

# 1

*Chapter*



# Chapter One: Historical Overview

## **Preface**

*Palestinian refugees and internally displaced persons (IDPs) are one of the largest and longest-standing displaced populations in the world today.*

*The majority of Palestinian refugees and IDPs were displaced nearly fifty-five years ago during armed conflict and in the first Zionist/Israeli-Arab conflict in Palestine with more than 750,000 Palestinians displaced or expelled between late 1947 and the first half of 1949. Of the roughly 150,000 Palestinians who remained in the territories that became the state of Israel on 15 May 1948 several tens of thousands were internally displaced. Approximately 400,000 Palestinians were displaced, some for a second time, during the 1967 Israeli-Arab war. Subsequent displacements and expulsions followed in the occupied Palestinian territories after the 1967 war. Secondary displacement of refugees has continued in various countries of exile, including Jordan, Lebanon, Kuwait and Libya.*

*The majority of Palestinian refugees – i.e., those who were displaced/expelled in 1948 – are from areas inside 1948 Palestine/Israel. The government of Israel expropriated land and properties belonging to these refugees to be held in perpetuity for Jewish use (including Jews not holding Israeli citizenship or non-resident in Israel). The remaining Palestinian refugees – i.e., those who were displaced/expelled for the first time in 1967 and after – are from the 1967 occupied Palestinian territories. Israel has expropriated or controls for Jewish use approximately two-thirds of Palestinian owned land in these territories.*

*Today, approximately three-quarters of the Palestinian people are displaced. More than five decades after their initial displacement/expulsion from their homeland, Palestinian refugees and internally displaced persons still lack access to durable solutions to their plight based on international law and relevant UN resolutions. This chapter provides a short overview of the major causes and scope of Palestinian displacement since 1948.*

**Table 1.1 – Estimated Initial Refugee Population by Year of Displacement**

Year	Number of Palestinians Displaced/Expelled
1948	750,000 – 900,000
1967	350,000 – 400,000

Sources: There is no single authoritative source for the exact number of refugees displaced or expelled during the 1948 and 1967 wars. For a more detailed analysis of these figures see, 'Note to Table 1.1' at the end of this chapter. Final Report of the United Nations Survey Mission for the Middle East (Part I). UN Doc. A/AC.25/6; Janet Abu Lughod, "The Demographic Transformation of Palestine," *The Transformation of Palestine*. Ibrahim Abu Lughod (ed.). Evanston, IL: Northwestern University Press, 1971; Salman Abu Sitta, *The Palestinian Nakba 1948. The Register of Depopulated Localities in Palestine*. London: The Palestinian Return Centre, 1998; Report of the Secretary General under General Assembly Resolution 2252 (ES-V) and Security Council Resolution 237 (1967). UN Doc. A/6797. 15 September 1967; Tayseer Amro, "Displaced Persons: Categories and Numbers Used by the Palestinian Delegation [to the Quadripartite Committee] (not including spouses and descendants)." Article 74, No. 14 (1995). Jerusalem: Alternative Information Center for Palestinian Residency and Refugee Rights; and, George F. Kossaiji, *The Palestinian Refugees and the Right of Return*. Washington, DC: The Center for Policy Analysis on Palestine, 1996.

**Table 1.2 – Estimated Area of Palestinian Land Expropriated by Israel by Period of Expropriation**

Year	Area of Expropriated Palestinian Land (dunums)*
1948 war	17,178,000
1948 - 1967	700,000
1967 war	849,000
1967 - 2002	3,209,000

Sources: Due to the nature of the land holding system, data on land ownership is characterized by uneven quality. The figures above were constructed based on available data and estimates. The figure for 1948 includes land expropriated inside 1948 Palestine/Israel from Palestinian refugees immediately after the 1948 war; the figure for 1948-1967 includes land expropriated from Palestinians inside Israel; the figure for 1967 includes land expropriated from Palestinians in the 1967 occupied Palestinian territories immediately after the 1967 war; and the figure for 1967-2002 includes land expropriated from Palestinians inside 1948 Palestine/Israel and in the 1967 occupied Palestinian territories. For a more detailed analysis of these figures see, 'Note to Table 1.2' at the end of this chapter. Village Statistics 1945, *A Classification of Land and Area Ownership in Palestine*, in Salman Abu Sitta, *The End of the Palestinian-Israeli Conflict. From Refugees to Citizens at Home*. London: The Palestine Land Society and The Palestinian Return Centre, 2001; Sami Hadawi, *Palestinian Rights and Losses in 1948*. London: Saqi Books, 1988; Sabri Jiryis, *The Arabs in Israel*. London: Monthly Review Press, 1976; B. Abu Kishk, "Arab Land and Israeli Policy," 11 *Journal of Palestine Studies* 1 (Autumn 1981); Jack Cano, *The Question of Land in the National Conflict between Jews and Arabs 1917-1990*. Poalim Library, 1992; D. Peretz, *Israel and the Palestinian Arabs*. Washington, DC: The Middle East Institute, 1958; I. Lustick, *Arabs in the Jewish State*. University of Texas Press, 1980; Khader Abusway, Rose-Marie Barbeau and Muhammad al-Hasan, *Signed, Sealed and Delivered: Israeli Settlement and the Peace Process*. Jerusalem: JMCC, Jerusalem Media and Communication Center, 1997; and, Land Expropriation, Human Rights Update (PHRIC, Washington, DC), April 1991 and "Jewish Settlements in the West Bank and Gaza Strip," *Survey of Jewish Affairs* (1990), in George E. Bisharat, "Land, Law and Legitimacy in Israel and the Occupied Territories," *The American Law Review* 43 (1994).

\* 4 dunums equals 1 acre. 1 sq. km equals 1000 dunums.

## Root Causes of Palestinian Mass Displacement and Dispossession

The mass displacement of Palestinians from their homeland and subsequent dispossession is related to two primary factors: 1) denial of the right to self-determination; and, 2) systematic breaches of international humanitarian and human rights law.

### Denial of the Right to Self-Determination

The League of Nations and The Mandate for Palestine: The international community officially recognized the right of the indigenous peoples of Palestine to self-determination and independence in 1919 under the Covenant of the League of Nations.<sup>1</sup> According to Article 22 of the Covenant,

[c]ertain communities formerly belonging to the Turkish Empire have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone.

In 1922, the League entrusted the temporary administration of Palestine to Great Britain until such a time, as the population of the country was deemed ready for independence. The League of Nations considered Palestine as a "Class A" Mandate or closest to independence.<sup>2</sup>

The Mandate for Palestine, drafted by the British government in consultation with Zionist and American officials, violated the intent and purpose of the Mandate system.<sup>3</sup> While the Mandate system aimed to facilitate the independence of indigenous

peoples residing in non-self-governing territories, the British Mandate for Palestine aimed to facilitate the colonization of the country through Jewish immigration and settlement in order to “secure the establishment of the Jewish national home.”

The Mandate intentionally discriminated against the majority of the indigenous inhabitants of Palestine. According to the terms of the Mandate, the Palestinian Jewish minority in the country and non-resident Jews residing elsewhere were granted full political rights in Palestine. Palestinian Arabs, on the other hand, were only granted civil and religious rights. The terms Palestinian and Arab were not even mentioned in the Mandate. The majority of the population of the country was merely referred to as the *non-Jewish* community of Palestine.

The decision to grant the Mandate for Palestine to Great Britain also violated basic rules of due process set forth in the Covenant of the League of Nations. According to Article 22, the selection of the Mandatory power for non-self-governing territories was to be guided by the wishes of the indigenous population. In Palestine, however, the international community chose to ignore the expressed wishes of the indigenous population for an independent Palestine with constitutional protections for the

civil, political and economic rights of all citizens and residents of the country. “[I]n the case of the ‘independent nation’ of Palestine ... we do not propose even to go through the form of consulting the wishes of the present inhabitants of the country,” stated the British Secretary of State for Foreign Affairs Arthur Balfour. “Zionism, be it right or wrong, good or bad, is rooted in age-long traditions, in present needs, in future hopes, of far profounder import than the desires and prejudices of the 700,000 [indigenous] Arabs who now inhabit that ancient land.”<sup>4</sup>

The terms of the Palestine Mandate reflected previous British political commitments to the Zionist movement.<sup>5</sup> Central to the Zionist movement’s program was the establishment of a Jewish state. In 1917 the British parliament issued the Balfour Declaration that granted explicit recognition of and support for the idea of establishing a Jewish state in Palestine. When asked about how the Zionist movement had obtained British support for Zionist program, given the fact that Palestine was neither empty nor barren, Chaim Weizman, the first president of the state of Israel, stated: “The British told us that there are some hundred thousand Negroes [‘kushim’] [in Palestine] and for those there is no value.”<sup>6</sup>



The 1922 Mandate for Palestine created what was subsequently referred to as a dual obligation. Great Britain's primary *legal* obligation under the Mandate System was to facilitate the establishment of an independent state of Palestine based on the expressed wishes of the majority of the inhabitants of the country. At the same time, the British government made a *political* commitment to facilitate the establishment of a Jewish state in the same geographic territory against the expressed wishes of the majority of the indigenous inhabitants of that territory. This so-called dual obligation put the British Mandate administration in Palestine together with the Zionist movement on a collision course with the indigenous Palestinian Arab inhabitants of the country. The dramatic increase in Jewish immigration and settlement in the country along with the increasing vulnerability of the indigenous Palestinian Arab population in relation to land tenure and ownership (See *Scope of Displacement below*) confirmed suspicions within the community that the British Mandate administration had no intention of fulfilling its *legal* obligation to people of Palestine.

The imposition of the Mandate against the wishes of the majority of the inhabitants of the country and the denial of the right to self-determination led to a series of indigenous uprisings against foreign rule and colonization. British authorities responded with a combination of military force and a series of emergency laws that severely curtailed basic civil and political rights.<sup>7</sup> Methods employed to quell the indigenous uprisings included curfews, detention, imprisonment, demolition of homes, executions, and deportation of Palestinian leaders. The Zionist movement also clashed with British authorities, but more often than not, conflicts stemmed from dissatisfaction with the implementation pace of British commitments to facilitate the establishment of a Jewish state.

Following each round of disturbances, the British government dispatched an official commission of inquiry to Palestine. Over a period of more than two decades, the various commissions of inquiry invariably identified the denial of the right to self-determination and fear among the indigenous population of the political and economic consequences of political Zionism (as expressed through mass immigration and the acquisition of land) as the leading causes of the ongoing conflict in Palestine.<sup>8</sup> In a remarkably blunt assessment, for example, the 1929 Shaw Commission pointed out

that in the 80 years prior to the Balfour Declaration and British Mandate, "there [was] no recorded instance of any similar incidents."<sup>9</sup>

While the British Mandate administration introduced new legislation and procedures regulating Jewish immigration and land acquisition in response to the findings of the various commissions, the measures often proved ineffective and failed to resolve the root causes of the conflict.<sup>10</sup> The loss of land to Jewish/Zionist colonization, exacerbated by economic crisis, drought, and rural debt, engendered a pattern of internal displacement characterized by an exodus of Palestinian Arabs from the countryside to the shantytowns that sprung up around urban centers in Palestine.<sup>11</sup> British repression of the indigenous movement for independence, moreover, led to a small but steady pattern of forced migration from the country. During the 1936-39 uprising alone, for example, some 40,000 Palestinian Arabs fled the country.<sup>12</sup>

The United Nations and the Partition Plan: In early 1947 the British government informed the United Nations (the successor organization to the League of Nations) of Great Britain's intention to withdraw from Palestine ending more than two decades of mandatory rule. British officials had concluded that the so-called dual obligation was unworkable. The Charter of the United Nations set forth two procedures for dealing with non-self-governing territories administered by foreign powers. Upon termination of a mandate regime non-self-governing territories were to join the international community as independent states. Alternatively, the United Nations Charter provided for the establishment of a Temporary Trusteeship similar to the mandate system by request of the mandate power.

The British government decided against submitting a request to place the country under a UN trusteeship, concerned that the establishment of an international Temporary Trusteeship would only prolong British engagement in Palestine. When the issue of the future status of Palestine was brought before the United Nations, the General Assembly refused to recognize Palestine as an independent state. The majority of the members of the Assembly still felt politically bound by the so-called dual obligation to the Zionist movement and the rights of the Palestinian people. The General Assembly

also rejected repeated requests by several member states to obtain an advisory opinion from the International Court of Justice (ICJ) concerning the appropriate legal outcome of the British decision to terminate the Mandate in Palestine as well as the legal authority of the UN to issue and enforce recommendations on the future status of the country.<sup>13</sup>

By rejecting established legal procedures and refusing to obtain legal counsel the United Nations was entering uncharted territory. The General Assembly decided to appoint a special committee to formulate recommendations concerning the future status of Palestine. Following several months of investigative hearings in Palestine and in Europe (the latter to investigate the problem of displaced Jews), the UN Special Committee on Palestine (UNSCOP) issued its recommendations.<sup>14</sup> Committee members unanimously approved eleven general recommendations, including termination of the mandate, implementation of a transitional period supervised by the United Nations and protection of religious and minority rights (including citizenship and property rights) in Palestine. All members of the Committee agreed that “enforcement measures on an extensive scale” would be required throughout the transition period.

The Special Committee was unable, however, to reach a consensus concerning the future status of the country. The majority of the Committee members recommended partition. The creation of two states, one Arab and the other Jewish, was considered “to afford a workable basis for meeting in part the claims and national aspirations of both parties.” The aim of the minority proposal for a federal state, on the other hand, was to create “a dynamic solution which [would] ensure equal rights for both Arabs and Jews in their common state.” The proposal aimed to arrest the “acceleration of the separatism” that had increasingly characterized the relations between Arabs and Jews in the Middle East over the course of the first half of the 20th century.

In November 1947 the UN General Assembly voted in favor of partition against the expressed wishes of the vast majority of the indigenous inhabitants of Palestine and despite previous warnings that partition could lead to mass involuntary population transfer. According to UN General

Assembly Resolution 181(II), 11 November 1947, the proposed Jewish state was allotted 56 percent of the territory of Palestine, including most of the fertile land. At the time, the Jewish community comprised less than one-third of the population of Palestine and owned not more than 7 percent of the land. Nearly half the population of the proposed Jewish state, however, was comprised of Palestinian Arabs who owned nearly 90 percent of the land.<sup>15</sup>

**Map 1 – UN Partition Plan for Palestine**



The partition plan quickly proved to be as unworkable as the British mandate. Reviewing the situation in January 1948, two months after the UN recommended partition, British officials in Palestine reported that violent conflict between the two communities had intensified; courts and essential government services were either unable to operate or were seriously crippled; there was one month's supply of certain types of fuel oil in the country; a general sense of insecurity had spread throughout the country; communications were obstructed; and the collection of public revenue

was expected to drop sharply. Repeated warnings from UN and British officials in the field about an impending humanitarian and political disaster were largely ignored. While decades of British repression had severely undermined popular indigenous resistance, the Zionist movement had built up a centrally organized underground militia with some 60-70,000 men. Without the deployment of a special international force, international officials on the ground in Palestine warned UN officials and member states that a period of "uncontrolled, widespread strife and bloodshed would follow."<sup>16</sup>

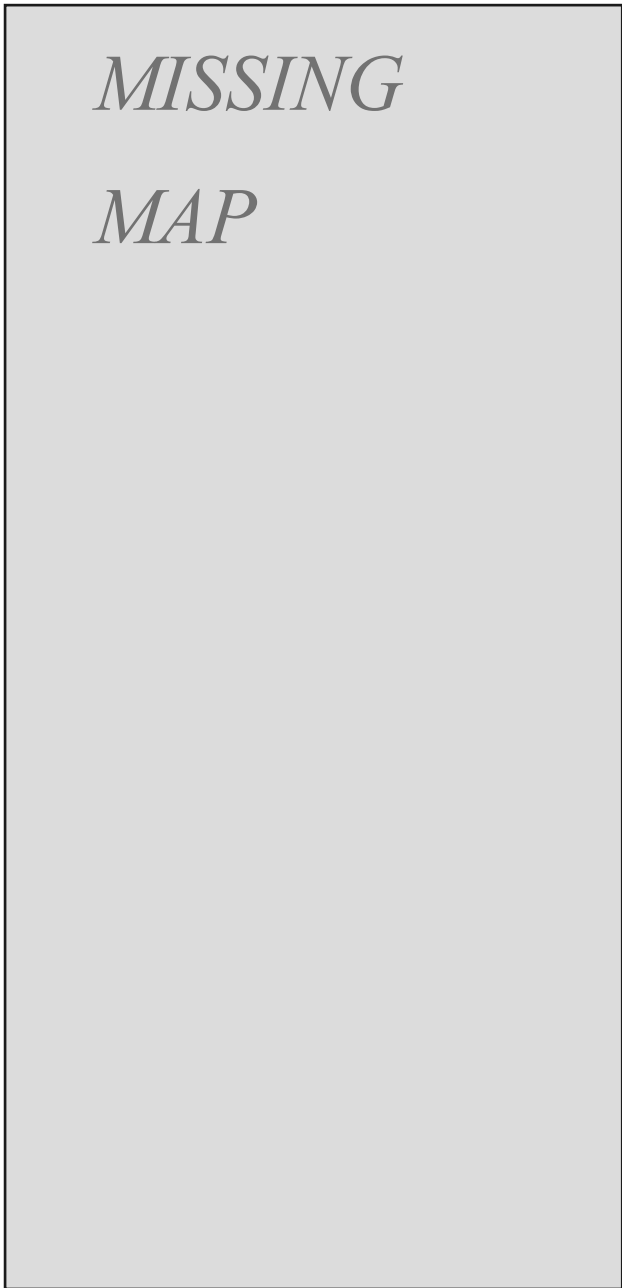


As the situation on the ground began to unravel at an increasingly alarming pace the United States and other member states of the United Nations began to search for an exit strategy. By the spring of 1948 local administration, public services, and law enforcement in Palestine were all on the verge of complete collapse. By the time American recommendations to put the partition plan on ice and establish a Temporary Trusteeship

in Palestine had wound their way through the various procedural hurdles at the United Nations in mid-May 1948, some 400,000 Palestinian Arabs comprising one-third of indigenous Palestinian Arab community had already been displaced/expelled from their homes and villages of origin. In total 199 Palestinian villages had been depopulated with a total area of 3,363,964 dunums (3,363 km<sup>2</sup>).<sup>17</sup>



**Map 2 – Areas Occupied by Israel in 1967**



The unilateral declaration of the establishment of the state of Israel by the Zionist movement in May 1948, followed by the subsequent entry of Arab forces in Palestine later in the month, led to the complete collapse of UN efforts to find a political solution for the future status of Palestine based on the so-called dual obligation. By the time the first Israeli-Arab war ended in 1949, more than half of the indigenous Palestinian Arab population of the country was displaced. The failure of UN efforts to implement the partition plan; the establishment of a Jewish state on 78 percent of the territory of Palestine; the subsequent annexation of the remaining 22 percent of Palestine to Jordan; as well as the humanitarian and political disaster facing the Palestinian people prevented the establishment of a Palestinian Arab state in the remaining area of the country (i.e., the areas subsequently known as the West Bank, including eastern Jerusalem, and the Gaza Strip). Israel's 1967 occupation of these areas, resulting in the displacement of several hundred thousand Palestinians, subsequently prevented the indigenous Palestinian Arab population from exercising the right to self-determination in all areas of historic Mandate Palestine.

### ***Systematic Breaches of International Law***

The majority of the Palestinian refugee population was displaced/expelled by Israeli military forces (including pre-state Zionist militia groups) using a combination of tactics that violated basic principles of international humanitarian and human rights law. Israel subsequently promulgated a series of discriminatory laws that facilitated mass denationalization of the Palestinian refugees and expropriation of Palestinian refugee property. The violation of the human rights of Palestinians inside 1948 Palestine/Israel, the 1967 occupied Palestinian territories, as well as in Arab host states such as Jordan, Lebanon, Libya and Kuwait has led to further cycles of displacement.





### **Box 1.1 – Sources of Displacement During Armed Conflict**

In 1948, it is estimated that 25 percent of Palestinians were expelled by Jewish forces, 54 percent fled under military assault, 2 percent fled because of psychological warfare, 8 percent out of fear of Jewish attack or getting caught up in the fighting, 10 percent from the influence of the fall of a neighboring town and 1 percent on orders from Arab leaders.

During the 1967 war, nearly 60 percent of those Palestinian refugees who sought refuge in Jordan reported Israeli bombardment as the primary reason for flight.

Sources: Salman Abu Sitta, *The Palestinian Nakba 1948, The Register of Depopulated Localities in Palestine*, London: Palestinian Return Centre, 1998. P. Dodd and H. Barakat, *River without Bridges: A Study of the Exodus of the 1967 Palestinian Arab Refugees*. Beirut: Institute for Palestine Studies, 1969.

Targeted Attacks Against Civilians: During the 1948 conflict in Palestine, Zionist militias and Israeli military forces shelled Palestinian villages and towns to encourage flight. Palestinian men, women, and children, fleeing their villages in search of temporary refuge, were fired on to ensure departure. Incidents occurred in all major cities

throughout the country, including Haifa, Jaffa, Akka, Ramle, Lydda and Jerusalem, as well as in Palestinian villages.

According to British observers in Haifa, for example, the *Haganah* (Israel's pre-state Zionist militia) offensive in April 1948 "included completely

indiscriminate and revolting machinegun fire and sniping on women and children ... attempting to get out of Haifa through the gates into the docks ... There was considerable congestion outside the east Gate of hysterical and terrified Arab women and children and old people on whom the Jews opened up mercilessly with fire.”<sup>18</sup> Israel later instituted ‘shoot to kill’ policies at the front lines to ‘prevent infiltration’ - i.e., the spontaneous return of refugees to their homes. It is estimated that between 1948 and 1956 Israeli forces killed some 5,000 refugees as they tried to return to their homes.<sup>19</sup>

During the 1967 war, Israeli military forces attacked numerous civilian areas that had no military significance. Refugee camps in Jericho, for example, were bombed by the Israeli air force leading to an exodus of tens of thousands of refugees. Israeli aircraft also strafed Palestinian civilians who were fleeing areas of fighting in the West Bank and Gaza Strip.<sup>20</sup> As in 1948, Israeli forces shot at Palestinian civilians, including women and children, attempting to return to their homes and lands across the frontier lines. Subsequent attacks on Palestinian civilian areas, including refugee camps, in the 1967 occupied territories have led to further internal displacement over the past 35 years.

*We fired such shots every night on men, women and children. Even during moonlit nights when we could identify the people, that is, distinguish between men, women, and children. In the mornings we searched the area and, by explicit order from the officer on the spot, shot the living, including those who hid or were wounded, again including the women and children.*

*Statement by an anonymous Israeli soldier, 5th Reserve Division, Ha'olam Hazeq magazine, 10 September 1967. Cited in D. McDowall, Palestine and Israel: The Uprising and Beyond. London: I.B. Tauris, 1989, p. 197.*

Massacres and other Atrocities: Zionist militias and Israeli military forces carried out at least 30 reported massacres and other atrocities with as many as one hundred in 1948. The massacre of more than 100 men, women and children in the Palestinian village of Deir Yassin in April 1948 is widely acknowledged to have contributed to the fear and panic among the indigenous Palestinian Arab population that led to mass displacement even before the Israeli-Arab war began in May 1948.

### **Box 1.2: Reported Massacres during the 1948 War**

Mansurat al-Khayt (18 January 1948)	al-Khisas (25 May 1948)
Dayr Yassin (9 April 1948)	Lydda (10 July 1948)
Khirbat Nasir ad-Din (12 April 1948)	al-Tira (16 July 1948)
Hawsha (15 April 1948)	Ijzim (24 July 1948)
Khirbeh Wa'ra al-Sawda (18 April 1948)	Beer Sheeba (21 October 1948)
Husayniyya (21 April 1948)	Safsaf (29 October 1948)
Balad ash-Sheikh (25 April 1948)	al-Dawayima (29 October 1948)
Ayn az-Zaytun (2 May 1948)	Khirbeh as-Samniyya (30 October 1948)
Burayr (12 May 1948)	Saliha (30 October 1948)
Khubbayza (12 May 1948)	Sa'sa (30 October 1948)
Abu Shusha (14 May 1948)	Eilaboun (29 October 1948)
Tantoura (21 May 1948)	Jish (29 October 1948)
	Majd al-Kroum (29 October 1948)

*Source: Salman Abu Sitta, The Palestinian Nakba 1948, The Register of Depopulated Localities in Palestine, London: Palestinian Return Centre, 1998.*

A spate of at least nine reported massacres in October 1948, in which Palestinian Arab villagers were raped, bound, executed and dumped in mass graves, led to the only internal high-level investigation of the Israeli military. According to the government investigating committee, “[Prime Minister] Ben-Gurion and [Foreign Minister] Shertok appeared not to have been shocked by what had happened.”<sup>21</sup> The investigation resulted in the disciplining of some soldiers and officers and the publication of rules on the treatment of civilians, however, serious breaches of international law continued.



then Lt. Colonel Yitzhak Rabin, issued expulsion orders for the inhabitants of the Palestinian towns of Ramle and Lydda.<sup>23</sup> The expulsion of thousands of men, women and children was done with the approval of the Israeli Prime Minister. In late October 1948, an official cable was issued to all Israeli division and district commanders in the north: “Do all you can to immediately and quickly purge the conquered territories of all hostile elements in accordance with the orders issued. The residents should be helped to leave the areas that have been conquered.”<sup>24</sup>



During the 1967 war some refugee shelters in the Gaza Strip were blown up in the middle of the night while refugees inside were still asleep. Excavation in the Rafah refugee camp, for example, later revealed fifteen bodies in a single mass grave and eight others in individual graves.<sup>22</sup> During Israel’s invasion of Lebanon in 1982, Lebanese Christian Phalangists allied with Israel massacred several thousand Palestinian refugees in the camps of Sabra and Shatila in Beirut. Not one person responsible for these massacres has ever been brought to trial and convicted for war crimes, although a complaint was lodged in 2001 against Israel’s current Prime Minister Ariel Sharon for his involvement in the 1982 massacre in Beirut. (See Chapter Five, *International Protection*, Box 5.4)

Expulsion of the Civilian Population: Palestinians have also been physically expelled from their homes, villages and towns. In early July 1948, for example,

*There is reason to believe that what is being done, is being done out of certain political objectives and not only out of military necessities, as they [Jewish leaders] claim sometimes. In fact, the ‘transfer’ of the Arabs from the boundaries of the Jewish state is being implemented ... the evacuation/clearing out of Arab villages is not always done out of military necessity. The complete destruction of villages is not always done because there are no sufficient forces to maintain garrison.*

*Aharon Cohen, memorandum entitled “Our Arab Policy During the War,” in Giva’at Haviva, Hashomer Hatza’ir Archives, 10 October 1995. Cited in Nur Masalha, “The Historical Roots of the Palestinian Refugee Question,” *Palestinian Refugees, The Right of Return*. Naseer Aruri (ed.) London: Pluto Press, 2001, p. 44.*

Expulsion and internal transfer of Palestinian Arabs continued after the signing of armistice agreements in 1949 between Israel and its Arab neighbors. Within days of the signing the Egyptian-Israeli General Armistice Agreement, for example, some 2,000-3,000 Palestinians from the villages of Faluja and Iraq al-Manshiya, were beaten, robbed and forced to leave their homes. Thousands of indigenous Bedouin inhabitants were expelled from their tribal areas in the south and north of the country.<sup>25</sup> Israeli police carried out raids on Palestinian villages to search for refugees who had returned spontaneously following the cessation

of hostilities. Returnees were subsequently transported to the border and expelled.

During the 1967 war, Palestinian residents of the Moroccan quarter in the Old City of Jerusalem and the villages of Imwas, Yalu and Bayt Nuba were driven from their homes by Israeli military forces. Residents of the villages were forced to cross into Jordan. Others were transferred out of the West Bank on buses and trucks provided by the military.<sup>26</sup> In some cases young Palestinian men were forced to sign documents that they were leaving voluntarily.<sup>27</sup>



Destruction and Looting of Property: Israeli military forces have also systematically destroyed hundreds of Palestinian villages. During the 1947-49 armed conflict and war in Palestine, more than 500 villages (including small localities known as khirbeh) were depopulated and destroyed. The destruction of Palestinian villages was one of six measures included in a “Retroactive Transfer” Plan approved in June 1948 by the Israeli Finance Minister and Prime Minister to prevent the return of Palestinian Arab refugees.<sup>28</sup> Numerous other villages were destroyed long after the fighting had ceased.<sup>29</sup> By the middle of the 1960s Israel had nearly completed what was referred to as ‘cleaning up the national views in Israel.’<sup>30</sup> The names of the more than 500 depopulated Palestinian villages were erased from the map while Arabic names of many remaining places were replaced with Hebrew names.<sup>31</sup>

During the 1967 war, Israel completely destroyed several Palestinian villages, including the 375 homes in Imwas, 535 homes in Yalu and 550 homes in Beit Nuba in the Latrun salient northwest of Jerusalem. The entire Moroccan quarter in the Old City of Jerusalem, adjacent to the Western Wall, was razed to make way for a large plaza for Jewish religious and Israeli national events. In the West Bank town of Qalqilya, Israeli military forces destroyed half of the town’s 2,000 homes. The Palestinian villages of Beit Marsam, Beit Awa, Jiftlik and al-Burj were also razed. Since 1967 Israel has destroyed thousands of Palestinian homes, including refugee shelters, in the occupied Palestinian territories leading to further internal displacement.



The destruction of homes and entire villages was accompanied by large-scale looting, particularly in 1948. Commenting on the general situation in Palestine, Israel's Custodian of Absentee Property noted: "The inspectors found most of the houses broken into, and rarely was there any furniture left." "Clothes, household effects, jewelry, bedding – other than mattresses – never reached the warehouses of the Custodial Authority..."<sup>32</sup> This included things from personal and household items to doors, windows, bricks, roof-tiles, etc. In the city of Jaffa it was estimated that the Israeli military was removing 30,000 pounds of Palestinian moveable property daily.

Denationalization and Revocation of Residency: Following the mass exodus and displacement of the indigenous Palestinian Arab population, Israel adopted discriminatory citizenship, nationality and residency laws that effectively denationalized Palestinian refugees and prevented them from returning to their places of origin. Citizenship and nationality in 1948 Palestine/Israel is based on a 'two-tier' system, one for Jews and the other for 'non-Jews.' On the one hand, any Jew can acquire automatic citizenship and residency, under the 1950 Law of Return. The law grants all Jews, regardless of their national origin or citizenship, the right to citizenship and residency.

On the other hand, the indigenous Palestinian Arab population must be able to prove (among a list of 5 conditions for those born before the establishment of the state of Israel and 3 conditions for those born after) that they were in the state of Israel on or after 14 July 1952, or the offspring of a Palestinian who meets this condition. Due to the fact that most Palestinian refugees were displaced outside the borders of the state of Israel on or after 14 July 1952, they are unable to resume domicile in their homeland. In practice, naturalization only occurs in extraordinary cases. Israeli citizenship is almost never granted to non-Jews.

In the 1967 occupied Palestinian territories, Israel considers the indigenous Palestinian inhabitants as having the status of resident aliens. Only those Palestinian inhabitants present in the territories and included in Israel's 1967 census are considered residents. The status of resident alien does not provide a guarantee of residence. Since 1967 Israel has revoked the residency status of hundreds of thousands of Palestinians. Palestinians wishing to regain their residency status and non-resident spouses of Palestinian inhabitants of the 1967 occupied Palestinian territories generally must apply for family reunification. Israel has approved only a fraction of applications for family reunification.



