified in this Framework.

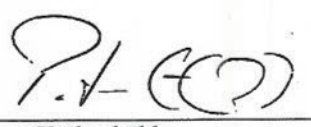
VI. Conclusion

The United States and UNRWA confirm their commitment to remain strong partners in their efforts to address the needs of Palestinian refugees within UNRWA's five fields of operation. The United States and UNRWA intend to consult regularly on policy and program issues identified in this Framework. This Framework for Cooperation is intended to remain in effect until December 31, 2019.

Signed on [date], in the English language.


Simon Hershaw
Principal Deputy Assistant Secretary
Bureau of Population,
Refugees, and Migration
U.S. Department of State

7 December 2017


Pierre Krähenbühl
Commissioner-General
United Nations Relief and
Works Agency for Palestine
Refugees in the Near East

7 December 2017

Annex: Activities Related to Conformance with U.S. Funding Conditions Pursuant to Section 301(c) of the Foreign Assistance Act of 1961

ANNEX:
**ACTIVITIES RELATED TO CONFORMANCE WITH U.S. FUNDING CONDITIONS
PURSUANT TO SECTION 301(C) OF THE FOREIGN ASSISTANCE ACT OF 1961**

UNRWA is responsible for drafting and submitting a report to the United States on progress towards activities below semi-annually. PRM also intends to track progress towards activities below.

General

1. Commitment by the Agency to conform to, consistent with UN resolutions and rules and the Framework for Cooperation between UNRWA and the United States for 2018-2019, conditions on U.S. contributions as outlined in funding agreements with the U.S. Department of State.
2. Regular meetings or conversations, defined as occurring at least once per month, between UNRWA and relevant State Department officials in which section 301(c)-related issues are discussed.
3. Regular written communication, defined as occurring at least once per month, between UNRWA and relevant State Department officials on section 301(c)-related issues.

Neutrality of UNRWA Staff/Personnel

4. Checks conducted and documented of all UNRWA staff against the Consolidated United Nations Security Council Sanctions List once every six months.
5. Provision of lists of UNRWA staff members to host governments, the Palestinian Authority, Egypt and Israel on an annual basis and other UN member states upon request.
6. Written communication to staff, through formal staff circulars or other communication channels, about appropriate behavior consistent with UNRWA's neutrality rules/regulations at least once every year for each of UNRWA's five fields of operation and at least once every year to all staff, including Headquarters.
7. Consistent with appropriate procedural safeguards, prompt initiation of investigations upon receipt by the intake committee of credible information about alleged staff/personnel misconduct.
8. Immediate efforts taken to seek information from host countries and other authorities when staff are detained/convicted, etc.
9. Requirement that all new and existing UNRWA staff complete neutrality training, and conduct semi-annual tracking to ensure compliance.

Neutrality of Beneficiaries

10. Checks conducted and documented of UNRWA-registered refugees and other registered beneficiaries against the Consolidated United Nations Security Council Sanctions List every six months.
11. Upon receipt of credible information that beneficiaries have engaged in conduct of concern, conduct fact-finding, assessment and denial of discretionary assistance to beneficiaries, as appropriate.

Neutrality of UNRWA Facilities

12. Inspection of each UNRWA facility in the West Bank, Gaza, Lebanon, and Jordan at least twice every six months by UNRWA Operations Support Officers or, in limited cases, appropriately trained senior UNRWA staff to ensure appropriate use and neutral appearance in accordance with the Agency's standards and procedures. Additional inspections of UNRWA installations in Syria may be conducted by UNRWA staff, security permitting.
13. Immediate investigation of incidents of misuse of facilities and immediate steps taken to assure non-recurrence, including, in appropriate cases, through seeking third party assistance.

Neutrality of Contractors, Vendors, and Non-State Donors

14. Checks conducted and documented of all contractors, vendors, and non-state donors against the Consolidated United Nations Security Council Sanctions List every six months.
15. Inclusion of all appropriate Agency neutrality clauses in Agency contracts, as outlined in the Regulatory Framework, with mechanisms to respond to non-compliance with neutrality clauses, as appropriate.
16. Accurate, complete, and timely details of UNRWA procurement contracts for goods or services (including construction) of aggregate annual value greater than \$100,000 are made publicly available one month after the end of each quarter. Entries are based on consistent use of vendor names.