Oct. 7 survivors sue UNRWA

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By Mike Wagenheim

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<https://www.jns.org/oct-7-survivors-sue-unrwa/>

More than 100 victims of Hamas’ Oct. 7 massacre [filed a lawsuit](https://u7061146.ct.sendgrid.net/ls/click?upn=u001.OhNCY5GQPYraX1C7copMH8VwEwDzep9pnSe5AW-2Fcpb8ih4R-2B6vV2vKh8B1jN0Irx8YrT_wE1MttFtPY49NEyC6ZbgMKDqvXeWh0jsjI1fu0S6E3vScXqmDw6EWGX1ubF8mWTgz-2Fsdl2aatSEPcs2-2FOQ7Gxa0nNPJ42eaacpzE3ri5tfIv74ZJfiHMfVJE-2F6WjNScg3dcr-2BWjRGtywT2s8c-2BObZgVHXj9mXVeN9cYb-2BoL2r2Gw9stGspb4uzpBqjoOVrFoH8CbRO6UfJm92TU61ZqbH2pmTLolblFpb-2Ba9ghmFuht3UhBFymsWjdw0PRLi4sQBJJIJEZnRMz2SJji5mgdvQd6Em-2B-2FOaupAu-2FGysVdmOuQBoebBEZ6FT0dcHtir0vJWj8kwYqUUN44pBVw4hm8GsQ-3D-3D) in U.S. federal court today, alleging that a scandal-plagued U.N. agency has led a long-standing money-laundering operation to the financial benefit of the terror group.

The suit, filed in the District Court for the Southern District of New York, names as defendants the U.N. Relief and Works Agency (UNRWA) and seven commissioners-general, deputy commissioners-general and a director, accusing them of participating in a decade-plus scheme of fraud and corruption.

‘There is no pain in the world that compares to burying your children and grandchildren who were murdered and suffocated in their own home,’ said Gadi and Reuma Kadem in a statement. ‘All that is left is to fight to hold those responsible for strengthening Hamas to account. UNRWA strengthened Hamas and transferred funds and financed the murders, acting as a full partner in the growth of Hamas terrorists. UNRWA and its directors are fully complicit in the murder of my children and family. ‘

UNRWA, the Palestinian-only aid and social services agency, has long been accused of fomenting the Israeli-Palestinian conflict through its unique treatment and perpetuation of the Palestinian refugee situation, incitement to violence in its schools and its employees’ ties to terror organizations.

‘The findings in this lawsuit demonstrate that UNRWA was aware of and actively participated in the diversion of funds earmarked to support the people of Gaza into channels that ensured those funds were used for terrorism and in violation of international law,’ said Bijan Amini, one of the lead lawyers in the case. ‘UNRWA’s insistence that over a billion dollars in Gaza aid be distributed in U.S. cash that locals could not spend without going through Hamas moneychangers is one of the most damning pieces of new evidence presented in this case.’

The lawsuit accuses UNRWA of insisting that aid payments in Gaza be made in U.S. dollars rather than Israeli shekels, which is the local currency. The suit claims this practice is unique to Gaza, and did not apply to aid payments made to other Palestinians benefiting from UNRWA, including those in Judea and Samaria or Jordan. Nor, the suit says, does it apply to refugees in any other U.N. program, all of whom are handled outside the Palestinian sector by the U.N. High Commissioner for Refugees (UNHCR).

Asked by JNS about the accuracy of the claim, an UNRWA spokeswoman said on Sunday morning that she did not have the information needed, but would check.

The office of António Guterres, the U.N. secretary-general, stated on Monday that ‘we are aware of press reports that a lawsuit has been filed in the United States against UNRWA and certain of its officials.’

‘The U.N., including UNRWA, enjoys immunity from legal process, as do United Nations officials, including those serving with UNRWA,’ the secretary-general’s office stated. ‘The United Nations will liaise with the United States authorities as necessary in this matter.’

The dollar-based payments, the suit says, require aid recipients to use Hamas’s moneychangers to convert them into usable shekels, diverting fees of 10% to 20% into Hamas’s coffers.

‘This payment scheme reduced the real value of aid to Gaza residents by $2 million to 4 million per month and increased Hamas’s monthly revenue by that amount. Perhaps more significantly, it ensured a reliable supply of U.S. dollar currency into Hamas’s control each month, which was necessary to pay smugglers and arms dealers who do not accept shekels as payment,’ read a statement announcing the lawsuit.

The lawsuit further alleges that Hamas ‘openly controlled 24 of 26 leadership positions in the UNRWA employee union,’ and repeats Israeli government accusations that at least 10% of UNRWA employees were members of Hamas and more than 100 participated in the Oct. 7 terrorist attacks.

‘UNRWA facilities and schools were used to store weapons and as entry points and supply for Hamas tunnels and bunkers. Hamas’s command and control center for the Oct. 7 attack was located directly beneath UNRWA’s headquarters in Gaza City, and used power and servers from that facility to coordinate terrorist movements during the attack,’ reads the statement.

While 16 countries suspended funding to UNRWA after the allegations surfaced of employee participation in the Oct. 7 massacre, all but the United States, United Kingdom and New Zealand have since restored donations. The Israeli government has been largely uncooperative with and distrustful of the United Nations’ requests for additional information and evidence.

One of the three named plaintiffs in the lawsuit is Ditza Heiman, an 84-year-old grandmother taken captive from Kibbutz Nir Oz and released on Nov. 28 as part of a ceasefire and hostage/security prisoner exchange.

For the first time, Heiman’s name has been revealed as the elderly hostage who says she was held captive by an UNRWA teacher.

‘The fact that Hamas controlled Gaza was not an excuse for UNRWA to hire and fund terrorists, but instead should have ensured UNRWA took extra precautions,’ Heiman said in the statement announcing the lawsuit. ‘UNRWA knew it was hiring terrorists and that its funds and facilities were being used for violence, but UNRWA’s complicity in paying and empowering terrorists to teach and radicalize a generation of Gaza’s children was perhaps even more evil and tragic.’

The previously unnamed Heiman and her family had told media, under the condition of anonymity, that she was held alone by a father of 10 in the mouse-infested, unfinished attic of his house.

After her meals were whittled down to one small ration a day, the UNRWA teacher, according to a media report, started bringing Heiman UNRWA-branded energy bars and later delivered to her an UNRWA-branded notepad for writing.

According to Heiman, she learned of the man’s profession and employer from his daughter, who spoke English, on her final day in captivity.

Critics of UNRWA say a recent [review](https://www.jns.org/israeli-foreign-affairs-ministry-review-of-unrwas-neutrality-offers-cosmetic-solutions/)of the agency’s neutrality and hiring practices was largely a pre-determined whitewash conducted by organizations that had already absolved UNRWA of accountability.

A separate U.N. investigation into UNRWA staffers’ participation in the event on Oct. 7 is ongoing, and the United Nations has not provided any information on its progress or findings thus far.