**Property Expropriation:** Israel has also adopted a series of discriminatory laws to expropriate and transfer the land and property of the indigenous Palestinian Arab population, including refugees, to the state and the Jewish National Fund (JNF). Laws promulgated inside Israel include emergency regulations, laws relating to so-called abandoned property, and a collection of various other laws.<sup>33</sup> Land expropriated under these laws is held by the state of Israel and the JNF as the inalienable property of the Jewish people. Together, the government of Israel and the JNF has acquired and control 93 percent of the land inside Israel. The majority of this land was expropriated from Palestinian refugees and Palestinian citizens of 1948 Palestine/Israel. Throughout the 1990s the agricultural lobby in Israel has fought for private property rights to some 4 million dunums of so-called state land – i.e., land expropriated from refugees. The battle for control of these lands between the state and some 130,000 kibbutz and moshav members remains unresolved; transfer of these lands to private ownership would further complicate claims and procedures for real property restitution for Palestinian refugees.

In the 1967 occupied Palestinian territories the Israeli military government has applied many of these same laws in the form of military orders. Land expropriated by the Israeli military government is not considered legally as the inalienable property of the Jewish people; however, the use of the land to build Jewish colonies and related infrastructure suggests permanent acquisition. Land acquired or expropriated by the Jewish National Fund, on the other hand, is considered as the inalienable property of the Jewish people under the JNF Memorandum of Association.

The indigenous Palestinian Arab population has been particularly vulnerable to land expropriation because the majority of land in Palestine (75 percent) was not registered by cadastral survey prior to the 1948 conflict. The majority of the West Bank and Gaza Strip (63 percent) was still unregistered when Israel occupied these territories in 1967. Vast areas of the country, moreover, were held in customary ownership by nomadic Bedouins for grazing and rain-fed agriculture. Documents were often destroyed or lost during periods of conflict. Palestinians who attempt to recover lands and property expropriated by Israel almost never succeed due to technical interpretation of laws, non-compliance with agreements and court orders, and non-intervention of the courts based

on 'security considerations'. Even in the case where the courts acknowledge that property was wrongfully expropriated the expropriation may not be reversed if the transaction was considered to have been undertaken in 'good faith.' Israel has retained overall control of the right to immovable property under the Oslo process and dispossession of the indigenous population has continued from 1993 through the present period. Between September 1993 and October 2001, Israel confiscated more than 240,000 dunums of land in the occupied Palestinian territories.<sup>34</sup> It is estimated that Israel has expropriated and/or controls as much as 80 percent of the 1967 occupied Palestinian territories.<sup>35</sup>

## **Impact of the Denial of Self-Determination and Human Rights Violations**

The impact of the denial of the right to self-determination and systematic breaches of international humanitarian and human rights law is most evident in the areas of demography and land. Over the course of the last five decades, more than three-quarters of the entire Palestinian people have been displaced/expelled from their places of origin in historic Mandate Palestine. Approximately 90 percent of Palestinian land in this area, the majority of which is owned by Palestinian refugees, has been expropriated by Israel for exclusive Jewish use. At the same time, several million Jews from various parts of the world have immigrated to Israel and settled throughout the area. Less than one percent of the Palestinian refugee population has been permitted to return. Even fewer have had access to housing and property restitution.

**The Transformation in Demography:** The demographic transformation of Palestine occurred largely through the mass displacement and expulsion of the indigenous Palestinian Arab population during periods of armed conflict accompanied by a concurrent process of mass Jewish immigration. Until 1948, nearly the entire indigenous Palestinian Arab population, comprising more than 1.4 million persons, was living inside the borders of their historic homeland of Palestine. As of 2000 more than half of the indigenous Palestinian Arab population, comprising more than 4.6 million Palestinians was living in areas outside

the borders of their homeland (i.e., outside of 1948 Palestine/Israel and the 1967 occupied Palestinian territories). The majority are refugees or persons in refugee-like situations due to displacement and forced migration.

The greatest demographic shift in Palestine took place between 1947 and 1967. In 1947-49 alone,

the proportion of the indigenous Palestinian Arab population living in Palestine was reduced by more than one-fifth during armed conflict and the subsequent war. By the end of 1967 the proportion of the indigenous Palestinian Arab population living outside the borders of historic Mandate Palestine had more than doubled.

**Table 1.3 – Estimated Palestinian Population, Inside and Outside of Palestine, 1922-2000**

Year	Inside Palestine	Outside Palestine	Total Population	% Outside
1922	717,000	0	717,000	0.0
1931	860,000	0	860,000	0.0
1940	1,086,000	0	1,086,000	0.0
1946	1,308,000	0	1,308,000	0.0
1950	1,170,000	304,000	1,474,000	21.0
1960	1,340,000	647,000	1,987,000	33.0
1970	1,412,000	1,289,000	2,701,000	48.0
1980	1,992,000	2,100,000	4,092,000	51.0
1990	2,731,000	3,302,000	6,033,000	55.0
2000	3,787,000	4,667,000	8,454,000	55.0

Source: Derived from Justin McCarthy, *Palestine's Population During the Ottoman and the British Mandate Periods*. See, [www.palestineremembered.com/Acre/Palestine-Remembered/Story559.html](http://www.palestineremembered.com/Acre/Palestine-Remembered/Story559.html) [last visited 04/03/02].

Geographically, the greatest demographic shift in the Palestinian Arab population took place in the territories that became the state of Israel in May 1948. In this area, comprising 78 percent of historic Mandate Palestine, the indigenous Palestinian Arab population was reduced by an estimated 85 percent. More than three-quarters of the Palestinian villages that lay within the armistice lines following the end of the war were destroyed by Israel. In several of the districts that were wholly incorporated into Israel – Jaffa, Ramla, and Beersheba – not one Palestinian village was left standing. The Palestinian population living in the West Bank, including eastern Jerusalem, and the Gaza Strip was reduced by nearly one-third during the 1967 war.<sup>36</sup>

*Today, three-quarters of the Palestinian people are displaced. This includes Palestinians displaced outside and inside the borders of their historic homeland. More than half of the Palestinian population remaining inside the borders of Israel and the 1967 occupied Palestinian territories are refugees and internally displaced persons.*

The demographic shift in the Jewish population living in historic Palestine since the beginning of the British Mandate, on the other hand, is primarily due to mass immigration. Between 1922 and 1948, the Jewish population in Palestine increased by more than six times with over 70 percent of the growth due to mass immigration. Anti-semitic hatred, Nazi atrocities in Europe and Zionist information campaigns targeted at displaced European Jews resulted in a massive increase in the number of Jewish asylum seekers in Palestine, particularly during the 1930s. Between 1933 and 1936, for example, 30-60,000 Jews immigrated to Palestine every year. The total number of Jewish immigrants in these years accounted for nearly 50 percent of the total number of official Jewish immigrants from the beginning of the British mandate to 1946 (the date of the last British estimate of the population in Palestine).<sup>37</sup>

Resettlement of European Jewish asylum seekers in Palestine violated international commitments not to resettle displaced persons in non-self-governing territories without the consent of the indigenous



population in that territory. At the same time, however, the borders of many western countries, including the United States, remained largely closed to Jewish refugees. In the US, opinion polls revealed that the majority of Americans were unwilling to permit more Jewish immigration to the country, despite their knowledge of Nazi persecution and atrocities.<sup>38</sup>

Within the first decade of Israel's existence, Jewish immigration accounted for over 70 percent of the growth in the Jewish population. Over more than five decades, immigration remains the primary source of growth in the Jewish population inside Israel. As of 2000, immigration accounted for approximately 60 percent of the growth of the Jewish population inside Israel.

**Table 1.4 – Jewish Population in Palestine, Immigration and Total Population, 1922-2000**

Year	Immigrants (cumulative)	Non-Immigrants (cumulative)	Total Population	% Immigrants
1922	7,844	86,908	94,752	8.0
1931	94,162	82,306	176,468	53.0
1940	312,338	167,534	479,872	65.0
1946	361,752	240,834	602,586	60.0
1950	874,097	328,903	1,203,000	73.0
1960	1,346,514	564,786	1,911,300	70.0
1970	1,732,412	849,588	2,582,000	67.0
1980	2,062,352	1,220,348	3,282,700	63.0
1990	2,395,273	1,551,427	3,946,700	61.0
2000	3,212,268	1,968,332	5,180,600	62.0

Sources: Derived from Justin McCarthy, *The Population of Palestine, Population History and Statistics of the Late Ottoman Period and the Mandate*. New York: Columbia University Press and Institute for Palestine Studies, 1990; *A Survey of Palestine, Vol. I, and Supplement*; and, Israel Central Bureau of Statistics, 2001. *Statistical Abstract of Israel*, No. 52.

The greatest demographic shift in the Jewish population occurred in the areas that became the state of Israel where the number of Jews increased by more than 6 times between 1948 and 2000. This is approximately the same increase in Jewish population in historic Mandate Palestine due to mass immigration between 1922 and 1948. An equally massive demographic shift occurred in occupied eastern Jerusalem after 1967. Between 1967 and 2000, the Jewish population increased from nil to more than 50 percent of the population primarily due to colonization.

The Transformation in Land: The transformation in the control and 'ownership' of land in Palestine between Palestinian Arabs and Jews occurred largely through mass expropriation of Palestinian owned property. Actual purchase of land accounts for a very small percentage of the total shift in control and ownership of land. Between 1922 and 1948, Palestinian ownership of land declined slightly (approximately 4 percent) within the borders of

historic Mandate Palestine due to the sale of land, primarily by large absentee landlords.<sup>39</sup> The impact of the loss of land, however, was far greater than the amount of land that changed hands during this period. By 1931, for example, nearly one-quarter of small Palestinian farmers had become landless peasants, working seasonally on land controlled by others. Ten years later the average rural Palestinian Arab family had less than half of the agricultural land required for their subsistence.<sup>40</sup> As many as 70 Palestinian rural villages disappeared during the period of the British Mandate in Palestine.<sup>41</sup>

Between 1948 and the early 1950s the amount of land owned and controlled by the indigenous Palestinian Arab population was reduced by more than 70 percent. Inside Israel, Palestinian land ownership fell by 50 percent between 1948 and 2000 due to state expropriation. The amount of land owned and controlled by the indigenous Palestinian population declined significantly again after 1967. In the immediate period after the 1967

war, Palestinian ownership and control of land declined by nearly 15 percent in the occupied Palestinian territories. Between 1967 and 2000, it is estimated that the amount of land owned and controlled by the indigenous Palestinian population was reduced by nearly 65 percent.

*At the beginning of the period of the British Mandate in Palestine, the indigenous Palestinian Arab population owned over 90 percent of the land in their historic homeland. Today, the indigenous Palestinian Arab population owns and controls just over 10 percent of the land within Israel and the 1967 occupied Palestinian territories.*

The pattern of Jewish land ownership in Palestine provides a mirror image to Palestinian land ownership. The primary means of land acquisition during the period of the British Mandate was through purchase by several Zionist associations, including the Jewish National Fund (JNF)<sup>42</sup>, established to buy up land for the settlement of new Jewish immigrants in Palestine. The JNF purchased the majority of the land acquired during this period. Total Jewish land ownership increased by a relatively small amount during the period of the British Mandate as a percentage of the total land in Palestine. In 1922, Jews owned approximately 2.5 percent of the total lands in Palestine. By 1945 total Jewish ownership had increased to approximately 6 percent. Average annual acquisitions, facilitated by the British administration in Palestine, however, increased nearly 20 fold during the Mandate.

While total Jewish ownership remained small, the real impact of the acquisition of land by Zionist colonization associations during the period of the British Mandate lay in the location and quality of land. By 1948, land acquisitions and settlement of Jewish immigrants had created the “strategic and demographic backbone” of the nascent Jewish state.<sup>43</sup> Land acquired by the various Zionist colonization associations, moreover, included a high percentage of land in some of the most fertile areas of Palestine. While Jewish land ownership

comprised slightly less than 7 percent of the total area of Palestine by the end of the British Mandate, Jews owned more than 12 percent of the cultivable land.<sup>44</sup> Unlike the indigenous Palestinian Arab population, Jews in Palestine had 100 percent of the land required for their rural subsistence.<sup>45</sup>

The amount of land under Jewish ‘ownership/control’ increased exponentially (more than 10 times) between 1948 and the early 1950s. As of the mid-1950s Jewish ‘ownership’ and control of land in historic Mandate Palestine had increased from approximately 7 percent to over 70 percent. Inside the borders of the new state of Israel, Jewish ‘ownership’ and control of land had increased from approximately 11 percent to over 90 percent. The dramatic increase in land under Jewish control can be attributed solely to the expropriation of Palestinian property.

The next major shift in the control of land occurred in 1967 when Israel occupied the West Bank, including eastern Jerusalem and the Gaza Strip. The immediate acquisition of refugee property and so-called state land in the occupied Palestinian territories, increased total Jewish ‘ownership’ and control in Palestine to over 75 percent and to nearly 15 percent of the 1967 occupied territories. By 2000, it is estimated that Jewish ‘ownership’ and control of land comprised 85 percent of the total area of historic Mandate Palestine.

*In summary, after more than half a century of displacement and dispossession three-quarters of the Palestinian people are refugees and internally displaced persons with nearly half displaced outside their historic homeland. While Palestinians owned over 90 percent of the land of Palestine in 1948, five decades of mass expropriation have left them with access to a mere 10 percent of their lands, not to mention homes, businesses, and moveable property which has been expropriated for Jewish use. Today, Palestinian refugees are one of the largest and longest-standing refugee populations in the world.*

## Note to Table 1.1

### 1948 Refugees

United Nations Economic Survey Mission for the Middle East. *Final Report of the United Nations Survey Mission for the Middle East (Part I)*. UN Doc. A/AC.25/6. Estimates prepared on the basis of population estimates by villages and religion as of 31 December 1946. This includes 280,000 in Arab Palestine from UNRPR, 1 August 1949; 7,000 in Egypt; 190,000 in Gaza. AFSC Schedule of refugee population, 30 September 1949, and information obtained 26 October 1949; 4,000 in Iraq. UNRPR, as of 30 September 1949; 70,000 in Jordan. *Report of the Technical Committee on Refugees of the Conciliation Commission for Palestine*, 20 August 1949; 100,000 in Lebanon. Conservative estimate based on UNRPR estimate of 1 August 1949; and, 75,000 in Syria. UNRPR, 1 August 1949.

Janet L. Abu-Lughod, "The Demographic Transformation of Palestine," in Ibrahim Abu-Lughod (ed.), *The Transformation of Palestine*. Evanston, IL: Northwestern University Press, 1971. Had no displacement taken place, between 494,000 to 508,000 Palestinian Arabs would have been living inside the armistice lines in Arab-held territory with 890,000 to 904,000 living in territories held by Israel. According to the Israeli census of November 1948 there were between 120,000 and 130,000 non-Jews in Israel, including 66,000 Bedouins which means that in fact only 60 to 64,000 Arabs were actually counted. Leaving a population of displaced persons of about 770,000 to 780,000.

Salman Abu Sitta, *The Palestinian Nakba 1948, The Register of Depopulated Localities in Palestine*. London: The Palestinian Return Centre, 1998. The figure is calculated according the population of 531 depopulated Palestinian localities in Village Statistics 1944 prepared by the British Mandate and upgraded to 1948 based on an average annual population increase of 3.8% compared to the number of Palestinian Arabs remaining in Israel according to various Israeli and other sources. The population of the Bir Saba' District was estimated from Arif al-Arif, *Bedouin Law* [Arabic]. Jerusalem Press, 1933; and, S.W. Dajani, "The Enumeration of the Beer Sheba Bedouins in May 1946." *Population Studies*, Vol. 1, No. 3, 1947, and correlated with other sources. The total number of refugees is 804,767. However, if the extra villages according to UNRWA registration are included the total number of refugees is 935,573. The extra villages include: villages whose land was taken over by Israel in 1948, while the village houses remained in the West Bank and Gaza Strip; Jewish villages or lands in which refugees used to live and work; Palestinian Arab villages which remained in Israel, while some of their inhabitants became refugees; and villages or sites where were satellites or extensions to listed villages.

The British Foreign Office estimated the total number of refugees at 810,000 in February 1949 and then issued revised estimates in September 1949 of 600,000 (Foreign Office Research Department) and 760,000 (UNCCP Technical Office). The Foreign Office considered the Israeli estimate low due to the fact that it did not account for natural increase in the population since 31 December 1947 and it did not include displaced Bedouin who had become refugees. Moreover, the Foreign Office did not agree with Israel's assertion that Mandate population figures for Palestinian Arabs were exaggerated and should therefore be deducted by 6 percent (See below). PRO FO371-75436 E10083/1821/31, Foreign Office to UK Delegation to the United Nations (New York), 2 September 1949, in Benny Morris, *The Birth of the Palestinian Refugee Problem 1947-1949*. Cambridge: Cambridge University Press, 1987.

The United States estimated the total refugee population at 875,000 as of 1953. "The Problem of Arab Refugees from Palestine," *US Government Report of the Subcommittee on the Near East and Africa*, 24 July 1953, in Elia Zureik, *Palestinian Refugees and the Peace Process*. A Final Status Issues Paper. Washington, DC: Institute for Palestine Studies, 1996.

Israel estimated the total number of Palestinian refugees at 530,000 as of 1949. The estimate is based on the difference between the total number of non-Jewish inhabitants in the area of Palestine that became the state of Israel as of the end of 1947 (deducted by 6 percent based on the assumption that Mandate population statistics for Palestinian Arabs were exaggerated) and the number of Palestinians that remained inside Israel after the 1948 war. The estimate does not include the estimated 30-40,000 refugees who 'infiltrated' the state (i.e., returned spontaneously) – even though they may have still been displaced internally – since November 1948. ISA FM2444/19, Dr. H. Meyuzam, to Asher Goren, the Political Department of the Foreign Ministry, 2 June 1949. In a private letter, however, then Director General of the Israeli Foreign Ministry Walter Eytan noted that UNRWA registration numbers, which were substantially higher than the Israeli estimate, were 'meticulous' and that the 'real number was close to 800,000.' CZA A340/24, Eytan to Daniel Sirkis (*Hatzofe*), 10 November 1950. According to Israeli officials, "if people ... became accustomed to the large figure and we are actually obliged to accept the return of the refugees, we may find it difficult, when faced with hordes of claimants, to convince the world that not all of these formerly lived in Israeli territory.... It would, in any event, seem desirable to minimize the numbers...than otherwise." ISA FM 2564/22, Arthur Lourie to (Director General of the Israeli Foreign Ministry) Eytan. Citations from Benny Morris, *The Birth of the Palestinian Refugee Problem 1947-1949*. Cambridge: Cambridge University Press, 1987.

### 1967 Refugees

United Nations, *Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, Official Records of the General Assembly, Twenty-second Session, Supplement No. 13, 1 July 1966 – 30 June 1967 (A/6713)*. New York: United Nations, 1967. The number of persons who had fled from the areas under Israeli occupation during and after the June hostilities is roughly estimated at about 550,000. This figure includes: about 200,000 persons (of whom 95,000 were refugees registered with UNRWA) who had moved from the West Bank to the East Bank in Jordan; about 110,000 persons according to Syrian sources and not more than 85,000 according to Israeli sources (of whom about 17,000 were UNRWA-registered refugees) who had moved from the south-western corner of Syria, mainly to the areas of Damascus and Dera'a; and, about 55,000 persons (of whom 5,000 were UNRWA-registered refugees in the Gaza Strip) who had moved across the Suez Canal from the Gaza Strip or Sinai.

Janet L. Abu-Lughod, "The Demographic Transformation of Palestine," in Ibrahim Abu-Lughod (ed.), *The Transformation of Palestine*. Evanston, IL: Northwestern University Press, 1971. As of June 1967 there were an estimated 1,400,000 Palestinians living in the West Bank (including eastern Jerusalem) and the Gaza Strip. According to unofficial Israeli estimates by August-September 1967 the Palestinian population in these areas was around 950,000. The total estimated refugee population was 400,000 from the West Bank and 50,000 from the Gaza Strip.

Tayseer Amro (1995). "Displaced Persons: Categories and

Numbers Used by the Palestinian Delegation [to the Quadripartite Committee], *Article 74*, No. 14. Jerusalem: BADIL/Alternative Information Center for Palestinian Residency and Refugee Rights. The estimated 1967 refugee population of 311,500 does not include persons with "lost ID" permits or deportees, spouses and descendants.

George F. Kossaifi, *The Palestinian Refugees and the Right of Return*. Information Paper Number 7. Washington, DC: The Center for Policy Analysis on Palestine, 1996. Approximately 235,000 Palestinians were displaced for the first time in 1967, comprised of 148,000 refugees from the West Bank and 87,000 refugees from the Gaza Strip.

Abdel Tayseer Jaber (1996). *The Situation of Palestinian Refugees in Jordan*. Amman: Jordan. Mimeographed, in Elia Zureik, *Palestinian Refugees and the Peace Process. A Final Status Issues Paper*. Washington, DC: Institute for Palestine Studies, 1996. Jordan estimated the total number of displaced refugees from the West Bank and Gaza Strip in Jordan at 188,500 and the total number of refugees displaced for the first time from the West Bank and Gaza Strip at 200,000.

Moshe Efrat (1993). Estimates the total number of refugees displaced for the first time in 1967 at 140,000. *The Palestinian Displaced Population from the West Bank and the Gaza Strip to the East Bank of Jordan*. Tel Aviv: Israeli International Institute for Applied Economic Policy Review. October 28, 1993, in George F. Kossaifi, *The Palestinian Refugees and the Right of Return*. Information Paper Number 7. Washington, DC: The Center for Policy Analysis on Palestine, 1996.

#### Note to Table I.2

*The estimate for land expropriated immediately after the 1948 war is based on total private and public land owned or used by Palestinian refugees on the eve of the 1948 war. This includes land held in customary ownership by Palestinian Bedouin tribes in the Naqab for grazing and rainfed agriculture. A similar estimate may also be derived by examining total Jewish ownership and land classified as state land by the British Mandate Administration. The estimate for land expropriated between 1948 and 1967 is derived by subtracting estimated land losses during this period from the total area of land owned by Palestinians who remained in the territories that became the state of Israel in 1948. The estimate for land expropriated immediately after the 1967 war is derived from land expropriated as absentee and state property. The estimate for land expropriated between 1967 and 2002 includes land expropriation and land controlled by Israel by virtue of Israel's military occupation of the 1967 occupied Palestinian territories. The estimate also includes land expropriated by Israel from Palestinians inside Israel between 1967 and 2002.*

*Village Statistics 1945, A Classification of Land and Area Ownership in Palestine*. Figures are based on British Mandate statistics. According to *Village Statistics*, Palestinians owned some 12,766,524 dunums of land in Palestine in 1945, excluding land held in the Naqab. *Village Statistics* identified some 1,936,380 dunums in the Naqab as Palestinian owned, 65,231 dunums as Jewish owned, 2,279 dunums as public and 10,573,110 as 'uncultivable land.'

Salman Abu Sitta, *The End of the Palestinian-Israeli Conflict. From Refugees to Citizens at Home*. London: The Palestine Land Society and The Palestinian Return Centre, 2001. In total Israel expropriated 17,178,000 dunums of Palestinian refugee land. This

includes land as calculated in *Village Statistics* and vast areas in the southern Bir Saba' District which were held under traditional or customary ownership by nomadic Bedouin. Customary ownership of these areas is identified by reference to maps and other documents delineating Bedouin tribal areas. The entire District comprised some 12,000,000 dunums or approximately 60 percent of the land incorporated into the state of Israel in 1948. Total ownership of Palestinians that remained inside the territories that became the state of Israel as of 1948 (i.e., before expropriation) is estimated at 1,465,000 dunums. Between 1948 and 2001, Israel expropriated approximately 76 percent of the land of Palestinian citizens or 1,113,000 dunums.

Sami Hadawi, *Palestinian Rights and Losses in 1948*. London: Saqi Books, 1988. Palestinian land expropriated in 1948 included land in 77 border villages where the built-up area of the village remained in Arab-held territory (i.e., West Bank and Gaza Strip) but had 1,255,000 of inaccessible land located in Israeli-held territory and 3 villages located in 'no mans' land of which 18 km<sup>2</sup> was located in Israeli-held territory. The UN Special Committee on Palestine (UNSCOP) estimated that Palestinian ownership of land in 1947 amounted to 22,374,547 dunums.

*Progress Report of the United Nations Conciliation Commission for Palestine (UNCCP)*. UN Doc. A/1985, 20 November 1951. According to the global identification process completed by the UNCCP in 1951, 16,324,000 dunums of land was determined to be private property owned by Palestinians. An individual evaluation, which was criticized by several experts, identified some 7,069,091 dunums as Palestinian owned land. The UNCCP archives include 453,000 records amounting to some 1,500,000 holdings.

Avraham Granott, *Agrarian Reform and the Record of Israel*. London: Eyre & Spottiswoode, 1956. At the end of 1947 Jews owned a total of 1,734,000 dunums of land. This included 435,000 dunums held by the Palestine Land Development Company (PICA), 933,000 dunums held by the Jewish National Fund (JNF), and 366,000 dunums held by private purchasers. Granott notes that a large part of the land held by PICA was eventually registered as private property of Jewish farmers.

*A Survey of Palestine*. Prepared in December 1945 and January 1946, for the information of the Anglo American Committee of Inquiry. Volume I and Supplement. Reprinted in Full with Permission from Her Majesty's Stationary Office. Washington, DC: Institute for Palestine Studies. As of the end of 1945, it is estimated that Jews owned 1,588,365 dunums of land in Palestine. As of the end of 1946 the estimated land owned by Jews amounted to 1,624,000 dunums.

*A Survey of Palestine*. Prepared in December 1945 and January 1946, for the information of the Anglo American Committee of Inquiry. Volume I and Supplement. Reprinted in Full with Permission from Her Majesty's Stationary Office. Washington, DC: Institute for Palestine Studies. The total area of land classified as state domain under the British Mandate was 1,560,000 dunums. This included 660,000 dunums of which title to was settled under the Land (Settlement of Title) Ordinance, and 900,000 dunums where records indicated that the land was probably state land. As of the end of 1946 the total estimated state domain amounted to 1,700,000 dunums. It was noted that upon completion of the settlement of rights to land, the total amount of state domain would probably increase as it would include land for communal use and development of so-called hill villages.

Sabri Jiryis, *The Arabs in Israel*. London: Monthly Review Press, 1976. It is estimated that as of 1962 Israel had expropriated

704,298 dunums of Palestinian owned land inside Israel. The figure is based on a survey of 79 selected Palestinian villages for the period 1945-1962.

Bakir Abu Kishk, "Arab Land and Israeli Policy," 11 *Journal of Palestine Studies* 1 (Autumn 1981). As of 1963 Palestinians in villages inside Israel owned 385,993 dunums of private land and 472,798 dunums of public land. Calculated from *Survey of Arab Agriculture and Development Plan A*. Nazareth: Ministry of Agriculture, Unit for Survey and Planning for the Minority Villages, The Joint Development Centre, July 1963. In a survey of 38 villages, it is estimated that 632,000 dunums of land was expropriated between 1945 and 1972.

Jack Cano, *The Question of Land in the National Conflict between Jews and Arabs 1917-1990*. Poalim Library, 1992. It is estimated that Palestinians privately owned some 867,000 dunums of land inside Israel immediately after the establishment of the state in May 1948. By the 1950s total Palestinian land ownership inside Israel had been reduced to 529,428 dunums due to expropriation.

A. Shmueli, "Village Population in the Hilly Upper Galilee 1967-77," *Artzot Hagalit*. Tel Aviv: Ministry of Defence, 1983; and E. Rekhes, *The Arabs in Israel and Land Expropriations in the Galilee*. Tel Aviv Surveys. University of Tel Aviv, Shiloah Institute, 1977, in Hussein Abu Hussein and Fiona McKay, *Access Denied: Palestinian Access to Land in Israel*. London: Zed Books, 2003. This includes, for example, 1,200 dunums expropriated in 1957 from Palestinian landowners of Nazareth and surrounding villages to establish the Jewish colony of Upper Nazareth; land expropriated from Palestinian villagers of Tashiha and Ma'iliya in 1957 for the establishment of the Jewish colony of Ma'a lot; and 5,100 dunums expropriated from the Palestinian villages of Nahaf, Deir al-Asad, Bi'neh, and Majd al-Krum in 1964 to establish the Jewish colony of Karmiel. Israel expropriated some 20,103 dunums from Palestinians inside Israel in 1975 to establish 20 new Jewish colonies and expand existing Jewish cities. Hussein and McKay also cite a report in Ha'aretz (13 June 1989) stating that some 60,000 dunums of land in the Galilee were classified as 'state land' between 1978 and 1987 due to settlement of title operations, acquisitions, and expropriations.

Ian Lustick, *Arabs in the Jewish State*. University of Texas Press, 1980. Palestinians inside Israel had lost approximately 70 percent of their land by 1980 due to expropriation.

Don Peretz, *Israel and the Palestinian Arabs*. Washington, DC: The Middle East Institute, 1958. Approximately 40 percent of land owned by Palestinians inside Israel was expropriated as absentee property under the 1950 Absentees' Property Law.

Land Expropriation, Human Rights Update (PHRIC, Washington, DC), April 1991 and "Jewish Settlements in the West Bank and Gaza Strip," Survey of Jewish Affairs (1990), in George E. Bisharat, "Land, Law and Legitimacy in Israel and the Occupied Territories," *The American Law Review* 43 (1994). It is estimated that Israel expropriated 730,000 dunums of West Bank land and 119,000 dunums of Gaza land as absentee and state land immediately after the 1967 war.

*Land Grab, Israel's Settlement Policy in the West Bank*. Jerusalem: B'tselem, The Israeli Information Center for Human Rights in the Occupied Territories (May 2002). A 1987 Israeli State Comptroller, *Annual Report* 37 lists a total of 430 km<sup>2</sup> of Palestinian land in the West Bank expropriated by Israel as absentee and state property immediately after the 1967 war.

Meron Benvenisti, *The West Bank Data Project, A Survey of Israel's Policies*. Washington, DC: American Enterprise Institute, 1984. By the mid-1980s, Israel had expropriated some 60 percent of the West Bank. This included: 430,000 dunums as absentee property; 750,000 dunums as 'state land'; 35,000 dunums requisitioned for military purposes; and, 1.15 million dunums of land closed for military training.

Khader Abusway, Rose-Marie Barbeau and Muhammad al-Hasan, *Signed, Sealed and Delivered: Israeli Settlement and the Peace Process*. Jerusalem: JMCC, Jerusalem Media and Communication Center, 1997. Since 1967 Israel has acquired control of 70% of the West Bank, 40% of the Gaza Strip and 86.5% of East Jerusalem.

Palestine Human Rights Information Center, *From the Field*, June 1991. The report estimates that 65% of the West Bank and 42% of Gaza have been seized by Israel.

#### (Endnotes)

<sup>1</sup> On the League of Nations, see, Article 11, Paragraph 4 of the Covenant of the League of Nations, 28 June 1919. Article 22 of the Covenant is reprinted in *A Survey of Palestine*, Vol. I, London: Her Majesty's Stationary Office, Reprinted in Full by the Institute for Palestine Studies, 1991, pp. 2-3. For more analysis see, *The Right of Self-Determination of the Palestinian People*. Prepared for, and under the guidance of, the Committee on the Exercise of the Inalienable Rights of the Palestinian People. New York: United Nations, 1979. The United Nations later reaffirmed the right of the Palestinian people to self-determination. See, e.g., UN General Assembly Resolution 3236 (XXIX), 22 November 1974. The resolution is reprinted in Annex I – Selected United Nations Resolutions.

<sup>2</sup> A copy of the Mandate for Palestine is archived on the website of the UN Information System on Palestine (UNISPAL), <http://www.un.org/Depts/dpa/docs/unispal.htm>. The Mandate is also reprinted in *A Survey of Palestine*, Vol. I, pp. 4-11.

<sup>3</sup> Prior to issuing the final Declaration, the British obtained the assent of the United States. The US Congress subsequently adopted a resolution on 30th June 1922 "[f]avoring the establishment in Palestine of a national home for the Jewish people." *Survey of Palestine*, p. 21.

<sup>4</sup> Statement by British Secretary of State for Foreign Affairs Arthur Balfour, British Government, *op. cit.*, *Foreign Office No. 371/4183* (1919), cited in *The Origins and Evolution of the Palestine Problem 1917-1988*. Part I. New York: United Nations, 1990. The report is archived on UNISPAL. See note 2 above.

<sup>5</sup> Political Zionism is a modern political movement officially founded in 1897. From its beginnings, the movement, influenced by 19th century nationalism and colonialism, aimed to create a 'Jewish state' in Palestine through mass Jewish immigration and settlement (i.e. colonization) as a response to anti-Jewish persecution in Europe. Unlike other forms of colonialism the Zionist movement has systematically followed a pattern of colonization characterized by dispossession and exclusion [as opposed to exploitation] of the indigenous population. See, The Basle Program from the 1st Zionist Congress in 1897, in Walid Khalidi, ed., *From Haven to Conquest: Readings in Zionism and the Palestine Problem Until 1948*. Beirut: Institute for Palestine Studies, 1971, p. 89. See also, Uri Davis, *Israel, An Apartheid*

State. Abridged edition. Capetown, South Africa: Media Review Network, 2001.

<sup>6</sup> Protocol of Arthur Ruppin's statement at the Jewish Agency Executive's meeting, 20 May 1936, in Y. Heller, *Bamavak Lemedinah: Hamediniyut Hatziyonit Bashanim 1936-48* [The Struggle for the State: The Zionist Policy 1936-48]. Jerusalem: Zalmar Shazar Centre, 1984, p. 140. Cited in Nur Masalha, "The Historical Roots of the Palestinian Refugee Question," *Palestinian Refugees, the Right of Return*, Naseer Aruri ed., London: Pluto Press, 2001, p. 37.

<sup>7</sup> The emergency laws included: the 1936 Emergency Regulations, *The Palestine Gazette* 584, No. 2 (19 April 1936), p. 259; the 1937 Palestine (Defense) Order, *The Palestine Gazette* 675, No. 2 (24 March 1937), p. 267; the 1937 Defense (Military Courts) Regulations, *The Palestine Gazette* 737, No. 2 (11 November 1937), p. 1138; the 1939 Defense Regulations, *The Palestine Gazette* 914, No. 2 (26 August 1939), p. 659; and, the 1945 Defense (Emergency) Regulations, *The Palestine Gazette* 1442, No. 2 (27 September 1945), p. 1058. Cited in Sabri Jiryis, *The Arabs in Israel*. London: Monthly Review Press, 1976, p. 10.

<sup>8</sup> These included the 1920 Palin Commission, 1921 Haycraft Commission, 1930 Shaw Commission, 1936 Peel Commission, and the 1946 Anglo-American Enquiry Committee. For a summary see, *A Survey of Palestine*, Vol. I, pp. 15-102.

<sup>9</sup> British Government, *Palestine Royal Commission: Report*, Cmd. 5479 (1937), p. 82.

<sup>10</sup> Legislation included the 1920 Land Transfer Ordinance, Reprinted in I *Legislation of Palestine 1918-1925*, pp. 62-65 (Norman Bentwich, ed.), revised the following year; the 1929 Protection of Cultivator's Ordinance, Protection of Cultivators Ordinance No. 27 of 1929, *Official Gazette*, No. 240, 1 August 1929, p. 860; the 1933 Protection (Cultivator's) Ordinance, *Official Gazette*, 27 May 1932; and, the 1940 Land Transfer Regulations, *Laws of Palestine*, 1939, Vol. 2, p. 459. In 1939 the British administration introduced an annual immigration quota of 15,000 Jews for five years based on the White Paper issued by Colonial Secretary of State Malcolm MacDonald.

<sup>11</sup> Basheer K. Nijim (ed.), *Toward the De-Arabization of Palestine/Israel, 1945-1977*. Dubuque, Iowa: Kendall/Hunt Publishing Company, 1984, p. 10.

<sup>12</sup> Rony Gabbay, *A Political Study of the Arab-Jewish Conflict: The Arab Refugee Problem (a Case Study)*. Geneva: Librairie E. Droz, and Paris, Librairie Minard, 1959, p. 66. Cited in Benny Morris, *The Birth of the Palestinian Refugee Problem 1947-1949*. Cambridge: Cambridge University Press, 1987, p. 57.

<sup>13</sup> The president of the Assembly argued that addressing matters of principle was detrimental to a political solution to the conflict. For the proposed texts of the questions to be submitted to the ICJ see, Iraq (UN Doc. A/AC.14/21); Syria (UN Doc. A/AC.14/25); and, Egypt (UN Doc. A/AC.14/14).

<sup>14</sup> Report of the UN Special Committee on Palestine, *The Question of Palestine*. UN Doc. A/364, 31 August 1947.

<sup>15</sup> The proposed Jewish state had a population of 498,000 Jews and 497,000 Palestinian Arabs, 90,000 of whom were Bedouins. The proposed Arab state had a population of 725,000 Palestinian Arabs and 10,000 Jews. The city of Jerusalem, which was to have

international status, had a population of 105,000 Palestinian Arabs and 100,000 Jews. Report of the UN Special Committee on Palestine, Chapter VI, Recommendations (II), UN Doc. A/364, 31 August 1947. Only 30 of 305 Jewish settlements in Palestine fell outside the area controlled by the Jewish state. State land comprised less than 3 percent of the proposed Jewish state.

<sup>16</sup> UN Doc. S/676, 16 February 1948.

<sup>17</sup> Salman Abu Sitta, *From Refugees to Citizens at Home, The End of the Palestinian-Israeli Conflict*. London: Palestine Land Society and Palestinian Return Centre, 2001, p. 8.

<sup>18</sup> Public Record Office (London) W0261-297, "Sitrep No. 10," 1st Battalion Coldstream Guards, 16:30 hours, 22 April 1948 cited in Morris (1987), p. 86.

<sup>19</sup> Benny Morris, *Israel's Border Wars, 1949-1956*. Oxford: Clarendon Press, 1993, p. 147.

<sup>20</sup> Reported in *The Guardian*, 14 June 1967, and in *The London Times*, 22 June 1967. Cited in Nur Masalha, "The 1967 Exodus," *The Palestinian Exodus 1948-98*. Ghada Karmi and Eugene Cotran (eds.). London: Ithaca Press, 2000, p. 94.

<sup>21</sup> Kibbutz Meuhad Archives – Aharon Zisling Papers 9/9/1, "Decisions of the Provisional Government," 7 November 1948; Hashomer Haztair Archives (Mapam, Kibbutz Artzi Papers), 66.90 (I), protocol of the meeting of the Political Committee of Mapam, 11 November 1948; and David Ben-Gurion's *Yoman Hamilhama, 1948-49* (The War Diary), p. 809, entry for 10 November 1948, cited in Morris (1987), pp. 232-233.

<sup>22</sup> Benjamin Schiff, *Refugees Unto the Third Generation, UN Aid to Palestinians*. Syracuse, New York: Syracuse University Press, 1995, p. 192.

<sup>23</sup> Kibbutz Meuhad Archives – Palmah Papers 141-143, Operation Dani headquarters to Yiftah Brigade headquarters, 8th Brigade headquarters, 13:30 hours, 12 July 1948. A coded (and undated) version of this order is in Kibbutz Meuhad Archives – Palmah Papers 142-148, cited in Morris (1987), p. 207.

<sup>24</sup> Book Review by Gideon Levy in *Ha'aretz*, 3 November 2000. Benny Morris, *Correcting a Mistake – Jews and Arabs in Palestine/Israel, 1936-1956*. Am Oved Publishers, 2000.

<sup>25</sup> Israeli Foreign Ministry reports indicate that some 17,000 Bedouin were expelled from the Naqab between 1949 and 1953. Morris (1993), p. 157.

<sup>26</sup> Dodd and Barakat, p. 40; Report of the Secretary General at 92; and, Masalha (2000), p. 92.

<sup>27</sup> Masalha (2000), p. 92.

<sup>28</sup> Joseph Weitz, *Diary* III, p. 294, entry for 30 May 1948, cited in Morris (1987), p. 136.

<sup>29</sup> Tom Segev, "Where Are All the Villages? Where are They?" *Ha'aretz*, 6 September 2002. Translated and reprinted in *Between the Lines*, October 2002, <http://www.between-lines.org>.

<sup>30</sup> *Ma'ariv*, 5 August 1965; *Ha'aretz*, 6 September 1966. See also the reply of the Prime Minister, Levi Eshkol, to a parliamentary question in *The Knesset Debates*, 6 February 1967, p. 1148. Sabri Jiryis, "The Legal Structure for the Expropriation and Absorption

of Arab Lands in Israel," *2 Journal of Palestine Studies* 4 (Summer 1973), p. 85, note 13.

<sup>31</sup> For a more detailed discussion, see, Meron Benvenisti, *Sacred Landscape, The Buried History of the Holy Land*. Berkeley: The University of California Press, 2000.

<sup>32</sup> Dov Shafir, *Arugot Haim*. Tel Aviv: Hamercz Hahaklai, 1975, p. 242. Cited in Tom Segev, *1949, The First Israelis*. New York: The Free Press, 1986, p. 71.

<sup>33</sup> For a detailed study see Gail J. Boling, "'Absentees' Property Laws to Israel's Confiscation of Palestinian Property: A Violation of UN General Assembly Resolution 194 and International Law," *11 Palestine Yearbook of International Law* 73 (2000-2001). These regulations include the 1948 Abandoned Areas Ordinance, *Laws of the State of Israel*, Vol. 1, Ordinances, 5708 (1948), p. 25-26; the 1948 Emergency Regulations Concerning Absentee Property, *Laws of the State of Israel*, Vol. 1, Ordinances, 5708 (1948), p. 8; the 1945 Defense (Emergency) Regulations; the 1949 Emergency Regulations (Security Zones); the 1949 Emergency Regulations (Cultivation of Waste [Uncultivated] Lands); the Emergency Law Requisition (Regulations) Law; the 1950 Absentees' Property Law; the 1950 Development Authority (Transfer of Property) Law; the 1953 Land Acquisition (Validation of Acts and Compensation) Law; the 1965 Absentees' Property (Amendment No. 3) (Release and Use of Endowment Property) Law; the 1970 Legal and Administrative Matters (Regulation) Law (Consolidated Version); the 1976 Absentees' Property (Compensation) (Amendment) Law; the 1943 land (Acquisition for Public Purposes) Ordinance; the 1951 State Property Law; the 1958 Prescription Law (No. 38); and the Negev Land Acquisition (Peace Treaty with Egypt) Law 1980.

<sup>34</sup> Applied Research Institute in Jerusalem, *An Overview of Israel's Colonization Policies and the Discontents with the Peace Process* (January 2002). See, <http://www.arij.org>.

<sup>35</sup> *Passia Diary 2001*, Jerusalem: PASSIA, Palestinian Academic Society for the Study of International Affairs, 2001, at 257. Also see Economic, Social and Cultural Rights, *Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living*, Mr. Miloon Kothari, Addendum, Report of visit to the occupied Palestinian territories, 5-10 January 2002, UN Doc. E/CN.4/2003/5/Add.1, 10 June 2002, at 10-15 stating: "Estimates place the proportion of Palestinian land confiscated by Israel at more than 70 percent of the West Bank and 33 percent of Palestinian land in East Jerusalem has been confiscated, and all but 7-8 percent of the area has been closed to Palestinian construction."

<sup>36</sup> In June 1967 there were approximately 1.7 million Palestinians living in the West Bank, including eastern Jerusalem, and the Gaza Strip. According to unofficial Israeli estimates the Palestinian population in these territories in August-September 1967 was approximately 950,000. Janet Abu Lughod, "The Demographic Transformation of Palestine," *The Transformation of Palestine*. Ibrahim Abu Lughod (ed.). Evanston, IL: Northwestern University Press, 1971, p. 162.

<sup>37</sup> See, Table I, Number of Immigrants Annually by Race. Total Number of Persons Registered as Immigrants, *A Survey of Palestine*, Vol. 1, p. 185. Jewish immigrants arrived in Palestine primarily from Poland, Russia, and Germany.

<sup>38</sup> Kathleen Christison, *Perceptions of Palestine, Their Influence*

*on U.S. Middle East Policy*. Berkeley: University of California Press, 1999, p. 47. According to Nichols, "[t]he US government spoke eloquently of the plight of European Jews, [but] its actions indicated a desire to distance itself from political unpopular efforts to liberalize immigration law or otherwise to expand the number of Jews reaching America." Bruce Nichols, "Religion, Refugees, and the US Government," *Refugees in the Age of Total War*. Anna C. Bramwell (ed.). London: Unwin Hyman, 1988, p. 91.

<sup>39</sup> According to various sources, the sources for the sale of Palestinian land included non-Palestinian absentee landlords (58 percent); Palestinian absentee landlords (36 percent) and local landlords and fellahin (6 percent) as of 1914. Rashid Khalidi, *Palestinian Identity, The Construction of Modern National Consciousness*, New York: Columbia University Press, 1997, pp. 113-114. A smaller number of Palestinian Arab farmers lost their lands due to financial insolvency.

<sup>40</sup> Nijim, p. 10. A Memorandum from the Arab Office to the Anglo-American Commission of Inquiry reports in 1945 that while the amount of land required for the minimum level of subsistence for a family of five was ten standard dunums, the rural population had, on the average, only 4.36 standard dunums per family of five in 1941, or 43 percent of the agricultural land required for their subsistence.

<sup>41</sup> Sharif Kanaana, *Still on Vacation*. Jerusalem International Center for Palestinian Studies, 1992, p. 96. Charles Kamen, *Little Common Ground: Arab Agriculture and Jewish Settlement in Palestine 1920-1948*. Philadelphia: University of Pittsburgh Press, 1991, pp. 28 and 96.

<sup>42</sup> The Jewish National Fund (JNF) – *Karen Kayemet L'Yisrael* – was established by a decision of the Fifth Zionist Congress in December 1901 and incorporated in England in April 1907. For more details see, Walter Lehn, *The Jewish National Fund*. London: Kegan Paul International, 1988.

<sup>43</sup> Khalidi, p. 98.

<sup>44</sup> John Reudy, "Dynamics of Land Alienation," *The Transformation of Palestine: Essays on the Origin and Development of the Arab-Israeli Conflict*. Ibrahim Abu Lughod (ed.). Evanston, IL: Northwestern University Press, 1971, p. 134.

<sup>45</sup> Nijim, p. 10.







# 2

Chapter



# Chapter Two: Population & Demographic Profile

## **Preface**

*Palestinian refugees and internally displaced persons are one of the largest displaced populations in the world today. Approximately one in three refugees worldwide is Palestinian.*

*There are five primary groups of Palestinian refugees and displaced persons. The largest group is comprised of those Palestinians displaced/expelled from their places of origin in 1948. This includes Palestinian refugees who receive international assistance from the UN Relief and Works Agency (UNRWA), i.e., 'registered refugees'; and Palestinian refugees not eligible for international assistance. The second major group of Palestinian refugees is comprised of those Palestinians displaced for the first time from their places of origin in the 1967 occupied Palestinian territories (often referred to as '1967 displaced persons'). The third category of refugees includes those Palestinian refugees who are neither 1948 or 1967 refugees and are outside the Palestinian territories occupied by Israel since 1967 and unable due to revocation of residency, denial of family reunification, deportation, etc., or unwilling to return there owing to a well-founded fear of persecution. In addition, there are two groups of internally displaced Palestinians. The first includes internally displaced Palestinians who remained in the area that became the state of Israel in 1948. The second group of internally displaced Palestinians includes Palestinians internally displaced in the 1967 occupied Palestinian territories.*

*The majority of the Palestinian refugee population is distributed throughout the Middle East, primarily in Arab states that border Israel, the West Bank and the Gaza Strip. Approximately one-quarter of the total Palestinian refugee population resides in areas of historic Mandate Palestine. Forced migration as well as migration motivated by economic and social factors has resulted in Palestinian refugee communities in Europe, North America, and elsewhere. More than one million Palestinian refugees reside in refugee camps in the Middle East. The Palestinian people, including refugees who comprise the majority of Palestinians, are a young population. The refugee population also has a high rate of natural growth.*

*The following chapter provides an overview of the Palestinian refugee population, including population estimates and distribution. The chapter also examines, in brief, some demographic characteristics of the refugee population.*

**Table 2.1 - Palestinian Refugees, Internally Displaced Palestinians, and Convention Refugees, 1950-2002**

Year	Actual & Estimated 1948 Refugees		Estimated 1967 Refugees (3)	Estimated 'Other' Refugees (4)	Estimated 1948 Internally Displaced Persons (5)	Estimated 1967 Internally Displaced Persons (6)	Convention Refugees (7)
	Registered Refugees (1)	Non-registered Refugees (2)					
1950	914,000	257,021			(32,302)*		
1955	905,986	305,260			39,680		1,643,600
1960	1,120,889	362,553			48,742		1,516,000
1965	1,280,823	430,599			59,875		4,368,900
1970	1,425,219	511,417	250,402	63,000	73,550		2,480,200
1975	1,632,707	607,403	297,400	168,000	90,349		2,991,200
1980	1,844,318	721,404	352,218	273,000	110,984		8,894,000
1985	2,093,545	856,802	419,512	378,000	136,333		11,817,200
1990	2,668,595	1,017,611	498,249	483,000	167,470		17,228,500
1995	3,172,641	1,208,603	591,763	588,000	205,720		14,573,600
2000	3,737,494	1,435,441	702,829	693,000	252,706		12,062,000
2002	3,973,360	1,537,681	752,888	735,000	274,379	150,000	12,051,000

Sources: There is no single authoritative source for the global Palestinian refugee and IDP population. The figures above reflect estimates according to the best available sources. Figures are therefore indicative rather than conclusive.

(1) 1948 registered refugees – UN Relief and Works Agency for Palestine Refugees (UNRWA). UNRWA figures are based on data voluntarily supplied by registered refugees. The figures do not claim to be and should not be taken as statistically valid demographic data. Figures as of 30 June each year.

(2) 1948 non-registered refugees – Derived from *The Palestinian Nakba 1948, The Register of Depopulated Localities in Palestine*. London: The Palestinian Return Centre, 1998, and the average annual growth rate of the Palestinian refugee population (3.5%). The figures do not account for the small number of refugees reunified with family inside Israel.

(3) 1967 first time displaced refugees – Derived from Report of the Secretary General under General Assembly Resolution 2252 (EX-V) and Security Council Resolution 237 (1967), UN Doc. A/6797, 15 September 1967 and the average annual growth rate of the Palestinian population (3.5%). The figures do not include 1948 refugees displaced for a second time in 1967. The figures for 1967 exclude those refugees who returned under a limited repatriation program in August-September 1967. The figures do not account for Palestinians who were abroad at the time of the 1967 war and unable to return, refugees reunified with family inside the occupied Palestinian territories, or those refugees who returned since 1994 under the Oslo political process.

(4) 'Other' refugees - Derived from George F. Kossaiji, *The Palestinian Refugees and the Right of Return*. Washington, DC: The Center for Policy Analysis on Palestine, 1996, based on an average forced migration rate of 21,000 persons per year. Includes those Palestinian refugees who are neither 1948 or 1967 refugees and are outside the Palestinian territories occupied by Israel since 1967 and unable due to revocation of residency, denial of family reunification, deportation, etc., or unwilling to return there owing to a well-founded fear of persecution. The figures do not account for family reunification or those refugees who returned to the occupied Palestinian territories since 1994 under the Oslo political process.

(5) 1948 internally displaced persons – Derived from initial registration figures from UNRWA in Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, UN Doc. A/1905, 30 June 1951 and an estimated average annual growth rate of the Palestinian population inside Israel between 1950 and 2001 (4.2%). According to the Israeli Central Bureau of Statistics, the Palestinian Muslim population inside Israel (which comprises 82 percent of the total Palestinian population inside Israel) increased annually by 4.4 percent between 1948 and 2001. Israel Central Bureau of Statistics, 2002. Statistical Abstract of Israel, No. 53. A significant number of internally displaced Palestinians received assistance from UNRWA until the Agency turned over responsibilities for the internally displaced to Israel in 1952. The bracketed population estimate indicates that many of the internally displaced were likely included as UNRWA registered refugees. The figure does not include those Palestinians internally displaced after 1948, conservatively estimated at 75,000 persons. Internally Displaced Palestinians, International Protection, and Durable Solutions. BADIL Information & Discussion Brief No. 9 (November 2002).

(6) 1967 internally displaced persons – The estimate includes persons internally displaced during the 1967 war due to expulsion and demolition of homes, and persons displaced after 1967 due to ongoing land confiscation, house demolition, and revocation of residency rights in eastern Jerusalem. Internally Displaced Palestinians, International Protection, and Durable Solutions. BADIL Information & Discussion Brief No. 9 (November 2002). According to the Palestinian Central Bureau of Statistics, an estimated 56,000 Palestinians were forced to change residence during the first 7 months of the second Palestinian intifada due to the proximity of their homes to Israeli military checkpoints and Israeli colonies (i.e., settlements). Palestinian Central Bureau of Statistics, 2001. Impact of the Israeli Measures. Survey on the Well-being of the Palestinian Children, Women, and the Palestinian Households, June 2001. In addition, some 80,000 Palestinians have been rendered homeless. United Nations, Humanitarian Action Plan of Action 2003. Occupied Palestinian Territory. Geneva and New York, November 2002. Also see, Norwegian Refugee Council, 2002. Profile of Internal Displacement, Palestinian Territories. Compilation of Information Available in the Global IPD Database of the Norwegian Refugee Council (as of 13 November 2002).

(7) Convention Refugees – UNHCR, *The State of the World's Refugees, Fifty Years of Humanitarian Action*. Oxford: UNHCR and Oxford University Press, 2000. UNHCR, *Refugees by numbers 2002*. Geneva: Office of the UN High Commissioner for Refugees.

## Population

At the end of 2002, it is estimated that there were more than 7 million Palestinian refugees and displaced persons. This includes Palestinian refugees displaced in 1948 and registered for assistance with the UN Relief and Works Agency (UNRWA) (3.97 million); Palestinian refugees displaced in 1948 but not registered for assistance (1.54 million); Palestinian refugees displaced for the first time in 1967 (753,000); 1948 internally displaced Palestinians (274,000); and, 1967 internally displaced Palestinians (150,000). In total, the Palestinian refugee and displaced population comprise nearly three-quarters of the entire Palestinian population worldwide (9.3 million).<sup>1</sup>

*If you ask them "Where do you come from?" they will straightforwardly say: "We are from Palestine," although they were born in Damascus and have never seen Palestine. I have never seen Palestine. I was born in Syria as well. My children, though born in Damascus, if you ask them where they come from they will tell you, "We come from Palestine." This is in their blood.*

**Hayel Hamid (Dalatha, Safad) Syria**

*Right of Return – Joint Parliamentary Middle East Councils  
Commission of Enquiry – Palestinian Refugees (2001).*

Available data on the Palestinian refugee and displaced population is characterized by uneven quality and uncertainty primarily due to the absence of a comprehensive registration system, frequent migration due to political and economic reasons, and the lack of a uniform definition of a Palestine refugee. Generally, most Palestinian refugees are considered to be prima facie refugees (i.e., in the absence of evidence to the contrary) (See Chapter Three, *International Law*).

In 1982 the UN General Assembly instructed the Secretary-General, in co-operation with the Commissioner-General of UNRWA, to issue identification cards to all 1948 Palestine refugees and their descendants, irrespective of whether they were recipients or not of rations and services from

the Agency, as well as to all 1967 refugees and to those who have been prevented from returning to their home as a result of the 1967 hostilities, and their descendants. The initiative failed, however, due to lack of cooperation among host states concerning information on previously non-registered refugees.<sup>2</sup>

Today the UN Relief and Works Agency (UNRWA) administers the only registration system for Palestinian refugees.<sup>3</sup> UNRWA records, however, only include about 55 percent of the Palestinian refugee population. Registration includes only those refugees displaced in 1948 (and their descendents) in need of assistance. UNRWA registration files for internally displaced Palestinians became inactive in June 1952 when the Agency transferred assistance activities for the internally displaced to the government of Israel.<sup>4</sup> There is no registration system for internally displaced Palestinians.

Revision of UNRWA's definition of a 'Palestine Refugee' in 1993, eliminating the requirements of need and initial flight in 1948 to a country within UNRWA's area of operations, resulted in the registration of some previously unregistered Palestinian refugees.<sup>5</sup> In addition, it should be noted that there is some variance in UNRWA records due to the fact that reporting is voluntary. In order to correct some of these problems, around 500,000 names were deleted from the registration records from the early 1950s onward.

Generally, current UNRWA registration records exclude:

- (1) refugees displaced in 1948
  - i. who fail to meet the assistance criteria;
  - ii. who were outside the areas of UNRWA operations;
  - iii. who were dropped from the records due to financial constraints limiting the number of relief recipients;
  - iv. who were off-spring of refugee mothers and non-refugee fathers;
  - v. who had an independent income or property;
  - vi. whose status improved and moved out of eligibility criteria;
  - vii. who refused to register for reasons of pride.
- (2) first time displaced refugees from 1967;
- (3) Palestinians who are not 1948 or 1967 refugees and are unable due to revocation of residency, denial of family reunification, deportation, etc., or unwilling

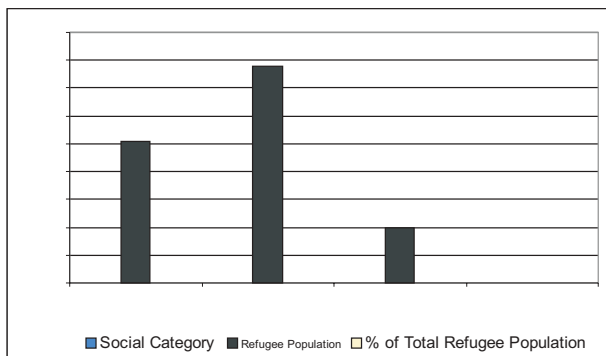
to return to the occupied Palestinian territories owing to a well-founded fear of persecution; and, (4) internally displaced Palestinians.

Estimates of the refugee and displaced population may also be derived from statistics maintained by the Office of the UN High Commissioner for Refugees (UNHCR)<sup>6</sup>; census data from host countries and Israel; and, population growth projections. This data, however, is not systematic or comprehensive. Many host countries either do not carry out a regular census of their resident refugee population or fail to include Palestinian refugees as a category of refugees. Israel, for example, does not keep separate records for internally displaced Palestinians. Some countries, such as Jordan, include Palestinians as a census category but census results are not accessible to the general public.

### Social Categories

The Palestinian refugee community displaced in 1948 consists of three primary social categories: 1) refugees from urban areas such as Haifa, Jaffa, Jerusalem, etc.; 2) rural refugees from villages; and, 3) Bedouin refugees from the north and the south of historic Mandate Palestine. The majority of 1948 refugees are of village origin.

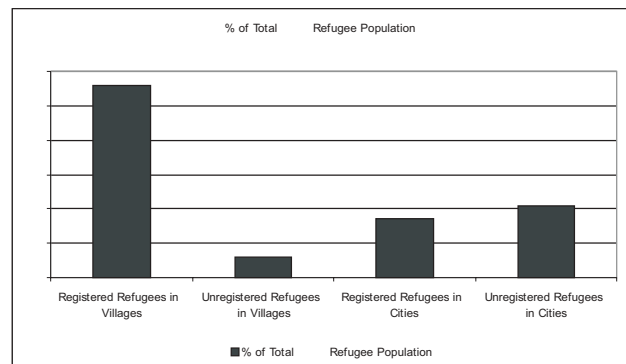
**Chart 2.1 – 1948 Refugees by Rural/Urban Origin, 1948**



Source: Walid al-Khalidi (ed.), 1988. *All That Remains: The Palestinian Villages Occupied and Depopulated by Israel in 1948*. Washington, DC: The Institute for Palestine Studies.

Today, the majority of Palestinian refugees displaced in 1948, who comprise the majority of the total Palestinian refugee population, originate from villages located inside 1948 Palestine/Israel. Approximately 62 percent of refugees displaced in 1948 are from villages and of Bedouin origin, while the remaining 38 percent originate from urban areas.

**Chart 2.2 – 1948 Refugees by Rural/Urban Origin, 2000**



Source: Salman Abu Sitta, 2001. *From Refugees into Citizens, The End of the Palestinian-Israeli Conflict*. London: The Palestinian Return Centre.

### Distribution

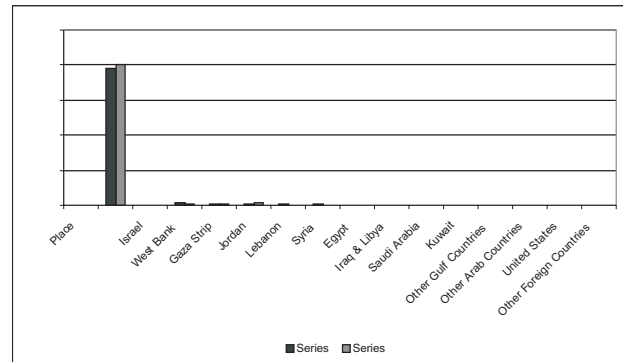
During the major waves of displacement/expulsion in the 20th century, Palestinian refugees tended to remain as close as possible to their homes and villages of origin based on the assumption that they would return with the cessation of armed conflict in the region. In 1948, for example, an estimated 65 percent of Palestinian refugees remained in areas of Palestine not under Israeli control – i.e., the West Bank and Gaza Strip, comprising 22 percent of the territory of Mandate Palestine. In the West Bank, the Palestinian population swelled from 460,000 to 740,000 with the mass influx of refugees. The impact of mass influx in that part of the Gaza District that became known as the Gaza Strip was even more dramatic. The population nearly quadrupled to 270,000. The remaining 35 percent of the Palestinian refugee population found refuge in neighboring states, including Jordan, Lebanon, Syria, and Egypt. An unknown number of Palestinian Arab citizens were abroad at the time of the 1948 conflict in Palestine and were unable to return to their places of origin inside Israel following the cessation of hostilities.

Internally displaced Palestinians also sought refuge in areas close to their places of origin in 1948 hoping to return as soon as possible following the cessation of hostilities. Approximately 47 of some 69 Palestinian Arab villages that remained in the territory that became the state of Israel after the 1948 war provided shelter to internally displaced Palestinians.<sup>7</sup> In some of these villages, such as Yafat an-Nassira, al-Makr, and al-Judeideh, internally displaced persons today comprise up to 50 percent of the population. Most of the 1948 internally displaced Palestinians are concentrated in the northern (i.e., Galilee) region of Israel.

During the 1967 war the majority of Palestinian refugees also found refuge in neighboring states. Most (95 percent) were displaced to Jordan, with smaller numbers of refugees displaced to Syria, Egypt, and Lebanon.<sup>8</sup> This included Palestinians who became refugees in 1948 and had found refuge in the remaining 22 percent of Palestine not occupied by Israel, and in the Syrian Golan. According to UNRWA figures, registered refugees displaced for a second time in 1967 comprised around 47 percent of the total number of Palestinians displaced during the war. In addition, it is estimated that some 60,000 Palestinians were abroad at the time of the 1967 war and unable to return to the occupied Palestinian territories.<sup>9</sup>

Information on the distribution of Palestinians displaced from the occupied Palestinian territories since 1967 is even less well documented. Estimates for the years 1967-1986 indicate that some 20,000 Palestinians were displaced per year.<sup>10</sup> More recent studies estimate the rate of out-migration/displacement as much as 2 percent of the total population per annum.<sup>11</sup> The establishment of the Palestinian Authority in part of the 1967 occupied Palestinian territories in the 1990s witnessed a reduction in the rate of forced migration due to the return/resettlement of Palestinians who had been living abroad.<sup>12</sup> Information on the distribution of Palestinians displaced inside the occupied Palestinian territories due to Israeli policies of land confiscation and house demolition, as well as forced resettlement of refugees, since 1968 is not well documented. UNRWA estimates that from the beginning of the 1970s through June 1989 alone, more than 62,000 refugees were displaced in the Gaza Strip due to the demolition of their homes by Israeli military forces.<sup>13</sup> Some of these refugees were transferred to the West Bank.

**Chart 2.3 - Estimated Distribution of Palestinian Refugees, 1949 and 2000**



Sources: 1949 – United Nations Economic Survey Mission for the Middle East. Final Report of the United Nations Economic Survey Mission for the Middle East (Part I). UN Doc. A/AC.25/6. Does not include an estimated 31,000 internally displaced Palestinians in Israel. Palestinian Central Bureau of Statistics, 2001. Statistical Abstract of Palestine, No. 2.

The changes in the pattern of distribution over five decades of forced exile relate primarily to periods of conflict in the region after 1948 and after 1967 when Palestinian refugees have either been expelled or forced to flee in search of safety. The pattern of distribution has also been affected by changes in political regimes and by economic necessity.

**Box 2.1: The Palestinian Cycle of Displacement**

From the regions of first refuge, many Palestinians headed to other Arab countries, primarily the peninsular states of the Gulf, but later to Europe and to points far beyond for both economic and political reasons. Indeed, the post-1948 history of the Palestinians reads like a series of migrations and expulsions: 1950s, movement out of Jordan and Lebanon to the Gulf; mid-1950s, expulsions of Palestinian oil industry workers from the Gulf; early and mid-1960s, increasing movement from the West Bank of Jordan to the East Bank, and from Jordan in general to the Gulf; 1967, flight and expulsion of large numbers, many of them second-time refugees, from both the West Bank and Gaza to Jordan and Egypt; post-1967, migration from the newly occupied territories to the Gulf and to Jordan; 1970-71, the expulsion of the Palestinian resistance from Jordan to Lebanon; 1982, the massive destruction caused by the Israeli invasion of Lebanon, the exodus of Palestinian fighters by boat to all corners of the Arab world, and the intimidation and massacre of thousands by local Lebanese militias.

Laurie Brand, *Palestinians in the Arab World. Institution Building and the Search for State*. New York: Columbia University Press, 1988, p. 7.

For example, there was a significant decrease in the number of refugees residing in the West Bank and Gaza Strip due to the 1967 war and subsequent Israeli occupation. Most of these refugees were displaced to Jordan; hence the dramatic increase in the number of refugees in Jordan. Lebanon also shows a substantial decrease in the percentage of the refugee population in the country due to internal conflict, conflict between the PLO and Israel in Lebanon, and due to various legal and political obstacles (See Chapter Three), which militate against Palestinian refugees' temporary asylum in Lebanon. The higher numbers of Palestinian refugees in the Gulf reflect patterns of economic migration in the refugee community, while a dramatic decrease in the number of refugees in Kuwait occurred as a result of the 1991 Gulf War.

*There are five million Palestinian refugees in exile but not far from their land (the majority of them are living in countries neighboring their homeland). They left and their dream was to go back when the war was over after two or three weeks. Yet a week became more than 50 years. More than 80 % of Palestinians are still living in the region, a fact that speaks for itself. This is the biggest referendum confirming that their preference is the right of return.*

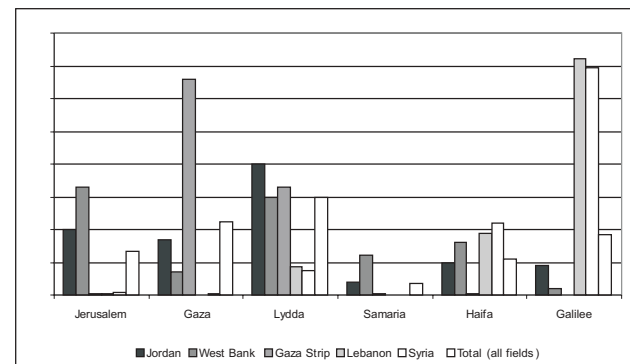
**Ismail Abu Hashash (Iraq Al-Manshiyya) West Bank**

*Right of Return, Joint Parliamentary Middle East Councils Commission of Enquiry – Palestinian Refugees (2001).*

Today, Palestinian refugees are living in forced exile in most areas of the world. Despite the changes in the pattern of distribution of Palestinian refugees over the last fifty years, however, the majority of the refugees still live within 100 km of the borders of Israel and the 1967 occupied Palestinian territories where their homes of origin are located. In Syria, for example, 70 percent of 1948 registered refugees are from the Galilee. The number is slightly higher in Lebanon where 72 percent of 1948 registered refugees are from the Galilee. Similarly, the largest number of refugees in the occupied Gaza Strip is from the adjacent areas of the former Gaza District. The majority of refugees from the former Jerusalem

District are either in the occupied West Bank or in Jordan. In addition, it is estimated that there are nearly 200,000 1948 Palestinian refugees residing in the United States and roughly the same number in Europe.<sup>14</sup> Palestinian refugees residing in host states in the region also comprise approximately the same percentage of the total combined population (6 percent) of the area as they did following the first wave of massive displacement in 1948.<sup>15</sup>

**Chart 2.4 - Distribution of 1948 Registered Refugees by District of Origin and by Field, 2000**



Source: UN Relief and Works Agency for Palestine Refugees (UNRWA). The six regions of the British Mandate period included: Jerusalem: Jerusalem, Ramallah, Hebron, Bethlehem; Gaza: Gaza, Khan Younis, Majdal, Isdud, Beersheba; Lydda: Jaffa, Ramle, Lod, Rechovot; Samaria: Tulkarem, Nablus, Jenin, Natanya; Haifa: Haifa, Hadera, Shafa 'Amr; Galilee: Nazareth, Beisan, Tiberias, Acre, Safad. Figures as of June 2000.

During more than fifty years in exile, the village unit has also tended to remain largely intact after mass displacement. In other words, the majority of the residents of a particular village tended to be displaced to the same host country and often to the same area within the host country. According to data for Palestinian refugees registered with UNRWA, seventy-two percent of all 1948 refugees from villages moved to one area and only 20 percent to two areas. Just 8 percent are located in more than two areas.<sup>16</sup> Distribution according to village of origin is evident in the structure of Palestinian refugee camps, which are divided into quarters based on the village unit. In Syria, for example, al-Yarmouk camp is divided into quarters based on the refugee villages of origin of al-Tira, Ahel Lubya, Ahel Balad ash-Sheik, and Ahel 'Ayn Gazal quarters.

The same phenomenon is also evident in Palestinian villages inside 1948 Palestine/Israel that provided refuge for internally displaced Palestinians in 1948. In many villages, neighborhoods are named after the origin of the displaced persons who reside

in them. The Palestinian village of 'Arrabeh, for example, includes the neighborhood of the Mi'aris (i.e., displaced persons originating from the village

of Mi'ar). Displaced persons from al-Birwa who took shelter in the village of al-Judeideh live in the neighborhood of the Birwanis.<sup>17</sup>



## Refugees in Camps

Approximately 1.28 million (September 2002) Palestinian refugees reside in refugee camps located in the 1967 occupied Palestinian territories, Jordan, Lebanon, and Syria. The majority of Palestinian refugees residing in camps are 1948 refugees (and their descendents). They comprise approximately one-third of the total registered refugee population and about one-fifth of the total refugee population

displaced in 1948. A smaller number of refugees displaced for the first time in 1967 also reside in refugee camps, primarily in Jordan and Syria. According to UNRWA statistics for June 2000, approximately 50,000 1967 displaced Palestinians were residing in one of 8 official UNRWA camps in Jordan. A small and growing number of poor-non-refugees including Palestinians and other Arabs also reside in the refugee camps.

**Table 2.2 - Registered Refugees in Camps, 1953 –2002**

Year	Total Registered Refugees	Registered Refugees in Camps	% Registered Refugees in Camps
1953	870,158	300,785	34.6
1955	912,425	351,532	38.5
1960	1,136,487	409,223	36.0
1965	1,300,117	508,042	39.1
1970	1,445,022	500,985	34.7
1975	1,652,436	551,643	33.4
1980	1,863,162	613,149	32.9
1985	2,119,862	805,482	38.0
1990	2,466,516	697,709	28.3
1995	3,246,044	1,007,375	31.0
2000	3,806,055	1,227,954	32.3
2002	3,973,360	1,262,867	32.0

Source: UN Relief and Works Agency for Palestine Refugees (UNRWA). (Figures as of 30 June each year)



There are 59 UNRWA-recognized refugee camps located in the 1967 occupied Palestinian territories, Jordan, Lebanon, and Syria. UNRWA-recognized refugee camps are situated on land that was originally allocated by host governments. There are also around 12 unrecognized refugee camps, including 5 in the West Bank, 3 in Jordan, and 4 in Syria. Host governments may refer to large concentrations of refugees in other areas as "camps", such as Yarmouk in Damascus.

The large number of Palestinians remaining in camps after more than five decades of exile can be explained by several factors:

- family and village support structure in the camp;
- lack of resources to rent or buy alternative accommodation outside the camp;
- lack of living space outside the camp due to overcrowding;
- legal, political, and social obstacles which force refugees to remain in the camp;
- physical safety; and,

- the refugee camp as a symbol of the temporary nature of exile and the demand to exercise the right of return.

The largest camp population (470,824, September 2002) resides in the occupied Gaza Strip comprising approximately one-third of all registered refugees residing in camps. Some of the largest refugee camps in the region are also located in the occupied Gaza Strip. The large number of refugees living in camps in the occupied Gaza Strip is due in large part to the lack of resources to build outside camps, denial of building permits under decades of Israeli military occupation, and the lack of building space outside of camps. In the occupied West Bank there are fewer refugees in camps (170,536, September 2002), however, there are a large number of Palestinian towns and villages with a high percentage of refugees. There are approximately 100 localities in the occupied West Bank in which 1948 refugees comprise more than 50 percent of the total population.

**Table 2.3 – Major Localities in the 1967 Occupied Palestinian Territories by Refugee Population (excluding camps), 1997**

Region	Refugee Status (%)		Number of localities with a population of > 50% refugees
	Non-refugees	Refugees	
Gaza	47.4	52.0	4
Deir al-Balah	14.1	85.5	7
North Gaza	28.7	70.9	6
Rafah	15.8	70.9	7
Khan Younis	42.7	56.9	8
Hebron	81.7	17.4	21
Tubas	83.5	15.8	1
Jericho	49.2	49.7	5
Jerusalem	58.1	40.8	12
Ramallah	70.1	28.1	13
Jenin	70.7	28.8	30
Tulkarem	67.9	31.5	5
Nablus	74.1	25.4	11
Bethlehem	71.3	28.0	10
Qalqilya	59.6	39.9	6
Salfit	34.4	65.4	1

Source: Palestinian Central Bureau of Statistics, 1997. *Population, Housing and Establishment Census of the Palestinian Territories, 1997.*

The second highest number of refugees living in camps is located in Jordan (294,447, September 2002); however, Jordan has the lowest overall number of camp refugees as a percentage of the total refugee population in a host country. Only 18 percent of registered refugees in Jordan reside in camps. The low number of refugees living in camps in Jordan out of the total refugee population in the country is related to the opportunities afforded to most Palestinian refugees in Jordan as Jordanian citizens.

Lebanon has the highest number of refugees living in camps (217,953, September 2002) out

of the total refugee population in a host country. Approximately 64 percent of refugees in Lebanon live in official camps, 8 percent in unofficial camps, and 4 percent in marginal camps. The remaining refugee population resides in gatherings, cities and villages, and other localities.<sup>18</sup> The high number of refugees in Lebanon in camps out of the total refugee population is directly related to the restrictions placed on freedom of movement by the Lebanese government, the lack of resources to find alternative housing outside of the camps, and concerns about physical safety.

**Table 2.4 – Distribution of Palestinian Refugees Outside Camps in Lebanon, 2001**

Location	Population
<b>Unofficial Camps*</b>	
al-Ma'ashouq	3,447
Shabiha	4,829
al-Qasmia	2,634
Kufr Bada (Abu al-U'sod)	813
al-U'rash (Adlon)	1,448
Shhim	1,978
<b>Marginal Camps**</b>	
Jal al-Bahar	905
al-Burghlia	128
al-Wasta	708
al-Eitania	269
al-Sika	660
al-Baraksat	2,535
Bustan al-Yahodi	1,210
al-Hamshri	1,200
Mustashfa Gaza	600
al-Tariq al-Jadida	257
al-Aramel	867
al-Muhajariin	1,029
<b>Refugee 'Gatherings'***</b>	
al-Ghazia	1,305
Wadi al-Ziny	8,825
al-Nae'mi	4,480
Bar Elias	2,949
Tha'alabia	4,140
<b>Cities</b>	
Sur	4,916
Sida	17,336
Beirut	13,817
Tripoli	3,726

Husein Ali Sha'aban, *Palestinian Refugees in Lebanon. From Hosting through Discrimination*. Jerusalem: PASSIA, 2002. [ARABIC] (Figures as of June 2001).

\*The growth of unofficial camps relates to the location of employment opportunities in agriculture and construction, especially in the Sur district, in addition to the late establishment of official UNRWA camps and the lack of land for natural expansion of existing camps.

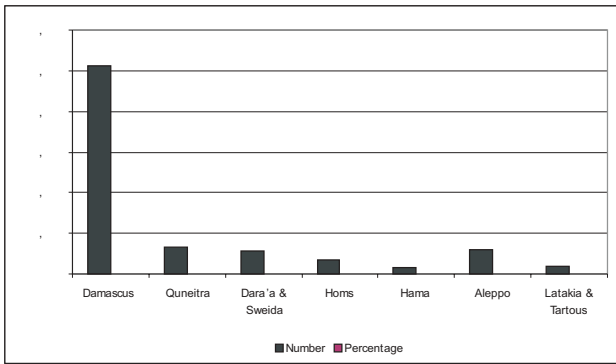
\*\*Marginal camps are considered 'illegal settlements' and were established during the different waves of displacement. They also provided shelter to refugees displaced as a result of the destruction of official camps and refugee housing during the civil war in Lebanon.

\*\*\*Refugee 'Gatherings' are located far from the cities and are largely inhabited by refugees who have moved out of the camps due to improved socio-economic status. Unlike camps, refugees in gatherings own their homes.

Most refugee camps are located in or adjacent to urban areas. In Syria, for example, most of refugees live in camps around Damascus for economic and cultural reasons.

In Lebanon, 4 camps (two of which were destroyed) were set up in the Beirut area, 2 around Sidon and another two around Tripoli with three in the vicinity of Sour. In Jordan, there are three camps located around Amman. In the 1967 occupied Palestinian territories refugee camps are also located near major cities such as Hebron, Jerusalem, Ramallah, Nablus, Jenin and Tulkarem. As a result of the division of the occupied West Bank into separate areas of security control and administration under the Oslo process, refugees camps fell within areas A, B, and C, as well as in occupied eastern Jerusalem, meaning that while some refugee camps were located in areas fully controlled by the Palestinian Authority (PA), other camps were still directly exposed to full Israeli military rule. Israel's military reoccupation of areas A and B since the beginning of the second Palestinian intifada in September 2000, however, has rendered these distinctions largely meaningless.

**Chart 2.5 – Distribution of Palestinian Refugees in Syria, 2001**



Source: Central Bureau of Statistics and Natural Resources, 2001. Damascus, in Palestinian Central Bureau of Statistics, 2002. Statistical Abstract of Palestine. No. 3.



**Table 2.5 – Population of Palestinian Refugee Camps (Official and Unofficial) by Host Country, 2002**

Area	Camp (local name)	Population	Year Established	
Gaza*	Jabalia	104,252	1948	
	Beach (Shati)	76,373	1948	
	Nuseirat	64,699	1948	
	Bureij	30,244	1948	
	Deir al-Balah	20,357	1948	
	Maghazi	22,651	1948	
	Khan Younis	61,066	1948	
	Rafah	91,182	1948	
	West Bank	Aqabat Jaber	5,248	1948
Ein al-Sultan		1,898	1948	
Shu'fat		9,616	1965/1966	
Am'ari		8,181	1949	
Kalandia		9,310	1949	
Deir Ammar		2,201	1949	
Jalazone		9,465	1949	
Fawwar		7,150	1949	
Arroub		9,299	1950	
Dheisheh		11,175	1949	
Aida		4,235	1950	
Beit Jibrin ('Azza)		1,888	1950	
Far'a		6,916	1949	
Camp No. I		6,244	1950	
Askar		14,182	1950	
Balata		20,822	1950	
Tulkarem		16,376	1950	
Nur Shams		8,216	1952	
Jenin		14,213	1953	
Silwad**		299 (1997)	1971/72	
Abu Shekedem**		353 (1997)	1948	
Qaddoura**		863 (1997)	1948	
Birzeit (as-Saqeif)**		1,718 (1997)	1948	
Jordan		Amman New Camp (Wihdat)	49,983	1948
		Talbieh	8,832II	1968
		Irbid	23,604	1951
		Husn ('Azmi al-Mufti)	26,000III	1968
	Souf	15,441IV	1967	
	Jerash (Gaza)	26,000V	1968	
	Jabal al-Hussein	27,740	1952	
	Baqa'a	80,272IV	1968	
	Zarqa	17,415	1949	
	Marka (Hittin)	41,417V II	1968	
	Ma'adaba**	5,500 (1998)	1956	
	Sakhna**	4,750 (1998)	1969	
	Al-Hassan**	8,000 (1998)	1967	
	Lebanon	Mar Elias	1,404	1952
		Burj al-Barajneh	19,550	1948
Dbayeh		4,217	1956	
Shatila		12,055	1949	
Ein al-Hilweh		44,338	1948-1949	
Mieh Mieh		5,097	1954	
Al-Buss		9,850	1948	

Area	Camp (local name)	Population	Year Established
	Rashidieh	24,792	1948
	Burj al-Shamali	18,195	1948
	Nahr al-Bared	28,549	1950
	Bedawi	15,782	1955
	Wavell (al-Jalil)	7,420	1948
	Al-Nabatia***	-	1956
	Tal az-Zaatar***	-	1949
	Jisr – al-Basha***	-	1952
	al-Ma'ashouq**	3,447	-
	Shabiha**	4,829	-
	al-Qasmia**	2,634	-
	Kufr Bada (Abu al-U'sod)**	813	-
	al-U'rash (Adlon)**	1,448	-
	Shhim**	1,978	-
Syria	Khan Eshieh	15,684	1949
	Khan Danoun	8,573	1949
	Sbeineh	19,764	1958
	Qabr Essit	16,115	1949
	Jaraman	5,048	1949
	Dera'a	5,641	1950-1951
	Dera'a Emergency	5,467	1967
	Homs	13,702	1949
	Hama	7,607	1949-1950
	Neirab	17,998	1949
	Handarat**	2,500	1962
	al-Yarmouk**	120,000	1956-1957
	Ramadani**	1,000	1956
	al-Raml**	8,148	-
Egypt	al-'Abbasiyyah****	-	1948
	al-Qanatarah Sharq****	-	1948

Sources: UNRWA (figures as of 30 September 2002); Palestinian Central Bureau of Statistics, 1997. *Population, Housing and Establishment Census of the Palestinian Territories, 1997*; Husein Ali Sha'aban, *Palestinian Refugees in Lebanon - From Hosting Through Discrimination*. Jerusalem: PASSIA, 2002.

I An additional 4,000 Palestinians are estimated by UNRWA to be living in the camp due to Israel's policy of residency revocation in Jerusalem.

II As of June 2002, 4,990 persons were registered refugees.

III As of June 2002, 19,573 persons were registered refugees.

IV As of June 2002, 14,641 persons were registered refugees.

V As of June 2002, 21,053 persons were registered refugees.

VI As of June 2001, 10,565 persons were 1967 refugees.

VII As of June 2001, 15,000 persons were 1967 refugees.

\* During the 1970s the Israeli military administration destroyed thousands of refugee shelters in the Gaza Strip under the guise of security. Large refugee camps were targeted in particular. Refugees were forcefully resettled in other areas of the Gaza Strip with a smaller number transferred to the West Bank. In the Gaza Strip, several housing projects were established to resettle some of the refugees. Some of these projects today are referred to as camps. These include the Canada project (1972), the Shuqairi project (1973), the Brazil project (1973), the Sheikh Radwan project (1974), and the al-Amal project (1979).

\*\* Unofficial camp (i.e., not recognized by UNRWA). Figures for unofficial camps in Lebanon as of June 2001.

\*\*\* Destroyed camp

\*\*\*\* The two camps in Egypt were closed in 1949.

**Box 2.2: Saloum Camp: A Symbol of Ongoing Displacement**

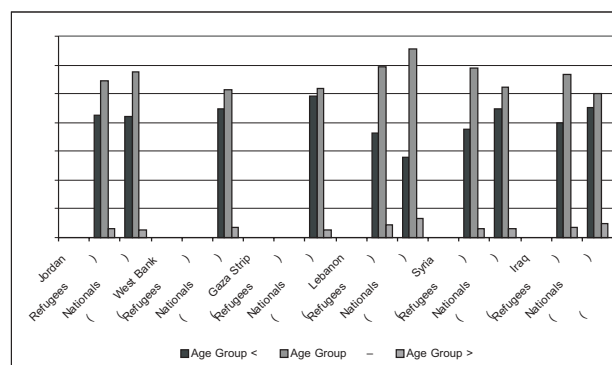
For a long time Libya was considered one of the most liberal countries in the Arab world concerning entry and permission to work for Palestinians. By the early 1990s an estimated 30,000 Palestinians were residing in Libya. In September 1995, however, responding to the UN decision in 1992 to impose economic sanctions against Libya in the aftermath of the bombing of a Pan Am flight over Lockerbie, Scotland, and in opposition to the Oslo political process between Israel and the PLO, Libya decided to expel all Palestinians from the country. Thousands of Palestinians, many of whom were refugees, were forced to leave the country. During the last week of August 1995 waves of Palestinians began arriving at the border between Libya and Egypt at the Saloum crossing. Those Palestinians without valid residency documents for Egypt, Jordan and the West Bank were left stranded at the desert crossing point. Within weeks the number of refugees had swelled to around 600 persons. The makeshift refugee camp, situated on an area of around 200 by 250 square meters was enclosed by a barbed-wire fence, surrounded by land mines from previous conflicts in the area, and exposed to the elements. The camp also lacked access to safe drinking water and sanitation facilities. The nearest hospital to the camp was 140 km away. An inter-agency mission to the camp in October 1995 by the UNHCR, Medicines Sans Frontières, UNRWA and the World Health Organization (WHO) found the site inhumane and inadequate even for a limited stay. In late October 1995, Libyan authorities announced the temporary suspension of the policy of forced departure. Approximately 200 refugees, however, remained stranded in the camp, including a large percentage of single males who had been separated from their families by the expulsion and who had no hope of reunification and two families headed by single women. In January 1997, after 16 months, the residents of the temporary camp were finally permitted to leave the camp and remain in Libya.

Source: Shaml Newsletters, 1995-1998. See, <http://www.shaml.org>.

**Other Demographic Indicators**

The Palestinian population, the majority of whom is refugees, is a young population. A young population is a source of future human resources; it also places heavier demands on health, education, other public services and the labor market. The percentage of Palestinian refugees below the age of 15 in Jordan, Syria, Lebanon and Iraq in 2001 was 43, 43.2, 44 and 40 percent respectively.<sup>19</sup> The percentage of registered refugees in all areas of UNRWA operations below the age of 15 as of mid-2002 was approximately 33 percent. The smaller percentage of registered refugees below the age of 15 may be attributed to the voluntary nature of the registration system and non-registration of children born to refugee mothers and non-refugee fathers.

**Chart 2.6 – Distribution of Population by Age Group, Refugees Compared to Selected Host Countries**



Sources: Jordan – FAFO Institute for Applied Social Science, 1997. *Living Conditions Among Palestinian Refugees and Displaced in Jordan: West Bank and Gaza Strip* – unknown; Lebanon, Syria, and Iraq – Palestinian Central Bureau of Statistics, 2001. *Statistical Abstract of Palestine, No. 2. National figures for Jordan, Lebanon, Syria, Iraq and Egypt* – Palestinian Central Bureau of Statistics, *Percent Distribution of Population by Sex and Age Group in Arab Countries According to the Latest Available Census*.

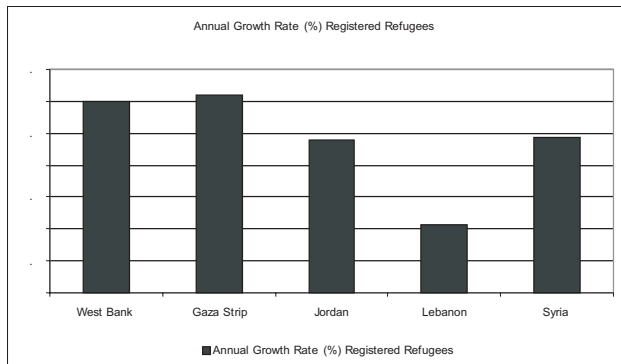
**Table 2.6 - Registered Refugee Population by Age Group and Host Country, 2000**

Field/Age Group	Jordan	West Bank	Gaza Strip	Lebanon	Syria	% of Total Population
< 6	12.3	10.0	17.6	9.5	13.0	13.0
6 - 15	22.3	24.0	28.0	20.6	21.7	24.0
16 - 25	19.9	18.9	17.7	18.0	18.9	19.0
26 - 35	16.5	14.9	12.5	16.8	15.6	15.0
36 - 45	9.7	10.7	8.5	12.7	11.7	10.0
46 - 55	6.9	8.0	6.3	8.0	7.0	7.0
> 55	12.4	13.5	9.4	14.4	12.2	12.0

Source: UN Relief and Works Agency for Palestine Refugees (UNRWA). (Figures as of June 2000)

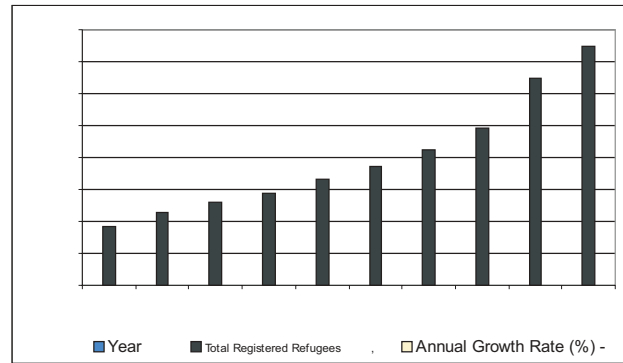
The Palestinian population in general has a high rate of natural growth. Since 1948, the Palestinian population has roughly doubled every 20 years. Between 1950 and 1995, the Palestinian population in 16 selected regions of the Middle East grew by an average of 3.3 percent per annum.<sup>20</sup> The rate of growth of the Palestinian refugee population follows approximately the same pattern. The rate of natural growth is highest (over 4 percent) among Bedouin refugees, refugees residing in Jordan, and internally displaced Palestinians.

**Chart 2.7 – Average Population Growth Rate of Registered Refugees by Host Country**



Sources: Registered refugees – UN Relief and Works Agency for Palestine Refugees (UNRWA). Figures as of 30 June 2002. Annual growth rate is the percentage growth in the number of refugees registered with UNRWA. As a number of registered refugees don't register immediately the new births and deaths, the annual growth in the registered refugees is an approximation of the annual growth rate of the refugee population. In the period 1990 - 1995, refugee registration increased.

**Chart 2.8 - Annual Population Growth Rate of Registered Refugees, 1953 – 2000**



Source: UN Relief and Works Agency for Palestine Refugees (UNRWA). Annual growth rate is the percentage growth in the number of refugees registered with UNRWA. As a number of registered refugees don't register immediately the new births and deaths, the annual growth in the registered refugees is an approximation of the annual growth rate of the refugee population. In the period 1990 - 1995, refugee registration increased.

The high rate of natural growth of the Palestinian population, including refugees, is due to a high fertility rate and a decreasing mortality rate. Since the middle of the 19th century the Palestinian population has experienced a total fertility rate (i.e., the average number of children born to a woman during her childbearing years) of 7.<sup>21</sup>



**Table 2.7 – Total Fertility Rate (TFR), Refugees Compared to Selected Host Countries**

Area	Total Fertility Rate (TFR)	
	Refugees	Host Country Average
West Bank	5.57 (1990-1994)	5.84 (1990-1994)
Gaza Strip	7.73 (1990-1994)	7.78 (1990-1994)
Jordan	4.5 (1994-1998)	3.7 (1999)
Lebanon	3.5 (1999)	2.3 (1999)
Syria	3.5 (2001)	3.6 (1999)
Iraq	5.3 (1989)	4.4 (1999)

Sources: West Bank and Gaza Strip – FAFO, 2001. Growing Fast, The Palestinian Population in the West Bank and Gaza Strip; Jordan – FAFO, 2002. On the Margins: Migration and Living Conditions of Palestinian Camp Refugees in Jordan (figure does not cover refugees outside camps), and, World Bank, Jordan Data File; Lebanon and Syria – Palestinian Central Bureau of Statistics, 2001. Statistical Abstract of Palestine, No. 2, and World Bank, Lebanon Data File, Syria Data File.

The mortality rate (i.e., the proportion of deaths to the total population) of the Palestinian population has decreased significantly since the initial displacement of refugees in 1948. Infant mortality rates, for example, declined from around 200 per

1,000 births in 1950 to around 27 per 1,000 births in the 1967 occupied Palestinian territories and 10 per 1,000 births inside Israel.<sup>22</sup> Infant and mortality rates of the refugee population have also declined over the past five decades.

**Table 2.8 – Infant and Under Five Mortality Rate, Refugees Compared to Selected Host Countries**

Country and Population Reference	Infant Mortality	Under Five Mortality	Year
Lebanon			
All Refugees	42	49	1996
National	25.5	30.0	2000
Jordan			
All Refugees	24	26	1996
National	25.3	30.3	2000
Syria			
All Refugees	40	50	1995
National	24.0	29.0	2000
West Bank			
All Refugees	24.4	27.2	1995-1999
National	26.0	31.0	1990-1994
Gaza Strip			
All Refugees	27.3	31.2	1995-1999
National	30.0	37.0	1990-1994

Sources: Palestinian Central Bureau of Statistics, 2001. *Statistical Abstract of Palestine*, No. 2. United Nations Children's Fund (UNICEF), 2000. *The Situation of Palestinian Children in the West Bank and Gaza Strip*. Jordan, Syria and Lebanon. Palestinian Central Bureau of Statistics, 2000. *Health Survey Database 2000*.

### Developments in 2001-2002

As of the end of 2002 there were an estimated 7.4 million Palestinian refugees and displaced persons comprising more than three-quarters of the total Palestinian population worldwide. The registered refugee population grew by an average of 3.5 percent in 2001 and 2.54 percent in 2002. Broken down by host country for 2002, the registered refugee population grew by 2.4 percent in Jordan, 1.06 percent in Lebanon, 2.43 percent in Syria, 3.0 percent in the occupied West Bank, and 3.09 percent in the occupied Gaza Strip.

The distribution of Palestinian refugees by country of exile remained largely unchanged. However, there was significant increase in internal and external displacement of the existing refugee and non-refugee population in

the 1967 occupied Palestinian territories due to Israel's military campaign to suppress the second intifada that began in September 2000. As of the beginning of the second intifada it is estimated that 80,000 Palestinians in the 1967 occupied Palestinian territories have been displaced due to the demolition of their homes by Israeli military forces.<sup>23</sup> Moreover, it is estimated that more than 56,000 Palestinians have been forced to change residence for reasons of security, access to employment, education, health, etc.<sup>24</sup>

During the report period 1948 refugees continued to take advantage of changes in UNRWA's registration procedures to register with the Agency. In the occupied West Bank, in particular, UNRWA's Registration Division witnessed a sharp increase in the number of refugees updating their registration records as a result of the political and humanitarian crisis.



## Endnotes

<sup>1</sup> *Palestinians at the End of Year 2002*. Ramallah: Palestinian Central Bureau of Statistics (December 2002).

<sup>2</sup> UNGA Resolution 37/120 (I), 16 December 1982. See, *Report of the Secretary General*, 12 September 1983, UN Doc. A/38/382.

<sup>3</sup> Original registration of refugees requiring assistance was carried by the International Committee of the Red Cross, the League of Red Crescent Societies, and in Gaza by the American Friends Service Committee (AFSC). In 1950-51 UNRWA carried out a census in all areas of operations, excluding the Gaza Strip where it relied on AFSC records. UNRWA registration includes an individual registration number, a family registration number, and a family ex-code that links the computerized demographic data in the family registration number sheet with the non-computerized data in the family files. The latter includes, for example, birth, marriage and death certificates, and a limited number of property deeds. For more information see, *Reinterpreting the Historical Record, The Uses of Palestinian Refugee Archives for Social Science Research and Policy Analysis*, Salim Tamari and Elia Zureik (eds.), Jerusalem: Institute for Jerusalem Studies, 2001.

<sup>4</sup> *Annual Report of the Director of the United Nations Relief and Works Agency for Palestine Refugees in the Near East*, UN Doc. A/2171, 30 June 1952. Initial registration files for the internally displaced Palestinians include 6 boxes consisting of 11,304 family cards and 5,155 correction cards. Each card contains the names, ages, sex, occupation, past address, and 'distribution center' to which the family was attached. UNRWA refers to these files as 'dead' files. *Reinterpreting the Historical Record*, p. 45.

<sup>5</sup> 'Consolidated Registration Instructions' (CRI), 1 Jan. 1993, para. 2.13. see, Annex 2. For an overview of the development of the UNRWA definition of a Palestine Refugee see, Takkenberg, pp. 68-83. As of 2000, the number of new registrations in Lebanon, for example, amounted to 275. Bassem Serhan, "The Lebanon UNRWA Archives," *Reinterpreting the Historical Record*, p. 64.

<sup>6</sup> UNHCR's annual publication *The State of the World's Refugees* for the year 2000, for example, lists a total of 104,300 Palestinian refugees, including 90,000 in Iraq, 7,600 in Yemen, 3,900 in Denmark, 2,200 in Kuwait, and 600 'others'. These figures, however, do not represent the total number of Palestinian refugees outside the area of UNRWA operations or the total number of non-registered 1948 refugees. Annex 6, "Refugee populations by origin and country/territory of asylum," 31 December 1999, p. 316. UNHCR country profiles for 2001 list 35,000 Palestinian refugees in Kuwait, 40,000 – 70,000 in Egypt and 90,000 in Iraq. See, the UNHCR website, <http://www.unhcr.ch>. UNHCR, *Refugees by numbers 2002*. Geneva: Office of the UN High Commissioner for Refugees (December 2002) lists 349,100 Palestinians of concern to UNHCR.

<sup>7</sup> Wakim Wakim, "laji'un fil watan, al-hadirun al-gha'ibun fi isra'iil," [Refugees in the Homeland, Present Absentees in Israel] 45/46 *Majallat al-Dirasat al-Filastiniyah* (Winter/Spring 2001). [Arabic]

<sup>8</sup> *Report of the Secretary General under General Assembly Resolution 2252 (ES-V) and Security Council Resolution 237 (1967)*, UN Doc. A/6797, 15 September 1967.

<sup>9</sup> Table 5, "Palestinian Estimates of Displaced Persons and Refugees During the 1967 War," Tayseer Amro, "Displaced

Persons: Categories and Numbers Used by the Palestinian Delegation [to the Quadripartite Committee] (not including spouses and descendants)." *Article 74*, No. 14 (1995). Jerusalem: BADIL/Alternative Information Center for Palestinian Residency and Refugee Rights.

<sup>10</sup> George F. Kossaifi, *The Palestinian Refugees and the Right of Return*. Washington, DC: The Center for Policy Analysis on Palestine, 1996, p. 8. According to the Jordanian government, some 7,000 Palestinians from the West Bank were displaced to Jordan every year between 1968 and 1988. UN Doc. CERD/C/318/Add.1, 14 April 1998. *Reports Submitted by States Parties under Article 9 of the Convention*. Twelfth Periodic Report of States Parties due in 1997, Jordan, at 25.

<sup>11</sup> Jon Pederson, Sara Randall, and Marwan Khawaja (eds.), *Growing Fast, the Palestinian Population in the West Bank and Gaza Strip*. Norway: FAFO Institute for Applied Social Science, 2001, p. 153.

<sup>12</sup> For a recent overview of sources and estimates of migration from the West Bank and the Gaza Strip, see *ibid*, pp. 153-167.

<sup>13</sup> Table Two, "Demolition of Rooms and Affected Families and Individuals in Gaza Strip Refugee Camps, as of June 1989," UNRWA Accommodation Office, Gaza (July 1991), cited in Norma Masriyeh Hazboun, *Israeli Resettlement Schemes for Palestinian Refugees in the West Bank and Gaza Strip Since 1967*. Shaml Monograph Series 4, 24 February 1996, p. 32.

<sup>14</sup> The 1990 US Census estimated the number of Palestinians in the US at around 50,000. U.S. Department of Commerce, Bureau of the Census, Ethnic and Hispanic Branch, 1990 Census Special Tabulations. This number, however, is likely low due to the underestimation of minority populations in the United States and it may not include Palestinian refugees who have acquired citizenship in Jordan. Some 45.2% of the total Palestinian population in 1990 census entered the US between 1980 and 1990. According to the Palestinian Central Bureau of Statistics, there were an estimated 231,000 Palestinians residing in the United States at the end of 2002. Palestinian Central Bureau of Statistics, *Palestinians at the End of the Year 2002*, December 2002. Estimates for the number of 1948 refugees residing in individual European states vary. These include some 30,000-80,000 Palestinian refugees in Germany, 20,000 refugees in Denmark, and some 9,000 Palestinian refugees in Sweden. For more, see Mahmoud Issa, *Palestinians in Scandinavia: Statistics, socio-cultural and Integrational problems*. Oxford – Refugee Studies Center (May 2000) [On file with BADIL].

<sup>15</sup> Figure derived from estimate of the population in the area cited in *Final Report of the UN Economic Survey Mission for the Middle East*, Part I, The Final Report and Appendices, p. 1. Population figures for Jordan, Lebanon, Syria and Iraq, from World Bank figures. Jordan Data Profile, Lebanon Data Profile, Syrian Arab Republic Data Profile, and Iraq Data Profile. *World Development Indicators Database*, July 2001. See, the World Bank website, <http://www.worldbank.org>.

<sup>16</sup> Salman Abu Sitta, *From Refugees to Citizens at Home, The End of the Palestinian-Israeli Conflict*. London: The Palestinian Return Centre, 2001, p. 23.

<sup>17</sup> Wakim, "laji'un fil watan, al-hadirun al-gha'ibun fi isra'iil."

<sup>18</sup> Husein Ali Sha'aban, *Palestinian Refugees in Lebanon from*

*Hosting through Discrimination*. Jerusalem: PASSIA, 2002. [Arabic?]

<sup>19</sup> PCBS, *The Fourth Annual Statistical Report, 2001*. Palestinian Children – Issues and Statistics, Executive Summary.

<sup>20</sup> For the last five-year period, the Palestinian population in these 16 countries increased at the highest rate ever, 3.7 percent per year. Arjun L. Adlakha, Kevin G. Kinsella and Marwan Khawaja. *Demography of the Palestinian Population with Special Emphasis on the Occupied Territories*. See, <http://www.undp.org/popin/regional/escwa/popbull/bull43/chapter2.htm>. Site last visited [15/06/01].

<sup>21</sup> Justin McCarthy, *The Palestinian Population During the Ottoman and British Mandate Periods*. Archived at, <http://www.PalestineRemembered.com/Acre/Palestine-Remembered/Story559.html>. Site last visited [04/03/02].

<sup>22</sup> McCarthy, Table 2, Palestinian Mortality, 1860-2000.

<sup>23</sup> United Nations, *Humanitarian Action Plan of Action 2003. Occupied Palestinian Territory*. Geneva and New York, November 2002.

<sup>24</sup> Palestinian Central Bureau of Statistics, *Impact of the Israeli Measures. Survey on the Well-being of the Palestinian Children, Women, and the Palestinian Households*, June 2001.

Palestinians at the End of Year 2002. Ramallah: Palestinian Central Bureau of Statistics (December 2002).

UNGA Resolution 37/120 (I), 16 December 1982. See, Report of the Secretary General, 12 September 1983, UN Doc. A/38/382.

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Report of the Secretary General under General Assembly Resolution 2252 (ES-V) and Security Council Resolution 237 (1967), UN Doc. A/6797, 15 September 1967.

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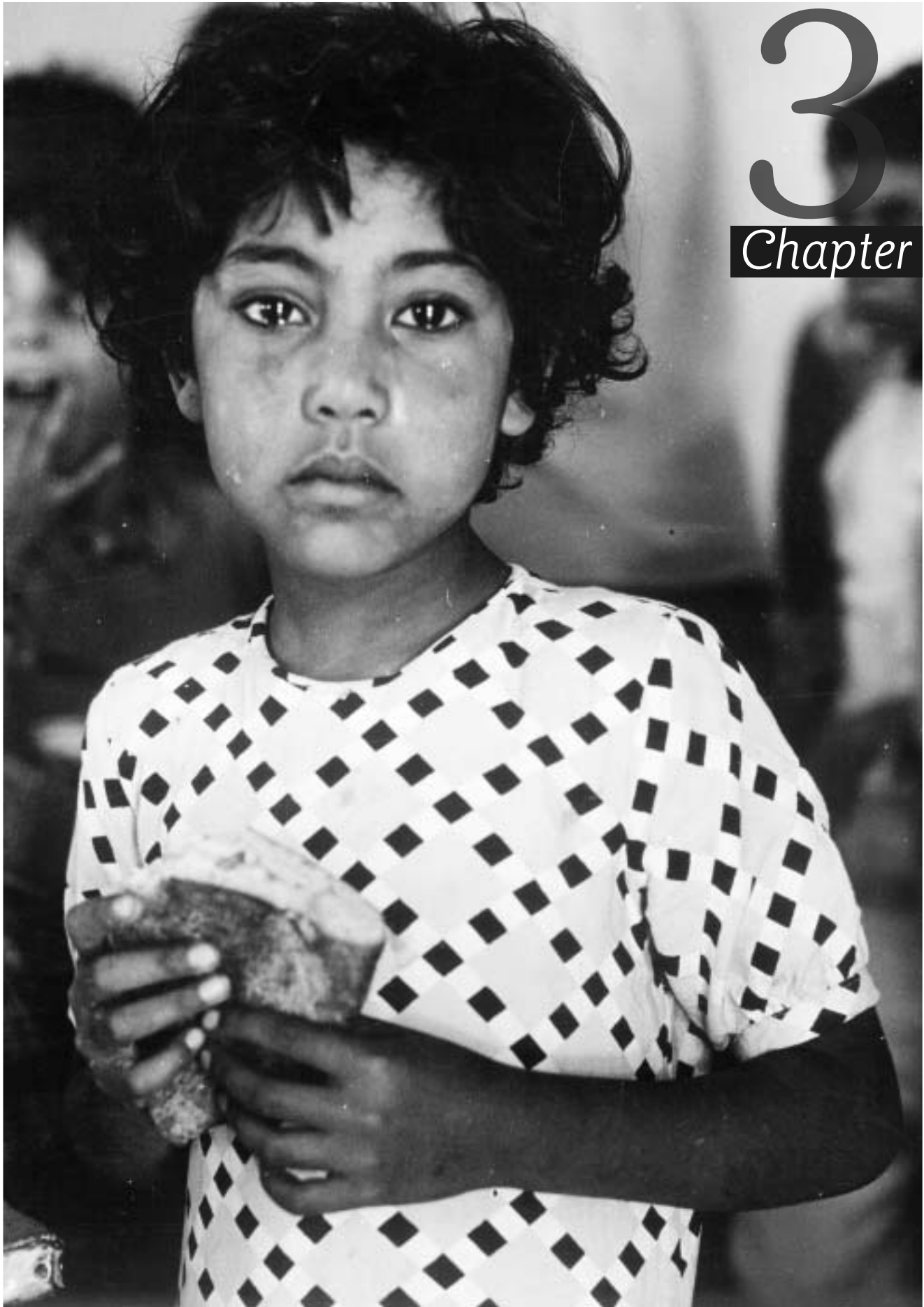
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# 3

Chapter



# Chapter Three: Legal Status

## **Preface**

*Palestinian refugees have a unique legal status as refugees under international, regional and domestic legal instruments.*

*The legal status of Palestinian refugees under international refugee law is distinct from that of other refugees. The 1951 Convention relating to the Status of Refugees ('Refugee Convention') includes special provisions governing the status of Palestinian refugees who were displaced in 1948. Interpretation of these provisions by state and non-state actors, however, varies. The unique provisions in the Refugee Convention also apply to those Palestinian refugees displaced for the first time in 1967 and who receive assistance from the UN Relief and Works Agency (UNRWA). The 1998 Guiding Principles on Internal Displacement ('Guiding Principles') delineate the rights of internally displaced persons but do not have the legal status of a convention. Generally, all Palestinians who were displaced in 1948 and 1967 and are unable to access durable solutions as set forth in international law and affirmed in relevant UN resolutions are considered to be 'prima facie' refugees.*

*Regional instruments, including the 1965 Casablanca Protocol and resolutions promulgated by the League of Arab States (LAS) ('Arab League') delineate standards for the treatment of Palestinian refugees in the Arab world. LAS standards, however, are not applied in a uniform manner. The 1992 Cairo Declaration sets forth principles for the protection of refugees and displaced persons in the Arab world, but does not have the legal status of a convention. There is no regional refugee convention in the Middle East.*

*The legal status accorded to Palestinian refugees in host states and displaced persons inside Israel varies. Incorporation of the rights set forth in the Refugee Convention and Casablanca Protocol in domestic legislation is inconsistent. Few major host states are signatories to the 1951 Refugee Convention. Changes in status are often linked to domestic political considerations.*

*At all three levels – i.e., international, regional, domestic – significant differences in interpretation, implementation and content of relevant legal instruments results in serious protection gaps for Palestinian refugees. This chapter examines, in brief, the legal status of Palestinian refugees at all three levels. The impact of the legal status of Palestinian refugees on their day-to-day lives, access to protection and assistance, and durable solutions is examined further in the following chapters.*

## International Instruments

The primary instrument governing the status of refugees in international refugee law is the 1951 *Convention Relating to the Status of Refugees*. The Convention requires states to grant refugees certain rights, including freedom of religion, rights in movable and immovable property, access to courts, freedom from undue restrictions on employment, primary education, and identity papers.

Palestinian refugees have a unique status as refugees under international refugee law. Generally, the majority of Palestinian refugees are *prima facie* refugees (i.e., refugees in the absence of evidence to the contrary). The sole trigger for the cessation of refugee status for 1948 refugees is the full implementation of the durable solution set forth in UN General Assembly Resolution 194(III), 11 December 1948. The sole trigger for the cessation of refugee status for 1967 first time-displaced refugees is the full implementation of UN Security Council Resolution 237, 14 June 1967.

### ***Specific Provisions in International Refugee Law Relative to Palestinian Refugees***

The unique legal status of Palestinian refugees in international refugee law is related to specific provisions for the inclusion of Palestinian refugees as 'Convention refugees', and the cessation of status as 'Convention refugees.'<sup>1</sup>

**Palestinian Refugees Displaced in 1948:** The factual 'trigger' for the inclusion of Palestinian refugees displaced in 1948 as 'Convention refugees' under the 1951 Convention relating to the Status of Refugees is different than that applied to all other refugees. Generally, refugees are considered to be Convention refugees according to the criteria set forth in Article 1A of the 1951 Refugee Convention. This includes individuals, who have,

... been considered a refugee under the Arrangements of 12 May 1926 and 30 June 1928 or under the Conventions of 28 October 1933 and 10 February 1938, the Protocol of 14 September 1939 or the Constitution of the International Refugee Organization;

in addition to persons who,

... as a result of events occurring before 1 January 1951 and owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

Palestinian refugees displaced in 1948, however, fall under the scope of the 1951 Refugee Convention according to the criteria set forth in Article 1D. Article 1D states:

This Convention shall not apply to persons who are at present receiving from organs or agencies of the United Nations other than the United Nations High Commissioner for Refugees protection or assistance.

When such protection or assistance has ceased for any reason, without the position of such persons being definitively settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations, these persons shall *ipso facto* be entitled to the benefits of this Convention.

Article 1D was inserted into the 1951 Refugee Convention to address: 1) the factual circumstances of Palestinian refugees at the time of the drafting of the Convention; and, 2) possible developments relative to the protection of this particular refugee population in the future.

Due to the fact that Palestinian refugees displaced in 1948 were already receiving protection and assistance from the United Nations (i.e., the UN Conciliation Commission for Palestine/UNCCP and the UN Relief and Works Agency/UNRWA, respectively) (*See Chapter Five, International Protection and Assistance*), the international community decided to suspend application of the Refugee Convention (*See the first clause of Article 1D*) in order to avoid overlapping, and potentially conflicting mandates between the UNCCP and the Office of the UN High Commissioner for Refugees (UNHCR), the UN body mandated to provide protection for refugees worldwide. A number of states also felt at the time that Palestinian refugees should not be placed in a more general category of refugees considering the fact that the United Nations

itself was partially responsible for the refugee crisis due to the recommendation to partition Palestine into two states (UNGA Resolution 181) against the express wish of the majority of the indigenous inhabitants of the country. Moreover, there was a concern that Palestinian refugees would be relegated to a position of minor importance within the global refugee regime.

In the event that UNCCP protection or UNRWA assistance ceased to exist for any reason, however, the international community included a provision (i.e., 'trigger') in the Refugee Convention (See the second clause of Article 1D) to activate the application of the Convention and inclusion of Palestinian refugees as 'Convention refugees.' The trigger for the application of the Refugee Convention in the Palestinian case was activated in the early 1950s when the UNCCP ceased to provide effective protection for Palestinian refugees. The intent and purpose of Article 1D is to ensure comprehensive international protection and assistance for Palestinian refugees until their situation is resolved according to relevant UN General Assembly resolutions.

The Refugee Convention also includes specific criteria for Palestinian refugees concerning the cessation of refugee status. Generally, the cessation of refugee status under the Convention is governed by the six conditions set forth in Article 1C. These include the reacquisition of a lost nationality or the acquisition of a new nationality.<sup>2</sup> The criteria for the cessation of refugee status for Palestinian refugees, however, is set forth in the second clause of Article 1D. The only criterion applicable to Palestinian refugees is the definitive settlement of their plight in accordance with relevant resolutions adopted by the UN General Assembly.

The phrase, 'relevant resolutions adopted by the General Assembly' refers to Resolution 194 (III), 11 December 1948. Resolution 194 affirms the right of Palestinian refugees to return to their homes and receive compensation for damages and losses. Refugees not wishing to exercise their right of return may opt for host country integration or third country resettlement as well as compensation for damages and losses. (*For more details see Chapter Six, Durable Solutions*) In other words, the cessation of refugee status for Palestinian refugees under the Refugee Convention is linked to the implementation of General Assembly Resolution 194 – i.e., the exercise of the right of return

based on the individual choice of each Palestinian refugee.

The individualized definition of a refugee set forth in Article 1A of the Refugee Convention does not apply to Palestinian refugees displaced in 1948. Palestinian refugees are not required to meet the conditions set forth in Article 1A to obtain refugee status under the Convention. Palestinian refugees are *prima facie* refugees (i.e., refugees in the absence of evidence to the contrary) under the Refugee Convention.

**1967 First-Time Displaced Refugees:** The criteria for refugee status set forth in Article 1D of the Refugee Convention also applies to Palestinians displaced for the first time in 1967. Palestinian refugees displaced for the first time in 1967 fall within the provisions set forth in Article 1D due to the fact that they already receive assistance or protection from the United Nations (See the first clause of Article 1D). UNRWA has provided assistance to this group of refugees since 1967 by special request of the UN General Assembly (Resolution 2252 ES-V, 4 July 1967). The trigger for the application of the Refugee Convention (See the second clause of Article 1D) to Palestinian refugees displaced for the first time in 1967 has been activated by the cessation of protection for this group of refugees. In practice, the international community has never provided systematic international protection to Palestinian refugees displaced for the first time in 1967.

As with Palestinian refugees displaced in 1948, the criteria for the cessation of refugee status for Palestinian refugees displaced for the first time in 1967 is set forth in the second clause of Article 1D. Due to the fact that Article 1D was drafted to address the factual circumstances of Palestinian displacement in 1948 it is not readily clear how to interpret the phrase "relevant resolutions adopted by the General Assembly." The logical interpretation, however, would refer to UN General Assembly Resolution 2252 (ES-V), the principal General Assembly resolution relating to Palestinian refugees displaced for the first time in 1967. Resolution 2252 (ES-V) refers, in turn, to UN Security Council Resolution 237, 14 June 1967, calling for the return of Palestinians displaced in 1967.

Palestinian refugees displaced for the first time in 1967 are *prima facie* refugees under international refugee law.



**'Other' Palestinian Refugees:** Palestinian refugees who are neither 1948 or 1967 refugees and are outside the Palestinian territories occupied by Israel since 1967 and are unable to return due to revocation of residency rights, denial of family reunification, deportation, etc., or unwilling to return there owing to a well-founded fear of persecution fall under Article 1A of the 1951 Refugee Convention. Article 1D of the Refugee Convention does not apply to this group of Palestinian refugees due to the fact that they do not receive protection or assistance from other organs or agencies of the United Nations.

The cessation of refugee status under the Convention is governed by the six conditions set forth in Article 1C, including the reacquisition of a lost nationality or the acquisition of a new nationality.

**Internally Displaced Palestinians:** Finally, the status of internally displaced Palestinians inside 1948 Palestine/Israel and in the 1967 occupied Palestinian territories is similar to that of other internally displaced persons. Internally displaced persons are not covered by the 1951 Refugee Convention. The status of 1948 internally displaced Palestinians, however, is unique due to the fact that they were considered refugees eligible for protection by the United Nations Conciliation Commission for Palestine (UNCCP). Their status should be no different than 1948 Palestinian refugees who fall under the scope of Article 1D of the 1951 Refugee Convention. From a theoretical perspective 1948 internally displaced Palestinians should be considered Convention refugees due to cessation of both protection and assistance and the absence of a definitive settlement of their plight in accordance with relevant UN resolutions – i.e., UNGA Resolution 194. As mentioned earlier, the fact that 1948 IDPs have acquired Israeli citizenship is irrelevant to their status as refugees in need of international protection.

There is no international convention that sets forth the rights of internally displaced persons and concomitant obligations of states. The 1998 *Guiding Principles on Internal Displacement* adopted by the UN Commission of Human Rights, however, outlines the specific rights of internally displaced persons, and the obligations of states towards internally displaced population groups.<sup>3</sup> The Guiding Principles, which are based on a review of international instruments, affirm

the right of internally displaced persons to request international humanitarian assistance, the right of international actors to offer such assistance, and the duty of states to accept such offers.

### ***Interpretation and Implementation of International Instruments***

Interpretation and application of the Refugee Convention in the Palestinian case varies considerably among both non-state (i.e., UN bodies and non-governmental organizations) and state actors. Generally, many non-state and state actors do not apply Article 1D to the Palestinian refugee case. Other states apply Article 1D but do so based on an incorrect interpretation. A third group of states incorrectly apply Article 1A to all groups of Palestinian refugees.<sup>4</sup>

The Office of the UN High Commissioner for Refugees: The Office of the United Nations High Commissioner for Refugees (UNHCR), the primary international body mandated to provide protection and assistance for refugees and seek durables solutions to their plight does not recognize all Palestinian refugees as *prima facie* refugees under Article 1D of the Refugee Convention. According to UNHCR's 1992 *Handbook on Procedures and Criteria for Determining Refugee Status*, only "a refugee from Palestine who finds himself outside [the UNRWA area] does not enjoy the assistance mentioned and may be considered for determination of his refugee status under the criteria of the 1951 Refugee Convention."<sup>5</sup> [Emphasis added] In other words, the majority of 1948 and 1967 Palestinian refugees who reside in one of the five areas of UNRWA operations (i.e., the occupied West Bank, the occupied Gaza Strip, Jordan, Lebanon, and Syria) may not be considered for determination of refugee status under the 1951 Refugee Convention.<sup>6</sup>

This interpretation fails to account for the fact that the national authorities in the primary areas of exile – i.e., Arab states, including areas of UNRWA operation – do not provide comprehensive protection of Palestinian refugees' basic human rights on a day-to-day basis. The interpretation also fails to take into account the fact that there is currently no international agency with an explicit mandate to provide protection to the majority of Palestinian refugees living in these areas. The international agency established to provide

protection for this refugee group (i.e., the UN Conciliation Commission for Palestine, UNCCP) ceased to provide effective international protection in the 1950s.

UNHCR's interpretation of the status of Palestinian refugees under the 1951 Refugee Convention may be explained, in part, by a failure to accurately differentiate between the protection mandate (accorded to the UNCCP) and the assistance mandate (accorded to UNRWA) for Palestinian refugees. Paragraph 143 of the *Handbook on Procedures and Criteria for Determining Refugee Status* (UNHCR Handbook) states, for example, that "it will be noted that UNRWA operates only in certain areas of the Middle East, and it is only there that its protection or assistance are given." [Emphasis added] The Handbook incorrectly credits UNRWA with dual mandate for protection and assistance. The UNHCR Handbook contradicts earlier UNHCR memos relative to Palestinian refugees that indicate a clear understanding of the division of international *protection and assistance* between the UNCCP and UNRWA.<sup>7</sup>

In addition, the UNHCR has incorrectly applied the conditions for cessation of refugee status in Article 1C to 1948 and 1967 Palestinian refugees. Under Article 1C(3) of the Refugee Convention, for example, refugees who have acquired a new nationality and enjoy the protection of the country of the new nationality are no longer considered to be 'Convention refugees.' Due to the fact that this provision does not apply to Palestinian refugees, those refugees displaced in 1948 to Jordan, for example, who have acquired Jordanian nationality under the 1954 Jordanian Nationality Law are 'Convention refugees' as the condition for cessation of refugee status (i.e., implementation of Resolution 194) has not been fulfilled.

The United Nations has not requested the UNHCR or any other international agency to provide international protection for internally displaced Palestinians.

State Practice: State practice concerning interpretation and application of the specific provisions in international refugee law concerning Palestinian refugees varies considerably. States that host the majority of Palestinian refugees are not signatories to the 1951 Refugee Convention. Out of the 21 members of the League of Arab States

(LAS), only Algeria, Djibouti, Egypt, Mauritania, Morocco, Somalia, Sudan, Tunisia, and Yemen are signatories. Few Palestinian refugees reside in these states relative to the total Palestinian refugee population. In general, UNHCR does not intervene to protect Palestinian refugees through negotiated agreements with Arab states that are not signatories to the 1951 Refugee Convention.<sup>8</sup> Israel, which is a signatory to the 1951 Refugee Convention, has derogated from key articles of the Convention that negatively affect Palestinian refugees.<sup>9</sup> Moreover, Israel does not currently have legislation to define and protect refugees; the word refugee does not appear in Israeli law.<sup>10</sup>

Interpretation of the status of Palestinian refugees under international law by states signatories to the 1951 Refugee Convention depends on several factors: 1) whether states incorporate and apply Article 1D in their domestic law; 2) if states apply Article 1D, how they interpret the second sentence of the provision, particularly with respect to when the *ipso facto* clause is triggered; 3) if states do not apply Article 1D, or interpret it as referring back to Article 1A(2), how they apply the latter to the determination of Palestinian refugee claims.<sup>11</sup> According to a survey of nearly a dozen different states<sup>12</sup>, the United States, Canada, Austria, and Switzerland have not incorporated Article 1D of the 1951 Refugee Convention into relevant domestic legislation. Domestic legislation in Australia and the United Kingdom refer to the 1951 Refugee Convention in its entirety but both states appear to ignore the application of Article 1D. Most Palestinian refugees seeking refugee status abroad appear to be denied refugee status on the basis that they cannot show a well-founded fear of returning to the 'country of former habitual residence.'



### **Developments in 2001-2002**

During the reporting period, some progress was made towards rectifying the widely divergent interpretation and application of international refugee law regarding the status of 1948 Palestinian refugees. Analyses of the drafting history of the Convention and subsequent developments in case law have advanced the debate regarding the appropriate interpretation of the status of Palestinian refugees under the 1951 Convention.

In late 2002, the UNHCR released a revised interpretation of the status of Palestinian refugees under international refugee law.<sup>13</sup> The revised interpretation has both positive and negative features. On the positive side, the revised interpretation recognizes that 1948 and 1967 Palestinian refugees outside UNRWA areas of operation are *prima facie* "Convention refugees" under Article 1D of the 1951 Refugee Convention. In other words, UNHCR recognizes that Article 1D functions not only as an exclusion clause, but also as an "inclusion clause." 1948 and 1967 Palestinian refugees do not need to prove individual persecution in order to be protected under the 1951 Refugee Convention.

Additionally, the revised interpretation explicitly recognizes that descendants of 1948 and 1967 refugees are entitled to protection under the 1951 Refugee Convention, even if such descendants have never lived in an area of UNRWA operations. UNHCR thus affirms the refugee status and protection rights of Palestinians refugees as applied in previous UN resolutions and practice of UN agencies (e.g. UNRWA). Interestingly, the revised interpretation appears to confirm that 1948 internally displaced Palestinians are *prima facie* Convention refugees. The implications of this interpretation will require additional clarification as many of the norms relating to status of refugees in international refugee law do not provide the same degree of protection as generally accorded by a state to its nationals. Proof of well-founded fear of persecution (Article 1A of the Convention; individual refugee definition) is required for externally displaced Palestinians from the 1967 occupied territories who are neither 1948 or 1967 refugees.

From a less positive perspective, however, the revised interpretation does not resolve the

fundamental question of which international agency is responsible for protection of the majority of Palestinian refugees displaced in 1948 and in 1967. According to UNHCR's interpretation, the inclusion clause in Article 1D only applies to those Palestinian refugees registered with UNRWA and who find themselves outside one of the five areas of UNRWA operations.<sup>14</sup> The revised interpretation continues to use the phrase "protection or assistance" solely in relation to UNRWA without explicit reference to the protection mandate of the UNCCP even though both UN agencies existed at the time of the drafting of the 1951 Refugee Convention. UNRWA only has an assistance mandate with limited protection options.<sup>15</sup> The revised interpretation thus does not resolve the protection gap affecting 95 percent of Palestinian refugees not considered as Convention refugees under the revised UNHCR interpretation.

The revised interpretation is also problematic concerning the application of cessation clauses 1C, 1E, 1F under the 1951 Refugee Convention to 1948 and 1967 Palestinian refugees. Cessation clause 1E provides that protection under the 1951 Convention does not apply to persons who have obtained nationality/citizenship rights in another country. This interpretation disregards the fact that 1948 and 1967 Palestinian refugees are Convention refugees under Article 1D, which provides that protection by the Convention will cease only if "the position of such persons is definitely settled in accordance with the relevant resolutions adopted by the General Assembly of the United Nations."

In addition, the interpretation does not provide clear legal analysis on the status of Palestinian refugees as "stateless persons." (See Box 3.1 below) The lack of clarity on this matter has negative implications concerning additional provisions for international protection under 1961 Convention on the Reduction of Statelessness. Finally, UNHCR does not critically reflect or comment on UNRWA's policy of refugee registration according to descendants of the male line. Registration according to male lineage violates principles of non-discrimination and gender equality otherwise promoted by the United Nations.

Nevertheless, the revised interpretation provides

a base for further discussion and should facilitate the harmonization and handling of protection requests submitted by Palestinian refugees to domestic state authorities. During the reporting period the Council on Europe held a first hearing on the status of Palestinian refugees in Europe under international refugee law. Conclusions and recommendations for future action were not available at the end of the reporting period.

The status of internally displaced Palestinians also received greater attention by international refugee organizations during the reporting period. During 2002, for example, internally displaced Palestinians inside Israel and in the 1967 occupied Palestinian territories were added to the global database on internally displaced Palestinians supported by the Norwegian Refugee Council.<sup>16</sup> International NGOs addressing refugee and displaced persons issues, such as the US Committee on Refugees, have also begun to issue more comprehensive information and analysis on internally displaced Palestinians.

*I NEED A  
PORTRAIT  
PHOTO*

### **Box 3.1: Palestinian Refugees and Statelessness**

A person who is not considered as a national by any State under the operation of its law is called a stateless person. Stateless persons who are refugees are covered by the 1951 Refugee Convention. For stateless persons who are excluded from the coverage of the Refugee Convention, the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness provide an additional regime for protection under international law. The Conventions, however, have limited reach as they have been ratified by very few states.

Palestinians became stateless in 1948 with the end of the British mandate and the creation of a Jewish state (i.e., Israel) in 78 percent of the territory of historic mandate Palestine. Palestinian citizenship terminated with the mandate and with the proclamation of the state of Israel on 15 May 1948. Israel's 1952 Nationality Law confirmed the repeal of the Palestine Citizenship Orders (1925-42), retroactively from the day of the establishment of the state of Israel. Israel's 1952 Nationality Law (*See Domestic Law below*) effectively denied Israeli citizenship to the majority of 1948 Palestinian refugees – i.e., they were denationalized. While a significant number of states have recognized 'Palestine' as an independent state, following the declaration of independence by the Palestine Liberation Organization (PLO) on 15 November 1988, Palestine as an entity still does not meet the international legal criteria of statehood: a permanent population, a defined territory, government, and the capacity to enter into relations with other states. The majority of the Palestinian people worldwide are both refugees and stateless persons.

The 1954 Convention Relating to the Status of Stateless Persons was adopted to regulate and improve the status of stateless persons and assure stateless persons the widest possible exercise of fundamental human rights and freedoms. The 1954 Convention provides stateless persons with similar benefits to those that the 1951 Convention provides to refugees. The 1961 Convention on the Reduction of Statelessness was drafted to address the gaps left by the 1954 Convention, and to reduce as much as possible, or eliminate the phenomenon of statelessness. According to Article 1, a contracting state must grant its nationality to a person born in its territory who would otherwise be stateless at birth, by operation of law, or upon application. It also prohibits, with a number of exceptions, depriving someone of their nationality and categorically prohibits denial of nationality on grounds of race, religion or political opinion.

Similar to the 1951 Convention Relating to the Status of Refugees, the 1954 Convention does not apply (Article 1) to "persons who are at present receiving from organs or agencies of the United Nations other than the UNHCR, protection or assistance so long as they are receiving such protection or assistance." Most Arab states where the majority of refugees are residing are not signatories to the Convention. Interpretation of the status of Palestinians as stateless persons varies among and even within those states which are signatories to one or other of the two statelessness Conventions.

*Sources: Lex Takkenberg, The Status of Palestinian Refugees in International Law. Oxford: Oxford University Press, 1998, pp. 174-195. Susan M. Akram and Guy Goodwin-Gill, Brief Amicus Curiae, in 11/12 Palestine Yearbook of International Law, 2000/2001.*

## Regional Instruments

The 1965 *Casablanca Protocol* and resolutions promulgated by the League of Arab States (LAS) ('Arab League') delineate standards for the treatment of Palestinian refugees in the Arab world.<sup>17</sup> Generally, these instruments are narrower in scope than relevant international instruments. Regional instruments primarily address residency status, travel documents, and employment rights. The Casablanca Protocol does not address the specific circumstances of those Palestinians displaced for the first time in 1967, displaced Palestinians who are neither 1948 or 1967 refugees, and internally displaced Palestinians. There is no regional refugee convention in the Middle East. Several other regional agreements clarify legal principles concerning Palestinian refugees but are not considered binding instruments.

The 1965 Protocol on the Treatment of Palestinians ('Casablanca Protocol'): The Casablanca Protocol establishes a set of guidelines for member states of the LAS regarding the treatment of Palestinian refugees in relation to employment, residency, and travel documents.<sup>18</sup>

- (1) Whilst retaining their Palestinian nationality, Palestinians currently residing in the land of [ ] have the right of employment on par with its citizens.
- (2) Palestinians residing at the moment in [ ] in accordance with the dictates of their interests, have the right to leave and return to this state.
- (3) Palestinians residing in other Arab states have the right to enter the land of [ ] and to depart from it, in accordance with their interests. Their right of entry only gives them the right to stay for the permitted period and for the purpose they entered for, so long as the authorities do not agree to the contrary.
- (4) Palestinians who are at the moment in [ ] as well as those who were residing and left to the Diaspora, are given, upon request, valid travel documents. The concerned authorities must, wherever they be, issue these documents or renew them without delay.
- (5) Bearers of the travel documents residing in LAS states receive the same treatment as all other LAS state citizens, regarding visa, and residency applications.

The Protocol does not provide the same panoply of rights as set forth in the 1951 Refugee Convention. While the Protocol is narrower in scope – e.g.,

it does not cover rights to im/movable property, artistic rights, access to courts, education, and labor markets, among others – its relevant provisions, in some case, provide greater rights in theory than those set forth in the 1951 Refugee Convention. For example, in the area of self-employment and employment in the liberal professions the Protocol provides for the same treatment as nationals whereas the 1951 Refugee Convention only provides for as favorable treatment as possible and not less than accorded to aliens. Article 26 of the 1951 Refugee Convention provides for freedom of movement within the host country, whereas Articles 2 and 3 of the Casablanca Protocol also provide for freedom of movement between Arab states. The Casablanca Protocol, however, is not a Convention and is not considered to be legally binding on states signatory to the Protocol.

LAS Resolutions: The Arab League has adopted numerous resolutions to facilitate implementation of the rights set forth in the Protocol.<sup>19</sup> Resolutions address the reunification of divided families (e.g., LAS Resolution 424, 14 September 1954) and the issuance of a standard travel document to Palestinian refugees to facilitate their travel and movement (e.g., LAS Resolution 18, 9 April 1953). No uniform identity paper or travel document, however, has ever been designed or issued by the Arab League. Travel documents are issued by individual member states. Member states agreed that each government would grant Palestinian refugees residing on its land, or in land under its jurisdiction, temporary travel documents valid for 5 years and renewed annually. Bearers of the document are to be treated in their host Arab states on the same grounds as all other residents in LAS member states, with regards to visas and residency regulations.

Resolutions also address other issues relevant to the legal and political status of Palestinian refugees. Resolutions have addressed, for example, the issue of citizenship for Palestinian refugees in some Arab states. In 1970 the Supervisory Conference on Palestinian Refugee Affairs (consisting of representatives of Palestinian refugees affairs departments in Arab host states) adopted Resolution 2600, 11 March 1970, stating that the acquisition of another nationality would not trigger the cessation of refugee status. In 1977, the PLO proposed that a Palestinian passport be issued which would be recognized beyond the Arab region. The proposal was never implemented, however,

due to the absence of a Palestinian state and lack of sufficient Arab political will. LAS resolutions emphasize that UNRWA should continue to fulfill its duties until such a time as a just resolution for the refugees is found according to UN Resolution 194(III).

*Refugees believe that whatever they are doing now, wherever they are living, it is temporary. Because it is a result of being refugees. It is like you are living here but subconsciously you are somewhere else, somewhere that your parents and your grandparents lived. You feel that this is not your homeland. This is not the place you belong to. There is another place that was taken in 1948 and you belong there. So ultimately people think that this place is a temporary residence that they are staying in, and whatever they are doing is in the direction of the right of return and going back to their homeland.*

**Amal Jado (al-Malha) West Bank**

*Right of Return, Joint Parliamentary Middle East Councils Commission of Enquiry – Palestinian Refugees (2001).*

Other Regional Instruments: Several other regional agreements clarify principles concerning the legal status of Palestinian refugees. Under the *Cairo Agreement* between the PLO and the Lebanese government (3 November 1969), Palestinians in Lebanon were accorded the right to employment, residence and movement.<sup>20</sup> The PLO, moreover, was granted certain administration powers, akin to self-government, including the supervision of the affairs of Palestinian refugees in the camps in cooperation with local authorities.<sup>21</sup> The Cairo Agreement was unilaterally abrogated by the Lebanese government in 1987.

The 1992 *Cairo Declaration* delineates principles for the protection of refugees and displaced persons in the Arab world, but does not have the legal status of a convention.<sup>22</sup> The declaration emphasizes the need to ensure international protection for Palestinian refugees, encourages Arab states that have not done so to accede to the 1951 Refugee Convention, and calls upon Arab states to provide the LAS with relevant information concerning the

status of Palestinian refugees in host countries. The *Cairo Declaration* is similar to the Cartagena Declaration, except in the case of the latter, the document was signed by individual states.

## **Interpretation and Application of Regional Instruments**

Implementation of LAS standards varies throughout the region. Jordan, Algeria, Sudan, Iraq, Syria, Egypt, Yemen, Kuwait, Lebanon, and Libya have ratified the 1965 Casablanca Protocol. Kuwait, Lebanon, and Libya endorsed the Protocol but with reservations.<sup>23</sup> The reservations primarily place limitations on the right to employment as set forth in the Protocol. Lebanon also added reservations concerning the residency status of Palestinian refugees in the country. Saudi Arabia, Morocco and Tunisia are not signatories.

Political considerations and domestic law often trump the standards set forth in the Casablanca Protocol. Despite the obligation to provide the same treatment as nationals in the areas of employment, the right to leave and enter, travel documents, and visas and residence, treatment accorded to Palestinian refugees in Egypt, Libya, Kuwait and other Gulf states, in particular, is often similar to protection standards accorded to foreigners. In contrast, Palestinian refugees in Jordan, Syria, Iraq, Algeria, Morocco and Tunisia generally enjoy relatively favorable treatment by host country authorities. (*See Domestic Legislation below for more details*)

Since the Protocol was adopted by Arab states nearly three decades ago, the Arab League has issued numerous resolutions calling upon member states to implement the provisions of the Protocol. The effect of the Protocol was seemingly weakened in 1991 in the aftermath of the second Gulf War when the League of Arab states adopted Resolution 5093, which authorized states to treat Palestinian refugees in accordance with local norms in each host state rather than the provisions set forth in the Protocol.<sup>24</sup>

### **Developments in 2001-2002**

During 2001-2002 there was little change in the status of Palestinian refugees under relevant regional instruments. Incorporation of LAS standards across the region remains problematic. Human rights organizations in the region, however, continued to examine and clarify human rights issues relevant to Palestinian refugees. Participants to the Third International Conference of the Human Rights Movement in the Arab World held in Rabat, Morocco, in February 2001, for example, called upon Arab host states to ensure that refugees enjoy their human rights to the fullest extent until such a time, as the refugees are able to exercise their basic human right to return to their homes.<sup>25</sup> International and regional development agencies and donor states were urged to provide the necessary financial support to Arab host countries, civil society institutions, the Palestinian Authority and UNRWA in their collective effort to protect and assist refugees until their situation is resolved in accordance with relevant UN resolutions and international law.

### **Domestic Legislation**

The legal status of Palestinian refugees in host states and displaced persons inside 1948 Palestine/Israel and the 1967 occupied Palestinian territories varies according to relevant domestic legislation.\* In those states that host the majority of Palestinian refugees incorporation of the rights set forth in the 1951 Refugee Convention and Casablanca Protocol in domestic legislation is inconsistent. The status of Palestinian refugees in domestic law is often a reflection of national and regional political considerations, and is historically related to Arab concerns about de facto resettlement of Palestinian refugees, Israeli opposition to the return of Palestinian refugees to their homes and places of origin inside Israel, and the Israeli military occupation of the 1967 Palestinian territories. These considerations affect all groups of Palestinian refugees – i.e., 1948 refugees, 1967 refugees, other Palestinian refugees and internally displaced persons. Generally, day-to-day security and human rights protection is particularly problematic in Lebanon, Kuwait, and other Gulf states, while protection has been inconsistent in Egypt and Libya. Protection is virtually absent for Palestinian refugees and displaced persons in the 1967 occupied Palestinian territories.

#### **Box 3.2: Administration of Refugee Affairs**

##### Arab Host States

The Palestine Liberation Organization (PLO) oversees Palestinian refugee affairs through the Department of Refugee Affairs. Most Arab host states have established separate agencies or directorates to administer affairs of Palestinian refugees residing in their country.

Lebanon: The Department for Palestinian Refugee Affairs within the Lebanese Interior Ministry handles Palestinian affairs. The Department succeeded the Central Committee for Refugee Affairs, established to co-operate with UNRWA in 1959.

Jordan: Palestinian refugee affairs are handled by the Department of Palestinian Affairs, established in 1988 within the Foreign Ministry and linked to the Prime Ministry in 1997.

Syria: The General Authority for Palestine Refugees (GAPAR) administers Palestinian affairs. GAPAR was established in 1949 as a directorate of the Ministry of the Interior and Ministry of Social Affairs and Labor.

##### 1967 Occupied Palestinian Territories and 1948 Palestine/Israel

1967 Occupied Palestinian Territories: Palestinian refugee affairs in the West Bank were handled by relevant Jordanian bodies between 1948 and 1967. In the Gaza Strip, Palestinian refugees fell under the same administration as Palestinian refugees in Egypt, between 1948 and 1967 when the Office of the Egyptian Military Governor of the Gaza Strip was transferred to Cairo and Palestinian refugees came under Israeli military administration similar to the West Bank. In 1967, Palestinian refugee affairs in the occupied West Bank and Gaza Strip were placed under the Israeli military administration along with all other Palestinian civilians until 1994. The Palestinian Authority, established in 1994, considers itself as a host country to refugees displaced in 1948. Palestinian refugee affairs are administered by the PLO Refugee Affairs Department in cooperation with PA ministries.

1948 Israel/Palestine: The affairs of internally displaced Palestinians were administered until 1953 by a Refugee Rehabilitation Authority (RRA). The primary purpose of the RRA was to protect the Jewish character of the state of Israel and not the rights of the internally displaced Palestinians. The RRA resettled internally displaced Palestinians in areas away from their villages of origin and transferred Palestinians outside the borders of Israel.

The following section examines the status of Palestinian refugees in primary host states in the Middle East in the following areas: residency, travel documents, and the right to work, as set forth in regional instruments. The section also examines the right of ownership of immovable property. Aside from anecdotal evidence, little information is available concerning the legal status of Palestinian refugees outside the region.

### **Citizenship and Residency**

Few Palestinian refugees have acquired citizenship in a second state with the exception of refugees in Jordan and internally displaced Palestinians inside Israel.<sup>26</sup> This may be explained, in part, by political concerns about forced resettlement of refugees. In addition, dual nationality is generally not recognized in the Arab world (LAS Resolution 776, 5 April 1954). Residency status in Arab host states varies from special residency status based on proof of refugee status, the same residency status as accorded to all other foreigners, to residency status less than that accorded to foreigners.

Lebanon: Palestinian refugees face some of the most severe restrictions on citizenship and residency rights primarily due to political considerations concerning sectarian power sharing in the country. Palestinian refugees are classified as a 'special category' of foreigners (Decree No. 319, 2 August 1962).<sup>28</sup> Lebanese law imposes special restrictions on Palestinians concerning the acquisition of Lebanese citizenship and residency (Decree No. 136, 20 September 1969).<sup>29</sup> Few Palestinian refugees have been granted Lebanese citizenship; those who have acquired citizenship are predominantly Christian. Only those Palestinians who during and in the aftermath of the 1948 war took *direct* refuge in Lebanon are considered legal residents. Palestinian refugees who arrived later – including refugees displaced in 1967 – are considered as illegally residing in the country. Between 1969 and 1987 Palestinian residency status in Lebanon was regulated by the *Cairo Agreement* between the government of Lebanon and the Palestinian Liberation Organization (PLO). The agreement recognized the *right* of residence for Palestinian refugees in Lebanon. In 1982, the right of Palestinian refugees to reside in Lebanon was severely curtailed as Lebanese authorities sought to reduce the number of Palestinians in the country

after the expulsion of the PLO. It is estimated that 12,000 Palestinian refugees who were assumed by the authorities to have acquired residency or nationality abroad were taken off the registry. The Cairo agreement was subsequently unilaterally abrogated by the Lebanese parliament in 1987.

Jordan: Palestinian refugees generally have the same citizenship and residency status as Jordanian nationals. Palestinian refugees displaced in 1948 hold Jordanian citizenship (1954 Nationality Law No. 6).<sup>30</sup> Jordanian law, however, does not provide automatic citizenship to Palestinians who took up residency in Jordan after 16 February 1954. Palestinians from the occupied Gaza Strip, for example, who fled to Jordan during and immediately after the 1967 war, are not considered Jordanian citizens. This includes an estimated 70,000-80,000 refugees.<sup>31</sup> In 1983 the Jordanian government created a dual system: yellow cards, which represented full residency and full citizenship for persons who had left the occupied West Bank for the 'East Bank' (i.e., Jordan proper) before June 1 of that year; and green cards, providing a renewable two-year Jordanian 'passport' and no right of residence for those who left the occupied West Bank after 1 June 1983. Green card holders can only visit Jordan for only up to one month at a time.

Syria: Palestinian refugees generally do not hold Syrian citizenship. Syria does not grant citizenship to Palestinians unless they are women married to Syrian men or had Syrian citizenship before 1948 (Nationality Law No. 98, 28 May 1951). The Ministry of Interior, however, may grant Syrian nationality to a person of Arab origin if the Government considers it is in the national interest to grant him Syrian nationality. Palestinian refugees residing in Syria enjoy the same residency rights as Syrian nationals (Law No. 260, 10 July 1956). Between 1960 and 1961, during the last period of the United Arab Republic – comprised of Syria and Egypt – Palestinian refugees held special 10-year residence permits.<sup>32</sup> Freedom to travel outside of Syria depends on political considerations. Palestinian refugees must obtain the same authorization as Syrian nationals to travel abroad.

Egypt: Few Palestinian refugees residing in Egypt have acquired Egyptian citizenship. Egyptian law provides for three types of residency status: special (valid for 10 years), ordinary and temporary (Law No. 89, 18 March 1960).<sup>33</sup> Most Palestinians



residing in Egypt hold temporary residency permits, which are valid for one to three years. Egypt is the only Arab country that has required Palestinians to regularly renew their residency status. Prior to traveling outside of Egypt, Palestinians must obtain a visa in order to re-enter the country. After the Gulf crisis in the early 1990s, and the involuntary migration of Palestinians from Kuwait (many of whom held Egyptian travel documents), renewal of residency permits in Egypt became more difficult.

Kuwait: Domestic law (Nationality Law 1959) requires foreigners to have ten years residence before becoming eligible for citizenship.<sup>34</sup> Residency may be acquired only at the request of a Kuwaiti national through the Ministry of the Interior or the Ministry of Social Affairs and Labor. Residency status is closely related to employment status. By law any foreigner has to leave the country upon termination of his or her employment. Following the end of the Gulf war in the early 1990s the government of Kuwait set a deadline for the renewal of residency permits terminating in the summer of 1992. Many Palestinian residents of Kuwait, particularly those who came from Gaza before 1967, who were unable or unwilling to renew their residency permits found themselves

in a legal limbo, having lost both their residency rights in Gaza (due to their absence during Israel's 1967 census) and in Egypt (because Egypt requires regular renewal of residency status).

Libya: Palestinians residing in Libya have traditionally enjoyed the same residency rights as Libyan nationals. In September 1995, however, Palestinian residents were ordered to leave following UN imposed economic sanctions. Palestinians who had lost their residency status in former host countries, primarily ex-Gazans, were left stranded on the border between Libya and Egypt. Forced departures were temporarily suspended in October 1995 but it took until April 1997 before Palestinians stranded on the border were able to resume residency in Libya.

Iraq: Palestinian refugees residing in Iraq are granted preferential treatment in respect of naturalization (Nationality Law No. 43, 1963). Many Palestinian refugees who were unable to return to former host countries following the 1991 Gulf War acquired residency status in Iraq.

1967 Occupied Palestinian Territories: Generally, Palestinian refugees and displaced persons have the



same status as non-refugee Palestinians. Between 1948 and 1960 all Palestinians in the Egyptian-controlled Gaza Strip held passports issued by the All Palestine Government (APG); these passports functioned primarily as travel documents. Palestinians, including refugees, residing in the Jordanian-controlled West Bank acquired the same status as Jordanian citizens following the 'unification' of the West and East Bank in 1950 and the adoption of new nationality legislation in Jordan (*See below*). In principle, this status remained the same following Jordan's decision to sever legal and administrative ties to the occupied West Bank in 1988<sup>35</sup>, although the validity of the Jordanian passport held by Palestinians in the occupied West Bank was shortened from 5 to 2 years. In October 1995 the Jordanian Department of Civil Affairs and Passports issued new regulations, under which Palestinian residents of the occupied West Bank who held a Jordanian passport before July 1988 could replace their two-year documents with a regular five-year passport. Palestinians whose residency rights have been revoked by Israel are eligible for the passport. The five-year renewable passport functions similar to a travel document and does not serve to confer renewed Jordanian citizenship to Palestinian residents of the occupied West Bank. In 1994, the Palestinian Authority was authorized to issue 'Palestinian Passports' to those Palestinians residing in the 1967 occupied Palestinian territories (excluding eastern Jerusalem) holding both Israeli-issued ID cards and Palestinian serial numbers according to terms set forth in the 1994 *Cairo Agreement* (Article VI.1.d) between Israel and the PLO. The 'Passport' does not confer citizenship, but rather functions as a travel document. The validity of the passport is dependent upon the validity of the 1993 Oslo Accord and thus void upon nullification of the Accord. Few Palestinians, including refugees, have acquired citizenship of a second state other than Jordan.

Jordan and Egypt regulated the residency status of Palestinians in the West Bank (including eastern Jerusalem), and the Gaza Strip, respectively, until 1967 when relevant legislation was replaced by Israeli military law (excluding eastern Jerusalem). Palestinians residing in occupied eastern Jerusalem, including a large number of refugees, were accorded the status of 'permanent' residents of Israel and hold blue Israeli-issued ID cards, unlike Palestinians in the occupied West Bank and Gaza Strip who hold orange Israeli-issued ID cards<sup>36</sup>. Only those

Palestinians registered in the 1967 Israeli census and their descendants are considered to be legal residents of the 1967 occupied Palestinian territories. Generally, all Palestinians in these territories, including refugees, are considered as resident aliens or foreigners under Israeli civil and military law. Palestinians require special permits or *laissez-passer* to leave and enter. Since 1967, Israel has revoked the residency rights of thousands of Palestinians, including refugees, residing in these territories<sup>37</sup>. Grounds for revocation of residency rights include: non-registration in the first Israeli census of the area after 1967, non-registration of children, denial of the right to return to the territories after having traveled abroad, deportation, and denial of family reunification<sup>38</sup>. Between 1996 and 1999 alone, Israel revoked the residency rights of thousands of Palestinian Jerusalemites who were unable to 'prove' that Jerusalem was their 'center of life.'<sup>39</sup> Required documents (including property ownership certificates, rent contracts, tax receipts, etc) were difficult to obtain due to multiple periods of displacement and dispossession.

Since May 1994 residency status in the 1967 occupied Palestinian territories (excluding Jerusalem) has been administered by the Palestinian Authority. Israel retains overall control, however, of the regulation of residency status in these territories<sup>40</sup>. Agreements between Israel and the PLO eliminated extended residence abroad as criteria for revocation of residency rights. Thousands of Palestinians, including spouses and children, were able to reacquire residency in the occupied West Bank and Gaza Strip as personnel hired by the Palestinian Authority. The agreements provide for a joint Israeli-Palestinian committee to find solutions for those persons whose residency rights were revoked by Israel, however, the committee was never established and the issue remains unresolved. Family reunification has been plagued by the absence of transparent criteria, withholding of data, chronic delays and backlogs, and insufficient spaces (set at 2,000 cases per annum). The agreements do not include provisions for finding solutions for deportees. Provisions relating to the removal of time restrictions for travel abroad, issuance of travel documents, and reinstatement of residency rights do not apply to the Palestinian residents of occupied eastern Jerusalem. Moreover, Palestinians must still acquire special permission from Israel to leave and enter the territories. The Palestinian Authority considers the

residency status of Palestinian refugees residing in the 1967 occupied Palestinian territories as similar to refugees residing in other host countries<sup>41</sup>

Israel: Palestinians, including internally displaced Palestinians, have a special citizenship and residency status that differs from that granted to Jews. According to Israel's nationality law (1952 Nationality; 1980 Amendment to the Nationality Law) Palestinians must be able to prove (among a list of 5 conditions for those born before the establishment of the state of Israel and 3 conditions for those born after) that they were in the state of Israel on or after 14 July 1952, or the offspring of a Palestinian who meet this condition. The conditions set forth in Israel's nationality law effectively exclude all Palestinians displaced outside the borders of the state. Israeli citizenship is almost never granted to non-Jews.<sup>42</sup> The 1950 Law of Return, however, grants all Jews, regardless of their national origin or citizenship, the right to residency and citizenship in Israel. Palestinian citizens of Israel who marry Palestinian residents of the 1967 occupied Palestinian territories often face difficulties in retaining their citizenship and residency status in Israel. Israel does not recognize citizenship or residency rights of those Palestinian refugees who were displaced from the territory that became the state of Israel in 1948, leading to the arbitrary and illegal denationalization of millions of individuals.<sup>43</sup> More recent legislation prohibits Palestinian refugees from resuming domicile in their homeland<sup>44</sup>

## Travel Documents

Most Palestinian refugees are stateless persons under international law (See Box 3.1 above). Stateless persons require travel documents in order to move across international borders. In 1952 the League of Arab States adopted the first of several resolutions to facilitate the issuing of travel documents to Palestinian refugees. Refugees in Lebanon, Syria, Egypt and Iraq are all eligible for the special Arab League travel document. Refugees residing in states signatory to the 1951 Refugee Convention are recognized as 'Convention refugees' and are eligible for Convention travel documents.

Lebanon: Palestinian refugees wishing to travel to an Arab country, other than Syria, must obtain

a travel document by applying for a passport (Decree No. 478) from the General Directorate of the Department of Palestine Refugee Affairs. Refugees registered with UNRWA receive a travel document valid for one year and renewable three times. Refugees registered with the League of Red Crescent Societies (LRCS) in 1948, but not with UNRWA in 1950, are also eligible for a travel document valid for one year, renewable for three times. The document is distinguishable from the one accorded to refugees registered with UNRWA by a stamp indicating "Valid for Return". Refugees not registered with UNRWA or the LRCS are only eligible for a document valid for three months with a stamp indicating, "Not valid for return". Palestinian refugees traveling between Lebanon and Syria do not require a travel document (Decree No. 1188, 28 July 1967). Between 1995 and early 1999 Palestinian refugees in Lebanon were required to obtain a re-entry visa from a Lebanese Embassy prior to returning to Lebanon (Decree No. 478, 1995). In most cases visa applications were rejected. It is estimated that as many as 100,000 Palestinian refugees were unable to return to Lebanon due to the procedure.

*As Palestinians we all live in different places. We are part of the Palestinian people. Return is the main issue that Palestinians talk about. Even the school song children sing in the morning is called Aydun [We will return]. In our feasts we wish each other 'return'. In every Palestinian home you will find a map of Palestine on the wall. [...] Our aspiration for return is not due to economic difficulties, or a lack of civil rights. We, the refugees in Syria, have enjoyed the protection and care of the Syrian government since we first came here. We are integrated into Syria society. Most of us in the group work in Syrian institutions. Thus, we choose return because it is our natural right. If you ask any child who has never seen Palestine about his or her identity, they will tell you they are Palestinians.*

### **Raja Dib (Zangaria) Syria**

*Right of Return – Joint Parliamentary Middle East Councils Commission of Enquiry – Palestinian Refugees (2001).*

Jordan: Most Palestinian refugees in Jordan do not require travel permits due to the fact that they hold Jordanian citizenship. Approximately 70,000-80,000 Palestinian refugees from Gaza, displaced to Jordan in 1967, however, do not have Jordanian citizenship and use Egyptian travel documents when traveling abroad. Return visas are required to re-enter Jordan.

Syria: Palestinian refugees in Syria are eligible for travel documents provided they are registered with the General Authority for Palestine Arab Refugees (GAPAR), and hold residency cards (Law No. 1311, 2 October 1963). Palestinian refugees in Syria do not require a re-entry permit to return to the country. As with Syrian nationals, Palestinian refugees require special permission to travel abroad. Travel documents can be changed or re-issued by any Syrian representative office abroad. As in Lebanon, Palestinian refugees in Syria do not require a travel document to travel between Syria and Lebanon.

Egypt: Travel documents are issued to Palestinian refugees who took refuge in Egypt in 1948. Between 1960 and 1967 Egypt also issued travel documents to Palestinians, including refugees, in the Gaza Strip, which was under Egyptian administration (Decision No. 28, 1960).<sup>45</sup> Many refugees who left the Gaza Strip before 1967 for employment in Libya and the Arab Gulf are unable to return and still retain Egyptian travel documents. The document is valid for five years. Egypt is the only country at present that requires Palestinian refugees holding travel documents to obtain an entry visa, transit or return visa prior to entry or transit through Egypt. A substantial number of holders of Egyptian issued travel documents no longer have legal residency in Egypt. Palestinian refugees holding Egyptian travel documents have encountered numerous restrictions on freedom of movement.

Iraq: Palestinian refugees residing in Iraq are issued special travel documents. As with Iraqi nationals, Palestinians are allowed to leave the country only two times a year, once for pilgrimage and the other time for a visit, and then only after receiving an exit visa.

1967 Occupied Palestinian Territories: Between 1948 and 1967 Palestinians, including refugees, in the Jordanian-controlled West Bank were able to travel abroad on passports issued by the Jordanian government. In the Egyptian-controlled

Gaza Strip, all Palestinians, including refugees, received special travel documents issued by the All Palestine Government (APG) until 1960 when they were replaced by Egyptian-issued travel documents. Travel outside of the Gaza Strip under the Egyptian administration, however, was restricted. Palestinians wishing to travel were required to obtain the consent of both the APG and the Egyptian government followed by permission from the Arab state to which the individual wished to travel. Many countries refused to recognize the APG travel papers. Since Israel's military occupation of the West Bank, including eastern Jerusalem, and the Gaza Strip in 1967, all Palestinians, including refugees, require special permits issued by the Israeli Civil Administration (i.e., military government) to leave and enter the occupied territories. In 1994 the Palestinian Authority issued 'Palestinian Passports' to all Palestinians residing in the 1967 occupied Palestinian territories (excluding eastern Jerusalem) that function as a travel document. The validity of the passport is dependent upon the validity of the 1993 Oslo Accord and thus void upon nullification of the Accord. Palestinians still require special Israeli permits to leave and enter the occupied Palestinian territories. Palestinian residents holding passports in a second state are not permitted to travel in and out of the occupied territories on foreign passports.

## Employment

Generally, most host states where the majority of Palestinian refugees reside in exile recognize, in principle, the right of refugees to employment. In practice, however, legal restrictions and discrimination in host states restrict access to equal employment opportunities.

Lebanon: Palestinian refugees were originally treated as all other foreigners and required work permits for lawful employment.<sup>46</sup> Some refugees obtained permits because they were experts or specialists, married to Lebanese spouses, or employed by foreign companies, which allowed a certain quota of foreign workers. Under the 1969 *Cairo Agreement* between the PLO and the Lebanese government, Palestinian refugees were accorded the right to work; this agreement was unilaterally abrogated by the Lebanese parliament in 1987. Today Palestinian refugees have a status that is less than that accorded to foreigners. Palestinian refugees are

barred from employment in nearly seventy different professions (Decree No. 621/I, 1995).<sup>47</sup> Entry into professional syndicates and employment is based on the individual having Lebanese nationality for a minimum of 10 years and reciprocal rights for Lebanese citizens in the foreigner's state of citizenship.<sup>48</sup> Generally, Palestinian refugees are unable to acquire Lebanese nationality. Due to the fact that most Palestinian refugees in Lebanon are stateless, there is no possibility of reciprocal agreements and no possibility of entry into professional syndicates or medical associations. It is estimated that only a few hundred Palestinians are issued work permits.<sup>49</sup> No permits are required for work in agriculture, construction, and day labor; however, work in these fields is irregular and low paid.

Syria: Palestinian refugees in Syria have the same right to employment as Syrian nationals (Law No. 260, 10 July 1956). Legislation adopted by Syria during the early years of Palestinian refuge in the country aimed to facilitate the economic integration of refugees. Palestinian refugees were therefore allowed to open shops, form companies or partnerships, and practice professions.<sup>50</sup> The Syrian government also adopted special measures to exempt Palestinian refugees from some restrictions on employment. In 1949, for example, the Syrian government issued a decree, which exempted Palestinian refugees from provisions in the Civil Service Act that require civil servants hold Syrian nationality for at least five years prior to government service (Decree No. 37, 1949).

Jordan: In Jordan, Palestinian refugees displaced in 1948 have the same right to employment as Jordanian nationals. Many Palestinian refugees, however, feel discriminated against by internal Jordanian policies of job recruitment and public service allocation. Refugees, for example, are heavily underrepresented in the civil service sector. As of 1997, more than one-third of employed Jordanian men worked in public administration; only 6-7 percent of Palestinian refugees in Jordan worked in public administration.<sup>51</sup> (See Chapter 4 for more details) Palestinians who took up residency in Jordan during or immediately after 1967 are not permitted to officially work.

Egypt: During early years of exile in Egypt Palestinian refugees were forbidden to work for or without wages due in large part to the assumption



that refugees would soon return to their homes of origin and because of the serious unemployment situation in Egypt. By the 1950s, however, Egypt had adopted legislation that allowed Palestinian refugees to practice liberal professions, including medicine and dentistry, according to the same standard and regulations as Egyptians.<sup>52</sup> In the immediate years after Palestinians were displaced, the Egyptian government also underwrote some jobs for Palestinians who graduated from UNRWA vocational training schools and many taught in Egyptian village schools in areas where Egyptian teachers preferred not to work. Others found work in industry or agriculture. Subsequent regulations accorded Palestinians the same right to state employment as Egyptian nationals (Decree No. 66, 1962). Holders of Egyptian travel documents endorsed with a visa other than for a tourist visit are formally exempt from the requirement that native workers be given priority for employment (Decree No. 657, 1954).<sup>53</sup>

Kuwait: The Kuwait government maintains strict control over foreign employment. Kuwaiti employers are responsible for their non-Kuwaiti employees in all financial and legal matters, including application for work permits through the Ministry of the Interior or the Ministry of Social Affairs and Labour. Foreigners must leave Kuwait upon termination of employment. Naturalized citizens are eligible for civil service employment. Non-Kuwaitis are not permitted to join professional organizations.

1967 Occupied Palestinian Territories: Refugees residing in the 1967 occupied Palestinian territories have the right to work. Since 1948, however, access to employment has been subject to the political

and economic considerations of a succession of administrative and occupying powers. (For more information on the economic status of refugees see, Chapter Four, Socio-Economic Profile).

Israel: Internally displaced Palestinians have the right to employment as citizens of the state. Occupation and employment statistics, however, raise serious questions about the effectiveness of the non-discrimination provisions in Israeli law. (For more information on the economic status of IDPs see, Chapter Four, Socio-Economic Profile).

## Right to Ownership of Immovable Property

In most countries of exile in the Middle East, Palestinian refugees are not permitted to own immovable property.

Lebanon: Palestinian refugees are subject to all laws pertaining to non-Lebanese, which restrict foreign ownership of property (Decree No. 11614, 1969). Foreigners must file an application for a license with the Minister of Finance who transfers it, along with his recommendation, to the Council of Ministers of the Cabinet. The Cabinet may grant a license through a decree, which is not subject to appeal. There are also restrictions concerning purchase of property near the border and the size of property purchase. Generally, foreigners must obtain a presidential consent to acquire immovable property.<sup>54</sup> In practice, Palestinian refugees find it difficult to obtain this consent.

Jordan: Naturalized citizens only are eligible to own immovable property. Some 70,000-80,000 Palestinian refugees from Gaza who do not qualify for Jordanian citizenship are therefore not permitted to own immovable property.

Syria: Palestinian refugees are generally not permitted to own immovable property (Decree No. 189, 1 April 1952).<sup>55</sup> Palestinian refugees may not own arable land, however, they may acquire a single home. Residence in Syria does not entitle a Palestinian the right of ownership unless he is registered by GAPAR.

Egypt: Palestinian refugees were originally exempt from legislation forbidding foreigners from owning

agricultural land. In 1985 a law was passed terminating the exemption.

Kuwait: Palestinian refugees are not permitted to own immovable property in Kuwait.

Libya: Palestinians are also prohibited from owning immovable property in Libya.

1967 Occupied Palestinian Territories: Palestinian refugees have the right to own property. Like other Palestinians in the 1967 occupied territories, the right to immovable property is subject to Israeli land expropriation. (For a historical overview see, Chapter One, Systematic Breaches of International Law).

Israel: Palestinian IDPs have the right to own property, however, Israel has adopted a series of laws to confiscate and transfer immovable property owned by Palestinians to the state and the Jewish National Fund (JNF). (For a historical overview see, Chapter One, Systematic Breaches of International Law).

### Developments in 2001-2002

During the reporting period there were few changes in the citizenship and residency status of Palestinian refugees and internally displaced persons. At the end of 2002 Kuwait imposed new measures to reduce the presence of Arab nationals from outside the Gulf region, including Palestinians, for so-called security reasons. Under the new measures, persons from Jordan, the 1967 occupied Palestinian territories, Sudan and Yemen will not be allowed to stay in Kuwait for more than three months. Under the new regulations, Jordanians, Palestinians, Sudanese and Yemenis will be given one-month visas for family visits in Kuwait. After that month, the visa could be extended for up to two more months. At that point, the nationals would be asked to leave the country. Those nationals arriving on business trips would be issued one-month visas. Officials said these visas would not be renewed. Officials said other regulations would be introduced for Iraqi nationals in Kuwait.<sup>56</sup>

Palestinians in the 1967 occupied Palestinian territories, over half of whom are refugees and internally displaced persons, continued to face

severe restrictions on the right to leave and return. As of January 2002, Israeli authorities banned all bearers of Palestinian passports, including Palestinians with dual citizenship, from exiting or entering Israel through Ben Gurion Airport in Tel Aviv.<sup>57</sup> Palestinians seeking to leave and return via land crossings with Jordan and Egypt have faced continuous restrictions and delays upon exit and entry.<sup>58</sup> No statistics are available on the number of Palestinians prevented from returning to the 1967 occupied Palestinian territories. During the first three months of 2001, however, Israel reported that it had restored residency rights to a small number (100) of Palestinians from Jerusalem.<sup>59</sup>

Israel revoked the citizenship and residency rights of several Palestinian citizens.<sup>60</sup> In May 2002 the Israeli government retroactively approved a decision by the Interior Ministry to freeze all applications for family reunification between Palestinian citizens of Israel and Palestinian residents of the 1967 occupied Palestinian territories to prevent the latter from acquiring Israeli citizenship.<sup>61</sup> According to Interior Ministry figures, more than 22,000 family reunification applications had been approved since 1993. Israeli officials argued that the growth in the non-Jewish population of Israel over the last decade due to family reunification (not to mention the large number of non-Jewish immigrants) was a threat to the 'Jewish character' of the state – i.e., a Jewish demographic majority and Jewish control of the land including land confiscated from Palestinian refugees.<sup>62</sup> The freeze was slated to continue until new legislation is prepared that will significantly reduce the number of Palestinians eligible for family reunification.<sup>63</sup>

Palestinian refugees and displaced persons in Lebanon, inside 1948 Palestine/Israel, and in the 1967 occupied Palestinian territories continued to encounter serious restrictions and violations of the right to property. In Lebanon, the cabinet amended property ownership laws by granting foreigners the right to own property.<sup>64</sup> Palestinian refugees, however, were excluded from amendments to Lebanese property law. Lebanese lawmakers expressed concern that granting the right to Palestinians would lead to *de facto* resettlement of the refugees in Lebanon.

At the beginning of 2001, the Israeli Justice Ministry began preparations to issue an updated list of all unclaimed Jewish properties managed by the Office of the Custodian of Absentee Property. The Justice Ministry also requested that the treasury grant a special budget for the establishment of a unit that will actively seek the owners of unclaimed properties.<sup>65</sup> The new measures, however, excluded Palestinian properties registered with a similar office at the Israeli treasury, which represent the bulk of properties held by the Custodian. Throughout the reporting period the government of Israel continued to deliberate over implementation of a 1951 Israeli High Court ruling allowing internally displaced Palestinians from the villages of Iqrit and Bir'am to return and repossess their homes and properties. In late November 2001, the High Court ordered the state to present a detailed plan for compensating the former residents of the two villages either with money or land. Residents of the two villages who have been fighting for more than 50 years to return to their villages of origin rejected the offer.<sup>66</sup>

In July 2002 the Israeli cabinet, in a vote of 17-2, recommended the adoption of new legislation to restrict access to 'state land' to Jews only in response to a High Court decision, which upheld the right of a Palestinian couple to lease a plot of land and build a home in the nearby Jewish 'lookout' settlement of Katzir.<sup>67</sup> In reviewing the case, the High Court held that the state may not allocate land to the Jewish Agency knowing that the Agency will only permit Jews to use the land. The Court noted, however, that the decision applied only to the "particular facts of the case." Katzir has refused to implement the decision. The proposed bill was eventually buried after being sent for review in Knesset committee. As one Israeli commentator noted, however: "When the cabinet approved a bill [...] that would permit state lands to be allocated to exclusively Jewish townships, it was giving legal backing to a situation that has existed in practice since the establishment of the state."<sup>68</sup>

Palestinians inside 1948 Palestine/Israel continued to face the threat of further land expropriation during the reporting period. In early 2002 new plans came to light concerning the expropriation of some 13,000 dunums of Palestinian land in the Galilee to establish a

nature reserve and park in al-Malak valley near the Palestinian town of Shafr'Amr. The planned park is to be located between several Palestinian villages, including al-Kabiah, al-Hamerah, Ras-Ali, Tabash and al-Hajajera. The agricultural land, which does not have any natural forests, is the primary resource for Palestinian farmers in the area. Natural forests located near Jewish towns in the area are excluded from the plan. The area itself does not have any natural forests.<sup>69</sup>

Bedouin land owners also faced continued threats concerning the ownership and use of land. On 14 February 2002 the Israel Lands Administration, which controls most of the land inside Israel (land expropriated from refugees), destroyed approximately 12 square kilometers of grain crops planted by Bedouin residents of the Naqab (Negev).<sup>70</sup> Israel has expropriated most of the land traditionally used by the Bedouin for grazing as well as rain-fed agriculture by declaring it 'state land.' Israel considers the land 'empty', not privately owned, and not in use. Today the indigenous Bedouin in the Naqab are struggling to retain the 240,000 dunums of land remaining with them. Recent press reports indicate that Israel is considering restarting the legal process for land claims, suspended in 1976, in order to completely extinguish all Bedouin land claims and thereby ensure the full transfer of all Bedouin land to the state of Israel for exclusive and inalienable Jewish use.<sup>71</sup>

No Bedouin has ever won a land claim to any of the more than 3,000 lawsuits filed over the past several decades.

In the 1967 occupied Palestinian territories Israel continued to expropriate Palestinian-owned land for so-called security reasons. This included seizures in the occupied Gaza Strip for the construction of bypass roads serving Jewish colonies and large seizures in the occupied West Bank to construct a new 'separation wall' and so-called security zone along the 1949 armistice line (i.e., 'Green Line') separating the 1967 occupied West Bank from 1948 Palestine/Israel.<sup>72</sup> As of the end of 2002, more than 15,000 dunums of Palestinian-owned land was targeted for expropriation to construct the wall.<sup>73</sup> Israeli military forces have also uprooted hundreds of thousands of trees and cleared tens of thousands of dunums of agricultural land under so-called security measures known as 'sweeping'. In the occupied Gaza Strip it is estimated that between September 2000 and June 2002 Israel has cleared more than 15,000 dunums of agricultural land comprising over 9 percent of the total agricultural land in the strip.<sup>74</sup> In total it is estimated that more than 32,000 dunums of agricultural land was cleared from the beginning of the second Palestinian *intifada* until February 2002. In addition, Israel uprooted an estimated 485,000 trees including olives, citrus, stone fruits, forest, dates, bananas, vines and others.<sup>75</sup>



**Endnotes:**

<sup>1</sup> Analysis of international legal material for 1948 Palestinian refugees is based on Susan M. Akram and Guy Goodwin-Gill, *Brief Amicus Curiae*, Board of Immigration Appeals, Falls Church Virginia, published in 11/12 *Palestine Yearbook of International Law*, 2000/2001; and, Lex Takkenberg, *The Status of Palestinian Refugees in International Law*. Oxford: Oxford University Press, 1998.

<sup>2</sup> Under Article 1(C), refugee status ceases if the refugee: (1) has voluntarily re-availed himself of the protection of the country of his nationality; (2) having lost his nationality, he has voluntarily reacquired it; (3) he has acquired a new nationality, and enjoys the protection of the country of his new nationality; (4) he has voluntarily re-established himself in the country which he left or outside which he remained owing to fear of persecution; or (5) he can no longer, because the circumstances in connection with which he has been recognized as a refugee have ceased to exist, continue to refuse to avail himself of the protection of the country of his nationality.

<sup>3</sup> Guiding Principles on Internal Displacement, UN Doc. E/CN.4/1998/53/Add.2/1998.

<sup>4</sup> This section is based on research undertaken by Lex Takkenberg as well as Susan M. Akram and Guy Goodwin-Gill. See note 1 above.

<sup>5</sup> UNHCR, *Handbook on Procedures and Criteria for Determining Refugee Status*, paragraph 143 (1992 edition). More recently, see *Draft Report of the Twentieth Meeting of the Standing Committee* (12-14 March 2001), Executive Committee of the High Commissioner Programme, Standing Committee, 21st Mtg., UN Doc. EC/51/SC/CRP.10, para. 22.

<sup>6</sup> In addition to 1948 Palestinian refugees, UNHCR does not provide international protection to those Palestinian refugees displaced for the first time in 1967 and who are presently receiving assistance from UNRWA. See, 'Note on UNRWA's mandate', December 1967, and circulated by UNHCR to branch offices throughout the world. Cited in Lex Takkenberg, *The Status of Palestinian Refugees in International Law*. Oxford: Oxford University Press, 1998, p. 306, note 129.

<sup>7</sup> In response to confusion raised by a prospective visit of the High Commissioner to refugee camps

in Lebanon in the mid-1950s, for example, a joint UNRWA-UNHCR press statement was released to provide clarification. "As far as the United Nations is concerned, and without prejudice to the responsibility of individual governments, the material welfare of Palestine refugees in the Near East is the exclusive responsibility of UNRWA, whereas *the protection of the interests of those refugees as regards compensation and repatriation is the concern of the Palestine Conciliation Commission.*" [Emphasis added] Press release No. 4-22/54, 29 January 1954. Cited in Takkenberg, p. 305.

<sup>8</sup> Jordan, Lebanon, Syria, Iraq, Kuwait and Saudi Arabia, for example, are not signatories to the 1951 Refugee Convention.

<sup>9</sup> This includes Article 8 affecting Palestinian refugee properties. Under Article 8 "Contracting States shall not apply such [extraordinary] measures [against the person, property or interests] to a refugee who is formally a national of the said State solely on account of such nationality". It also includes Article 12 on Personal Status; and, Article 28 on Travel Documents, which is to be subject to the limitations, which result from Section 6 of Israel's 1952 Passport Law.

<sup>10</sup> A person seeking refugee status in Israel must apply to the UNHCR and the Interior Ministry. Claimants are detained in prison until the status of refugee is accepted by the Interior Ministry. As of May 2001, claimants holding a document that a decision on refugee status is pending are allowed to obtain work permits and legal status in Israel from the Interior Ministry. The decisions of the UNHCR office in Israel, however, are usually only considered recommendations by the Interior Ministry. In 2001, 400 people applied to the UNHCR office in Israel, 150 cases were sent to Geneva and only 15 people granted refugee status. As of 2002, Israel retained the sole authority in deciding claims for refugee status under the 1951 Refugee Convention. By mid-November 2002, of 101 requests submitted by the local UNHCR office to a special government committee for review, 41 were approved and the remainder rejected. Most of the applications are from foreign workers. See, e.g., Einat Fishbain, "Israel Lacks a Refugee law," *Ha'aretz*, 26 May 2000; Joseph Alghazy, "Don't Give Me Your Tired or Hungry," *Ha'aretz*, 9 January 2002; Yossi Klein, "A Refuge Refused," *Ha'aretz*, 18 November 2002.

<sup>11</sup> For more details and legal citations see, Akram and Goodwin-Gill and Takkenberg.

<sup>12</sup> Ibid.

<sup>13</sup> Note on the Applicability of Article 1D of the 1951 Convention Relating to the Status of Refugees to the Palestinian Refugees. UNHCR (October 2002).

<sup>14</sup> Based on Article 1D (paragraph 2) such persons do not need to prove that they are outside that area involuntarily. This interpretation should contribute to ending the controversy over the "returnability" in domestic immigration services and courts of Palestinians otherwise eligible for protection under the 1951 Convention.

<sup>15</sup> While the interpretation states that neither the UN General Assembly nor any subsequent UN resolution has specifically limited the scope of UNRWA's mandate, it is equally true, with self-evident results, that neither the General Assembly nor any subsequent UN resolution specifically expanded the scope of UNRWA's mandate to provide comprehensive protection to Palestinian refugees.

<sup>16</sup> See, <http://www.idproject.org>.

<sup>17</sup> The 21 members of the League of Arab States are Algeria, Bahrain, Djibouti, Egypt, Jordan, Iraq, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, and Yemen.

<sup>18</sup> Protocol for the Treatment of Palestinians in Arab States, Council of Foreign Ministers of the League of Arab States, 11 September 1965.

<sup>19</sup> See, Abbas Shiblak, *The League of Arab States and Palestinian Refugees' Residency Rights*, 11 Monograph Series, Ramallah: Shaml Diaspora and Refugee Centre, December 1998. The resolutions are based on proposals and suggestions submitted to the League by the permanent Palestinian representative, the General Administration for Palestine Affairs at the General Secretariat or by the Supervisory Conference on Palestinian Refugee Affairs in Arab host states.

<sup>20</sup> *Cairo Agreement*, 3 November 1969. A copy of

the agreement is reprinted *ibid*.

<sup>21</sup> The agreement also regulated the presence of Palestinian armed resistance within the refugee camps. Under the agreement, Palestinians in Lebanon were permitted to participate in armed struggle as a means of gaining their rights. Following increasing military attacks on refugee camps in Africa and the massacre of several thousand Palestinian refugees in Beirut by Israeli-allied Phalangist militias, the UNHCR began to address the policy aspects relating to the protection of refugee camps in more detail. See, e.g., Executive Committee Conclusion No. 27 (XXXIII) 1982; No. 32 (XXXIV) 1983; No. 45 (XXXVII) 1986; No. 48 (XXXVIII) 1987; and, No. 72 (XLIV) 1993.

<sup>22</sup> During the 1990s Arab human rights and refugee law experts in the region participated in a joint process together with the UNHCR and the San Remo Institute of Humanitarian Law resulting in the drafting of a regional covenant on the Rights of Refugees and Displaced Persons.

<sup>23</sup> Kuwait reserved the right to interpret the first article of the Protocol on the basis that it excludes the right of 'private business' on par with Kuwaiti citizens. Private business has special regulations in Kuwait. Lebanon noted that as regards Article 1, Palestinians residing in Lebanon are granted the right of employment together with the right of keeping their Palestinian nationality in accordance with prevailing social and economic conditions in Lebanon; Article 2: that the phrase "on equal terms with Lebanese citizens and in accordance with the laws and regulations in operation" be added; Article 3, that the phrases "whenever their interests demand it" and "allowing Palestinians into Lebanon is conditional upon their obtaining an entry visa issued by the concerned Lebanese authorities" be added; reservations on the fourth and fifth articles. Libya submitted a reservation on Article 1 "since dealing with Palestinian citizens residing in Libya is on part with and equal to dealing with other Arab citizens residing in Libya." Shiblak, pp. 35-36.

<sup>24</sup> For a discussion of the impact of Resolution 5093 see, Takkenberg, p. 149.

<sup>25</sup> The conference was organized by the Cairo Institute for Human Rights Studies (CIHRS), in cooperation with the Moroccan Organization for

Human Rights and the Euro-Mediterranean Human Rights Network (EMHRN), with the participation of experts and representatives of Arab and international human rights organizations. The full declaration is archived on the BADIL website.

<sup>26</sup> According to various sources, it is estimated that some 7,500 Palestinians (including refugees) in the West Bank, 3,500 refugees in Syria, and approximately 30,000 refugees in Lebanon have acquired a second citizenship. Donna E. Arzt, *Refugees to Citizens: Palestinians and the End of the Arab-Israeli Conflict*. New York: Council on Foreign Relations Books, 1997, note 206 at pp. 40-41, 48, and 45-47.

<sup>27</sup> Government power in Lebanon is shared along confessional lines. The majority of Palestinian refugees are Sunni Muslims. Integration of the refugee population is therefore regarded as a threat to the sensitive division of power between Maronite Christians, Sunni Muslims, Shia Muslims, as well as Druze, Greek Orthodox, Greek Catholic, Armenian Orthodox, and Armenian Catholic. Opposition to integration of the Palestinian refugee community is also linked to recommendations by the League of Arab States that Palestinians residing in LAS member states retain their own nationality. See, Early Beirut Court, 28 June 1978, Decision No. 118, cited in Souheil al-Natour, "The Legal Status of Palestinians in Lebanon," 10 *Journal of Refugee Studies* 3 (1997), p. 375.

<sup>28</sup> Article 1(3) defines Palestinian refugees as "foreigners who do not carry documents from their countries of origin and who reside in Lebanon by virtue of residency card issued by the Directorate of the Surete Generale or identification cards issued by the General Directorate of the Department of Refugee Affairs in Lebanon."

<sup>29</sup> The Decree, which places foreigners in Lebanon on an equal footing excludes Palestinian refugees (Article 4(e)) holding identification cards issued by the General Directorate of the Department of Palestine Refugee Affairs." Cited in al-Natour, pp. 364-365.

<sup>30</sup> Article 3(2), "Any person who, not being Jewish, possessed Palestinian nationality before 15 May 1948 and was a regular resident in the Hashemite Kingdom of Jordan between 20 December 1949 and 16 February 1954." UNHCR Refworld [http:

//www.unhcr.ch/research/rsd.htm].

<sup>31</sup> According to a 1996 FAFO survey on living conditions in Jordan approximately 3 percent of Palestinian refugees and displaced persons in Jordan are from the Gaza Strip. Marie Arneberg, *Living Conditions Among Palestinian Refugees and Displaced in Jordan*. Oslo: FAFO, Institute for Applied Social Science, p. 16. A subsequent survey on living conditions in camps in Jordan estimates that 6.8 percent of the camp population is from the Gaza Strip. Marwan Khawaja and Age A. Tiltnes (eds.), *On the Margins: Migration and Living Conditions of Palestinian Camp Refugees in Jordan*. Oslo: FAFO, Institute for Applied Social Science, 2002, p. 185.

<sup>32</sup> Between 1 February 1958 and September 1961, Syria and Egypt formed a union, known as the United Arab Republic. Special residence status was granted to Palestinians under Law No. 89/1960 relating to the entry and stay of foreigners and their exit from Egypt of 18 March 1960, Official Journal No. 71, dated 24 March 1960.

<sup>33</sup> The law was amended by Law No. 49/1968, 124/1980, and 100/1983. Takkenberg, p. 152.

<sup>34</sup> The law was amended by Decree Law No. 40/1987, Decree No. 1/1982, Statute No. 1/1982, Decree Law No. 100/1980, and Statute No. 30/1970. UNHCR Refworld [http://www.unhcr.ch/research/rsd.htm].

<sup>35</sup> R. Shehadeh, *The Declaration of Principles & the Legal System in the West Bank*. Jerusalem: Palestinian Academic Society for the Study of International Affairs (PASSIA), 1994, p. 14.

<sup>36</sup> 1952 *Entry into Israel Law*. For more information see, Lea Tsemel and Ingrid Jaradat Gassner, *The Trap is Closing on Palestinian Jerusalemites*. Jerusalem: Alternative Information Center/BADIL, 1996. Also see, *The Quiet Deportation, Revocation of Residency of East Jerusalem Palestinians*. Jerusalem: Btselem – The Israeli Information Center for Human Rights in the Occupied Territories, 1997.

<sup>37</sup> Between 1967 and 1994 Israel revoked the residency status of some 100,000 Palestinian residents of the occupied territories. John Quigley, "Family Reunion and the Right to Return to Occupied Territory," *Georgetown Immigration*

*Law Journal*, Vol. 6 (1992). Between 1967 and 1999, Israel revoked the residency rights of 6,185 Palestinians living in Jerusalem affecting some 25,000 people. Table III, 'Confiscation of Jerusalem ID Cards, 1967-1998,' *Eviction from Jerusalem, Restitution and the Protection of Palestinian Rights*. Bethlehem: BADIL Resource Center (April 1999), p. 19. The table is updated through the end of 1999 with available statistics from the Israeli Interior Ministry.

<sup>38</sup> See, generally, Quigley, "Family Reunion and the Right to Return to Occupied Territory"; Manal Jamal and Buthaina Darwish, *Exposed Realities, Palestinian Residency Rights in the 'Self Rule Areas' Three Years After Partial Israeli Redeployment*. Bethlehem: Alternative Information Center/BADIL, 1997; and, *Deportation of Palestinians from the Occupied Territories and the Mass Deportation of December 1992*. Jerusalem: B'tselem, The Israeli Information Center for Human Rights in the Occupied Territories (June 1993).

<sup>39</sup> *Eviction from Jerusalem, Restitution and Protection of Palestinian Rights*, p. 19. Also see, Nathan Krystall, *Urgent Issues of Palestinian Residency in Jerusalem*. Jerusalem: Alternative Information Center/BADIL, 1994, p. 10.

<sup>40</sup> For a detailed analysis see, Jamal and Darwish. Residency issues are handled jointly between the Israeli District Coordination Office (DCO) and the Civil Affairs Committee of the Palestinian Authority (CAC). Through PA ministries, especially the Ministry of Interior, the CAC collects applications, requests and complaints and transfers them to the DCO. CAC liaison officers then receive the Israeli answers and may negotiate requests not granted. The system has been characterized by long waiting periods, proneness to abuse, lack of legal redress, problems related to overlapping legislation, lack of public information, lack of coordination between the CAC and independent human rights organizations and nepotism and bribery.

<sup>41</sup> During 2000, in the context of final status negotiations between the PLO and Israel, covering among other issues, the future status of Palestinian refugees, the Palestinian Legislative Council, Refugee Sub-Committee held discussions concerning the legal status of 1948 Palestinian refugees in the West Bank and Gaza in the eventuality of a Palestinian state and no solution

to the right of return. The discussion focused on the legal implications of domestic legislation which potentially conflicts with international legal obligations; the pitfalls of a bill which addresses the Palestinian refugees' right of return, and, potential useful legislation for consideration in the Palestinian Legislative Council concerning the right of return of Palestinian refugees.

<sup>42</sup> Amnon Rubenstein cited in *Legal Violations of the Arab Minority Rights in Israel*. Shafr'Amr: Adalah – The Legal Center for Arab Minority Rights in Israel, p. 38.

<sup>43</sup> For a legal analysis of the status of Palestinians under the law of nationality as applied upon state succession see, Gail J. Boling, *The 1948 Palestinian Refugees and the Individual Right of Return, An International Law Analysis*. Bethlehem: BADIL Resource Center, 2001.

<sup>44</sup> Bill 1220, The Fifteenth Knesset, "Bill for Banning the Right of Return." Under paragraph 2 "Refugees will not be returned to the State of Israel unless approved by a majority of eighty members of the Knesset." According to paragraph 4 "The government of Israel will not give guarantees or enter an agreement which contradict the instructions of this law." Copy on file with BADIL.

<sup>45</sup> Refugees were required to present proof of refugee and residency status. A 1961 amendment provided for a two-year period of validity, which could be extended for another two years and then an additional year. Laurie Brand, *Palestinians in the Arab World: Institution Building and the Search for State*. New York: Columbia University Press, 1988, p. 51.

<sup>46</sup> Article 59 of the Law of September 1946 (Code du Travail). Article 22 of the Budget Law, 4 February 1946. UN Doc. A/2171, 30 June 1952. The Law Regarding Entry to, Residency in and Exit from Lebanon (1962), Part I, Section 1:1 prohibits "The non-Lebanese foreigner from engaging in any work or profession in Lebanon unless so licensed by the Ministry of Labour and Social Affairs in accordance with the laws and rules and regulations in force." Cited in al-Natour, p. 366.

<sup>47</sup> Article No.1, "The understated jobs and professions are restricted to Lebanese citizens only: (I) Workers: All type of administration and banking

jobs, especially: general manager, manager, deputy manager, staff manager, treasury, accountant, secretary, documentation, registry, computer, trade representative, marketing representative, trade consultant, workers supervisor, store manager, sales worker, exchange jobs, jeweler, laboratory, pharmacy and electrical workers, electronic, painting, glass fixing, mechanics and maintenance, doorman, concierge, guard, dyer, cook, butler, hairdresser, elementary/secondary and high school teachers, in case of need for foreign language teaching (foreigners are exempted), engineering in all specialties, landscape and land survey works. Priority should be given to Lebanese for all types of jobs and professions; (2)

Business Owners: Trade business (all categories), exchange, accounting, commission, engineering (all categories), contracting and building trades, jeweler, shoes and clothes manufacturing, furniture and related works, patisserie, printing and publishing, hairdresser, ironing and drying, car maintenance (smith works, mechanical, glass fixing, furniture and electricity). In general any job that impedes the chances for Lebanese." Article No. 2, "Some foreigners are exempted from the obligations of the Decision of Article No. 8 of Decree No. 1756 I dated September 19, 1964 (stipulating foreigners work) when it is applicable. Especially the following conditions: If the foreigner is: Residing in Lebanon since birth, of Lebanese origin or his/her mother is Lebanese married to a Lebanese female for more than one year. The minister is entitled to give a final approval in any of the above-mentioned cases.

<sup>48</sup> Article 5, Law No. 8/70 (11 March 1970). UNRWA handout, Unofficial UNRWA handout on the Palestinians' status in Lebanon, cited in Aesheim, p. 47. Decree No. 1658 (17 January 1979). Lebanese law permits foreigners to practice medicine, pharmacy and engineering in Lebanon, for example, if they are nationals of a state that applies the reciprocal treatment principle. See, Law No. 8/70 of 1970 regulating the entry in professional syndicates and Law No. 1658 of 1979 regulating the entry into Medical Associations.

<sup>49</sup> Law 17561 (18 September 1964) delineates the prerequisites for a foreigner to acquire a work permit. Amendments include Decision No. 289/2 (18 December 1982) and Decision No. 621/1 (15 December 1995).

<sup>50</sup> Legislative Decrees passed to facilitate employment for Palestinians include, Petition Writers Law (No. 119, 9 July 1951); Legislative Decree No. 162, 10 March 1952 regulating the profession of sworn translators; Legislative Decree No. 250, 31 May 1952, allowing Palestine public cars to be registered as Syrian public cars; Cooperative Societies law No. 65, 28 February 1950, allowing Palestinians to be members of cooperative societies under Article 24. UN Doc. A/2171, 30 June 1952.

<sup>51</sup> Samar Hijawi, "Hoping to Return," *Article 74*, Issue No. 26 (December 1998); and, Marie Arneberg, *Living Conditions Among Palestinian Refugees and Displaced in Jordan*. Oslo: FAFO, Institute for Applied Social Science, 1997, p. 54.

<sup>52</sup> Brand, p. 52. Doctors, Law No. 415, 1954; veterinary medicine, Law No. 416, 1954; dentistry, Law No. 37, 1954; and, midwives and assistants, Law No. 481, 1954.

<sup>53</sup> Laws regulating foreign labor include Law No. 137/1981; Decree No. 25/1982 concerning the conditions for issue of work permits for aliens; Decree No. 657/1989, regulating the procedure for obtaining work permits.

<sup>54</sup> Takkenberg, p. 164. Legislative Order No. 196, 24 July 1942 cited in UN Doc. A/2171, 30 June 1952.

<sup>55</sup> Also see, Letters of the Minister of Interior numbers 9816/5/1 on October 13, 1977, 4174/5/1 (26-H) on October 29, 1986, and finally 74/5/1 (26-H) in January 1981 to the real estate Directorate in Damascus, and the minister's letters 3917/5/1 on October 1, 1969 and 3916/5/1 on October 1, 1969, "A Palestinian refugee living in Syria is excluded from the legislative decree No. 189 in 1952 which entitled Arabs living in Syria the right of ownership in governorate centers and summer resorts".

<sup>56</sup> Kuwait Restricts Stay of Non-GCC Arabs, MENL, 12 December 2002, Vol. 4, No. 472.

<sup>57</sup> Joharah Baker, "Off limits to Palestinians," Palestine Report, 16 January 2002.

<sup>58</sup> The Jordanian government has introduced regulations and procedures restricting entry of Palestinians from the occupied West Bank at the Allenby Bridge (King Hussein) border crossing in

response to fears that Israel may attempt to force Palestinians out of the 1967 occupied territories into Jordan. In principle, Palestinians holding permanent residence in Jordan, Palestinians holding 5-year Jordanian passports, the ill, those who suffered the recent death of a relative in Jordan, people visiting the ill in Jordanian hospitals, university students, and visitors coming to travel abroad via Jordanian territory were exempt from the changes. Jordan retained the right to deny entry based on so-called security considerations. In July 2002, Jordan declared that any Palestinian intending a visit to the country would have to provide personal guarantees supplied by a Jordanian citizen before they would be allowed entry into the country. This was a retraction of an earlier demand that Palestinians entering the kingdom would have to provide bank guarantees. See, e.g., Tareq Ayyoub, "Gov't limits entry of West Bankers," *Jordan Times*, 12 June 2001; *Jordan Times*, 5 November 2001; Taha Abu Ridden, "Officials dismiss reports about new travel procedures for Palestinians," *Jordan Times*, 7 July 2002; and, "Palestinians require personal guarantee to visit Jordan," *The Jerusalem Times*, 18 July 2002.

<sup>59</sup> *Ha'aretz*, 2 April 2001.

<sup>60</sup> In May an appeal was submitted to the Supreme Court for a new identify card for a Palestinian citizen Fahed Jarar. The request was rejected because his father, as the Ministry of Interior claims, ceded his nationality when they left the country in 1966 (They returned in 1995). *Sawt al-Haqq Wal Hurriya*, 25 May 2001. Nationality and citizenship was stripped from another Palestinian from Illot near Nazareth. Mohammad Abu-Aiash left to Jordan in 1986 where he was arrested for 2 weeks. When he was handed over to Israel he was arrested again for another 4 years. Eleven years later he discovered that his citizenship and nationality was removed. Review of the Arab Press in Israel, Arab-Association for Human Rights, <http://www.arabhra.org>. Also see, "Minister of Interior Revokes Citizenship of an Arab Citizen of Israel," 10 September 2002, Adalah – The Legal Center for Arab Minority Rights in Israel, <http://www.adalah.org>.

<sup>61</sup> Cabinet Communique, 12 May 2002 – A New Alien Policy.

<sup>62</sup> *Ha'aretz*, 1 May 2002. Interior Minister Eli Yishai further stated that Palestinian family reunification

"is a devious way of getting Arab refugees to return to Israel." *Ha'aretz*, 1 September 2002.

<sup>63</sup> Potential changes to the law being considered by the Israeli government include longer waiting periods, extensive background checks including the use of private detectives, increase in fees from NIS 500 to NIS 3,000, barring persons who received legal status in Israel in the framework of a family reunification request from applying for family reunification for any other relative and revocation of family reunification for "anti-state activity", a broad term which could encompass legitimate opposition to discriminatory laws which define Israel as Jewish state. On 31 May 2002 the Supreme Court ordered the State to respond to a motion for a temporary injunction and a petition filed by Adalah – The Legal Center for Arab Minority Rights to urgently freeze the discriminatory decision. The Supreme Court ordered the state to reply to the motion for a temporary injunction within seven days and to the petition within 21 days. For more details, see the Adalah website, <http://www.adalah.org>.

<sup>64</sup> See laws from the Arabic. *Daily Star* (Beirut), 7 April 2001, 10 April 2001.

<sup>65</sup> Yair Sheleg, "State to publish list of unclaimed Jewish property," *Ha'aretz*, 26 January 2001. The list was distributed to Justice Ministry offices and at Custodian's offices throughout the country. It is also posted at [www.pub-trustee.justice.gov.il](http://www.pub-trustee.justice.gov.il) (a website run by the Custodian's office).

<sup>66</sup> *al-Ittihad*, 19 November 2001; *al-Sinnara*, 8 March 2002, and *Fasl al-Maql*, 8 March 2002.

<sup>67</sup> The bill, supported by the Sharon cabinet, was not supported by the government's legal advisor Elyakim Rubenstein on the basis that it would "deepen the rift between Jews and Arabs" in Israel. Aluf Benn and Moshe Reinfeld, "Rubinstein opposes bill to allot state land only to Jews," *Ha'aretz*, 8 July 2002. Bradley Burston, "Background/'Jews-only' law sparks firestorm," *Ha'aretz*, 8 July 2002. The High Court ruled in favor of the couple on 8 March 2000. Katzir was jointly established by the Jewish Agency and the Katzir Cooperative Society in 1982 on 'state land' allocated by the Israel Lands Administration (ILA) as part of a project to prevent the development of large contiguous Palestinian areas in the Galilee. The Cooperative Society only accepts Jewish members.

<sup>68</sup> "State Land Bill Sticks to Reality on the Ground," *Ha'aretz*, 9 July 2002.

<sup>69</sup> "On Behalf of 100 Farmers, Adalah Files Objection to Local Plan G-7337," Adalah Press Release, 18 March 2002.

<sup>70</sup> During the operation, toxic chemicals were sprayed on the crops, including lands inside Bedouin villages where farmers were working in their fields and over the village of Khirbet al-Watan where several hundred students were attending classes.

<sup>71</sup> During the 1970s the Israeli government initiated a land settlement process for the Naqab. Claimants, however, were required to present documents in order to lodge a land claim. In 1976 Israel's Land Settlement Department offered to settle Bedouin land claims out of court according to the following criteria: Israel would recognize 20 percent of the total claim (with documented proof), offer compensation for 30 percent of the total claim (at 65 percent of its value), and expropriate 50 percent of the total claim.

<sup>72</sup> Palestinian Centre for Human Rights, "Israeli Army Seizes Tract of land in North of Gaza Strip for Israeli Settlement, Press Release, 2 May 2002; Applied Research Center in Jerusalem, "More Land Confiscated to Build By-Pass Road in Za'tara," 3 June 2002, <http://www.poica.org/casestudies/Za'tara06-03-02/index.htm>; Palestinian Centre for Human Rights, "The Israeli Occupying Forces Commander in Gaza Strip Issues a Military Order to Seize Land to Building a New Settlement Road," Press Release, 20 July 2002; and, Applied Research Center in Jerusalem, "Israeli Military Order Seizes 10 Dunums of Land from Al-Bireh Town," 11 September 2002, <http://www.poica.org/casestudies/Al-Bireh%2011-9-02/index.htm>.

<sup>73</sup> *Israel's Apartheid Wall: We are Here and They are There*. LAW – The Palestinian Society for the Protection of Human Rights and the Environment (2002); and, *Separation Barrier*. Position Paper. B'tselem – The Israeli Information Center for Human Rights in the Occupied Territories (September 2002).

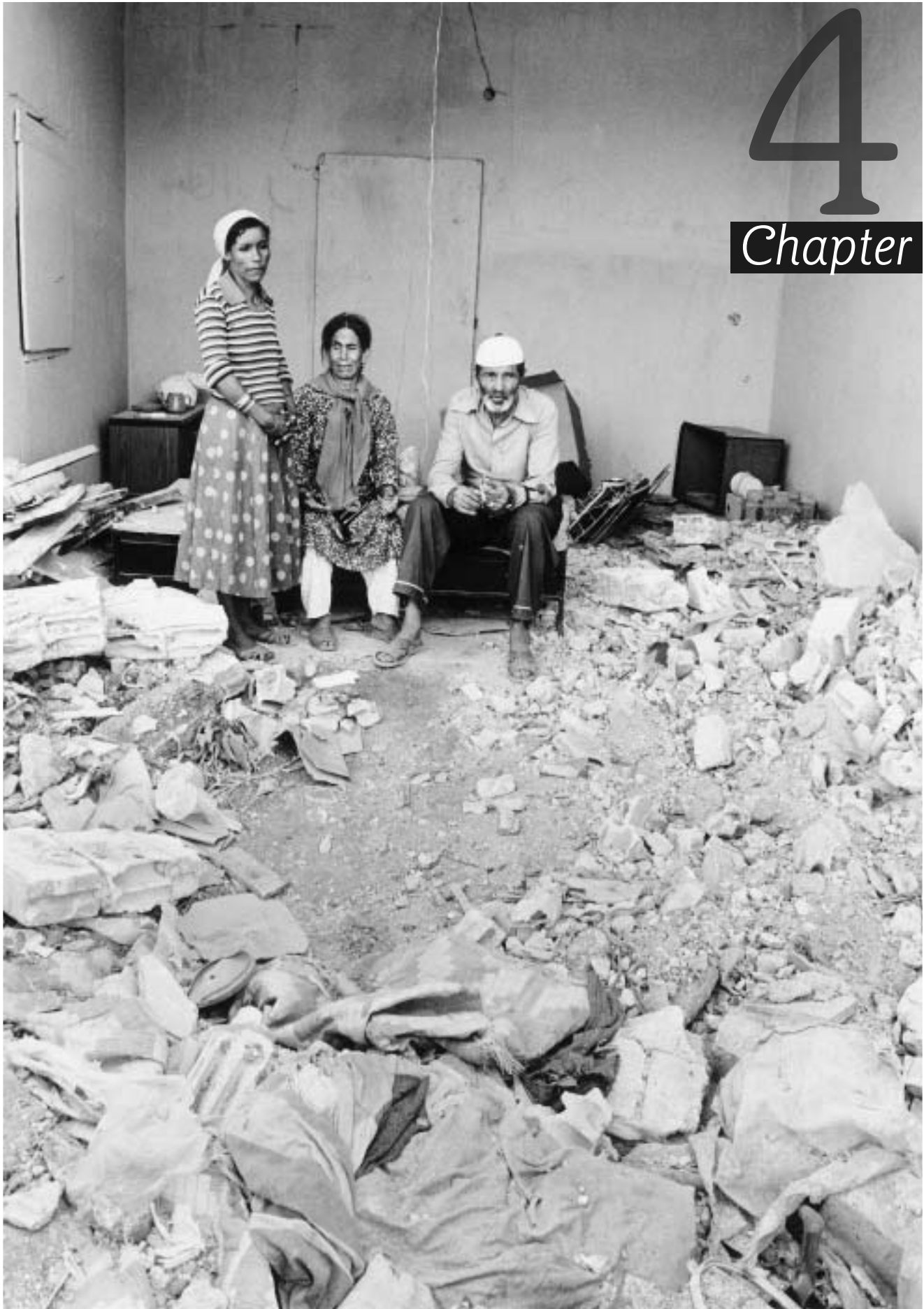
<sup>74</sup> *Uprooting Palestinian Trees And Leveling Agricultural Land, The Eight Report on Israeli Land Sweeping and Demolition of Palestinian Buildings*

*and Facilities in the Gaza Strip 1st April – 30th June, 2002*, Gaza City: Palestinian Centre for Human Rights.

<sup>75</sup> Applied Research Center in Jerusalem, "An Assessment of the Israeli Practices on the Palestinian Agricultural Sector, September 29, 2000 – February 28, 2002, <http://www.poica.org/casestudies/agr-losses-feb02/index.htm>.







# 4

Chapter



# Chapter Four: Socio-Economic Profile

## **Preface**

*For many Palestinian refugees – camp refugees in particular – and internally displaced Palestinians, mass displacement and dispossession over more than five decades continues to have a discernable impact on their living conditions. In 1948 alone, two-thirds of the indigenous Palestinian Arab population lost their land and means of livelihood. The impact of displacement and dispossession was particularly pronounced for refugees and internally displaced persons of rural origins who comprise the majority of the refugee and IDP population. The lack of respect for and protection of basic economic and social rights in host areas and inside their homeland, in addition to ongoing regional instability, also have an impact on the living conditions of Palestinian refugees and internally displaced persons.*

*Generally, Palestinian refugees and internally displaced persons represent a particularly vulnerable sector of society in their places of exile. Refugees and IDPs frequently experience higher rates of unemployment, lower incomes, and higher rates of poverty. Housing conditions in many areas do not meet international housing rights standards. While literacy rates and education attainment are generally high there is a weak correlation between higher education and economic advancement. Refugees also appear to experience higher rates of chronic and mental illness. In general, these indicators are often more pronounced among refugees in camps. Particular socio-economic characteristics of the refugee and IDP population, however, may follow socio-economic patterns of the host country population.*

*This chapter provides a general profile of the socio-economic status of Palestinian refugees and IDPs. Such a profile is important for public planning and policy, as an indicator of gaps in day-to-day protection, and as a gauge of potential needs relevant to durable solutions. Indicators covered in this chapter include occupation and employment, housing, education, and health. Where possible, comparative data for host countries is provided.\**

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\* Displacement throughout the Middle East and further abroad significantly complicates the task of assembling systematic and comprehensive socio-economic data for the entire Palestinian refugee and IDP population. For some indicators, data is either unavailable, of poor quality, or not suitable for comparison. There are few statistics for IDPs. This chapter uses statistical data for the Palestinian population inside 1948 Palestine/Israel as 'representative' of the IDP population.

## Economic Profile

Mass displacement and dispossession over the course of more than five decades continues to have a visible impact of the economic status of Palestinian refugees and internally displaced persons. The denial of basic social and economic rights in areas of exile and the protracted nature of the Palestinian refugee IDP crises compound the negative impact.

Generally, fewer Palestinian refugees compared to non-refugees/displaced in primary host

countries tend to be employed as professionals, administrators, and managers. A greater percentage of refugee women are employed as professionals and administrators as compared to refugee men. Unemployment is relatively high accompanied by low rates of labor force participation, particularly among women. The primary source of income is wage labor. Measured poverty rates exceed those of non-refugees in most host countries. These general trends are particularly pronounced among refugees living in camps.

### Box 4.1 – Economic Vulnerability of Palestinian Refugees

There is a large percentage of unskilled by 'employable' labor force with a relative lack of accumulated savings and thus no safety net to protect them from a high dependency on wage labor. On the other side, most refugees lack access to land-based forms of subsistence – i.e., agriculture or property. Refugee camps are among the most vulnerable of all: most of them are now confined to the fixed locality of a camp, they cannot rely on the informal economic activities of cities and large towns, nor the subsistence crops and animals found in villages. The large family size prevalent in camp populations also increase the impact of income shocks, as it is not uncommon for one wage earner to support an extended family of six or more persons.

*UNRWA, Emergency Appeal, March-May 2001. Second Emergency Appeal to Provide Emergency Humanitarian Assistance to Palestine Refugees in the Gaza Strip and the West Bank.*

## Occupation

The majority of Palestinian refugees and internally displaced are employed in the fields of construction, industry, and services. Fewer refugees and IDPs are employed as professionals, managers, and administrators. Displacement in 1948 and again in 1967 hastened the transition for many Palestinians from a peasant economy to one dominated by

wage labor. Relatively few refugees are employed in agriculture today. Female refugees are more often employed in health and education sectors. Generally, female refugees appear more likely to be employed as professionals than male refugees. This may relate, in part, to significant employment of refugee women in the delivery of education, health and other services to the refugee community.



**Table 4.1 – Employed Refugees and IDPs\* (15 years and over) by Occupation**

Host Country	Year	Distribution by Occupation (%)					
		Professionals Managers & Technicians	Clerical Workers	Sales & Service Workers	Agriculture & Forestry	Manufacturing & Other Skilled Workers	Unskilled Workers
Refugees & IDPs							
Jordan	1996	22.0	8.0	17.0	-	42.0	10.0
Syria	2000	2.5	2.4	6.3	1.1	50.4	-
Iraq	1989	20.8	7.5	15.9	0.3	45.4	-
Israel	2001	20.3	7.5	16.3	2.0	38.4	15.5
Male Refugees							
Syria	2000	15.0	1.6	26.9	1.1	55.4	-
Iraq	1989	13.3	5.1	17.5	0.4	52.3	-
Female Refugees							
Syria	2000	57.3	6.9	9.1	1.5	25.2	-
Iraq	1989	62.9	12.0	6.1	0.3	6.5	-
Refugees in Camps							
Jordan	2002	6.9	12.6	17.2	-	30.3	33.1
Jordan	1996	20.0	9.0	24.0	-	38.0	19.0
Lebanon	1999	15.7	2.0	19.3	11.5	42.0	9.5
Male Refugees in Camps							
Jordan	2002	6.8	9.6	17.7	30.8	35.1	
Female Refugees in Camps							
Lebanon	1999	11.9	1.6	18.5	11.3	49.3	7.4
Jordan	2002	7.4	29.6	14.0	27.3	21.7	
Lebanon	1999	30.8	4.0	22.5	12.1	12.7	17.9

Sources: PCBS, 2001. *Statistical Abstract of Palestine, No. 2*; FAFO, 1997. *Living Conditions Among Palestinian Refugees and Displaced in Jordan*; Shaml, 1996. *Palestinian Refugees in Iraq, Series Studies No. 7*; ICBS, 2002. *Statistical Abstract of Israel, No. 53*; FAFO, 2002. *On the Margins: Migration and Living Conditions in Palestinian Refugee Camps in Jordan* (Statistics for refugee camps in Jordan are grouped by managers and administrators and professionals and clerks).

\* There are no separate statistics for IDPs in Israel. Figures used are for 'other religions' as classified by the ICBS.

Overall, nationals of the primary host countries where the majority of Palestinian refugees reside, and Israel where the majority of internally displaced reside, are more often employed as professionals, managers, and administrators than refugees and IDPs. In some host countries, a greater percentage of the national labor force is also employed as unskilled workers compared to refugees. In the 1967 occupied Palestinian territories, however, there are more professionals among refugees than non-refugees.

#### Host Countries

- In Jordan more than 30 percent of employed Jordanian males work in public administration, while only 6-7 percent of Palestinian refugees and displaced do so (FAFO 1997).
- Approximately 12 percent of the Syrian workforce is employed as professionals, managers, and administrators compared to 2 percent of Palestinian refugees (PCBS 2001a; PCBSb).

#### Palestine/Israel

- In the 1967 occupied Palestinian territories there are more professionals among refugees (14 percent) than non-refugees (8 percent). Professionals are more represented in camps and cities (14 percent) compared to villages (5 percent) (IUED 2001c). According to another study, more refugees (24 percent) were employed as professionals, technicians, and clerical workers than non-refugees (17 percent). There were also more refugees (18 percent) among service workers or sellers compared to non-refugees (15 percent). Among semi-skilled workers, fewer refugees (35 percent) were found than non-refugees (41 percent). There was an equal proportion of refugees and non-refugees among unskilled workers (20 percent). In managerial positions, there were fewer refugees (4 percent) than non-refugees (6 percent) (Birzeit 2002).

- In 1948 Palestine/Israel nearly 40 percent of employed Jewish Israelis work as professionals, managers, and technicians compared to one-fifth of other (Palestinian) Israelis. While only 7.1 percent of employed Jewish Israelis are unskilled workers, 15.5 percent of other Israelis are unskilled workers (ICBS 2002).

### **Labor Force Participation and Unemployment**

A high percentage of the total Palestinian refugee and IDP population (above 60 percent) in the primary areas of exile is employable (i.e., age 15 and above). Total labor force participation, however, is low. Generally, less than half of the total labor force is employed. Labor force participation tends to be lower inside refugee camps and among refugee women. Labor force participation rates appear to be slightly higher among refugees as compared to nationals in the primary host countries due to higher rates of participation among male refugees (ILO 1998).



**Table 4.2 – Refugee and IDP\* Labor Force Participation**

Host Country	Year	Labor Force Participation (%)		
		Total	Males	Females
		Refugees & IDPs		
West Bank	1994	-	84.0	-
Gaza Strip	1994	-	62.0	-
Syria	2000	49.0	80.0	18.0
Jordan	1996	43.0	71.0	15.0
Iraq	1989	26.2	44.6	7.9
Israel	2001	43.0	62.1	23.4
		Refugees in Camps		
West Bank	1994	-	81.0	-
Gaza Strip	1994	-	62.0	-
Lebanon	1999	43.2	69.5	18.0
Jordan	2002	40.8	12.9	69.0

Sources: PCBS, 2001. *Statistical Abstract of Palestine*, No. 2; FAFO, 1997. *Living Conditions Among Palestinian Refugees and Displaced in Jordan*; FAFO, 1994. *Palestinian Society in Gaza, West Bank and Arab Jerusalem, A Survey of Living Conditions*; ICBS, *Statistical Abstract of Israel*, No. 53; Shaml, 1996. *Palestinian Refugees in Iraq. Series Studies No. 7*; ICBS, 2001. *Statistical Abstract of Israel*, No. 52; FAFO, 2002. *On the Margins: Migration and Living Conditions in Palestinian Refugee Camps in Jordan*.

\* There are no separate statistics for IDPs in Israel. Figures used are for 'non-Jews' as classified by the ICBS.

### Refugee Children

The majority of refugee children employed in the labor force in Syria and Lebanon also work in industry, services and agriculture.

**Table 4.3 – Employed Refugee Children in Camps (7-17 years) by Type of Work**

Host Country	Year	Distribution by Type of Work (%)					
		Professionals	Sales & Services	Mechanics, Industry, Handicrafts	Construction & Transportation	Agriculture	Unskilled Workers
Syria	1998	6.6	32.1	32.0	20.7	3.6	5.0
Lebanon	2000	-	17.4	39.2	15.2	0.0	28.1

Source: PCBS, 2001. *Statistical Abstract of Palestine, No. 2.*

Poor economic conditions in refugee camps has led refugee children in many primary countries of exile into leaving school early and sharing in the labor force to help families.

**Table 4.4 – Employed Refugee Children in Camps by Age**

Host Country	Year	Distribution by Age (%)			
		Total	7-9	10-14	15-17
<b>Total</b>					
Lebanon	2000	31.8	4.2	22.6	33.1
Syria	2001	11.8	0.0	5.1	21.4
<b>Males</b>					
Lebanon	2000	48.3	8.3	40.6	54.1
Syria	2001	20.8	0.0	9.6	36.0
<b>Females</b>					
Lebanon	2000	10.0	0.0	4.6	12.0
Syria	2001	1.9	0.0	0.4	4.3

Sources: PCBS, 2001. *Statistical Abstract of Palestine, No. 2*; and, PCBS, 2002. *Statistical Abstract of Palestine No. 3.*

- In the 1967 occupied Palestinian territories, 12 percent of boys aged 10-17 from cities and camps are labor force participants while only 6 percent of village boys are in the workforce. 6 percent of all city and camp young people of the same age report working and not in school but only 6 percent of village youth. (Birzeit 2002).

Unemployment rates among refugees and displaced persons are high. Refugees in camps and female refugees, in particular, tend to have high rates of unemployment. Generally, unemployment rates for refugees also appear to be higher than rates among nationals in the primary host countries. In Jordan, however, there is no difference in unemployment rates between refugees outside camps and non-refugees.

#### Host Countries

- In Jordan there are no significant differences in unemployment between male refugees and displaced who live outside camps and male non-refugees/displaced with respect to unemployment (FAFO 1997). Unemployment is highest among

the young in refugee camps. 16 percent of young men aged 15-24 are unemployed while only 5 percent of men aged 25-34 are unemployed. The corresponding rates for refugee women in camps are 30 percent and 13 percent (FAFO 2002).

- In 1999, 16 percent of male refugees in camps and 18 percent of female refugees were unemployed (PCBS 2002). In 2001, unemployment was estimated as high as 60-70 percent in camps in Lebanon (Ajial Center).
- In Syria the unemployment level among Palestinian refugees in 2000 was three times as high as published unemployment figures for Syrian nationals in 1994 (PCBSb). In 2000, unemployment among male refugees aged 15-24 was 28 percent with a corresponding rate of 38

percent among female refugees in the same age group. Unemployment among male and female refugees age 25-34 was 13 percent (PCBS 2002).

### Palestine/Israel

- In refugee camps in the 1967 occupied Palestinian territories nearly one-third (30 percent) of refugees lost their jobs between September and December 2000 due to Israel's military and economic campaign to suppress the second intifada, compared to an overall average of 25 percent of Palestinians in the occupied West Bank and 33 percent of Palestinians in the occupied Gaza Strip (IUED 2001a). Urban women have a lower

rate of unemployment (13 percent) compared to camp (17 percent) and village (25 percent) women (Birzeit 2002).

- Inside 1948 Palestine/Israel the unemployment rate among Palestinians, including internally displaced, is one-third higher than Jews (ICBS 2001). Of the 26 towns with unemployment peaking above 10 percent, 23 are Palestinian. More than half of the towns has a significant number of internally displaced persons with the number as high as 50 percent in the Palestinian towns of al-Judeideh and al-Maghar, which have corresponding unemployment rates of 10.8 percent and 14.1 percent.

**Table 4.5 – Refugee and IDP\* Unemployment**

Host Country	Year	Unemployment Rate (%)		
		Total	Male	Females
Refugees & IDPs				
Jordan	1996	25.0	17.0	33.0
Syria	2000	15.6	15.8	15.5
Iraq	1989	10.1	11.4	3.2
West Bank	2001	17.0	-	-
Israel	2001	10.8	10.7	CHECK
Refugees in Camps				
Jordan	2002	17.1	11.0	23.2
Lebanon	1999	17.1	15.8	18.4
West Bank	2001	24.0	-	-
Gaza Strip	2001	40.0	-	-

Sources: PCBS, 2001. *Statistical Abstract of Palestine*, No. 2; FAFO, 1997. *Living Conditions Among Palestinian Refugees and Displaced in Jordan*; Shaml, 1996. *Palestinian Refugees in Iraq*. Series Studies No. 7; ICBS, 2001. *Statistical Abstract of Israel*, No. 53; IUED, 2001. *Palestinian Public Perceptions of Their Living Conditions, the Role of International and Local Aid during the Second Intifada (Report III)*; FAFO, 2002. *On the Margins: Migration and Living Conditions in Palestinian Refugee Camps in Jordan*.

\* There are no separate statistics for IDPs in Israel. Figures used are for 'non-Jews' as classified by the ICBS. Palestinian villages where internally displaced persons comprise a significant percentage of the population, however, have significantly higher rates of unemployment rates that are up to double the national average.

Political instability in the region, restrictions on access to the local job market (including discrimination in hiring Palestinian refugees), limitations on freedom of movement, loss of hope, poor health, and low female participation in the workforce contribute to low labor force participation and high levels of unemployment among Palestinian refugees. The low rate of female participation in the labor force, which is similar to patterns in primary host countries, is related to primarily to education and marital status.

### Host Countries

- Inactive male camp refugees and displaced in Jordan report that they are disabled more than twice as

often as other men. Among refugee women aged 25-50, labor force participation among those with higher education is around 60 percent, but less than 10 percent for those with basic education or less. The labor force participation for unmarried refugee women is around 50 percent but only 15 percent for married women. Approximately 5 percent of non-active female refugees cite social restrictions on women working outside the home as the reason for non-participation in the labor force (FAFO 1997). Among refugee women in camps outside the labor force, the majority are either housewives (70 percent) or students (16 percent). Among male camp refugees the majority are either students (41 percent) or disabled (36.5 percent) (FAFO 2002).

- In Syria labor force participation for refugee women with education above the secondary level rises to 68 percent. By comparison labor force participation rates for refugee women with secondary or no education range from 15-6 percent respectively. More than one quarter of refugee women who have never married are active participants in the labor force (CBSNR 2000).
- Ten percent of male camp refugees in Lebanon are not in the labor force due to disability. Forty percent of non-active male refugees aged 25-44 have lost hope of finding job, while 50 percent of non-active refugee males in the same age bracket are not employed due to sickness or disability. Nine in ten non-active 25-44 year old women are housewives. Below age 25, 14 percent of refugee women cite social restrictions as the reason for non-participation in the labor force (FAFO 2000).

#### Palestine/Israel

- In the occupied Gaza Strip, Israel strictly controls the flow of Palestinians to the labor market inside Israel, while internal military closures within the occupied West Bank prevent the free movement of labor. Between October 2000 and June 2001 the border between the occupied Gaza Strip and Israel was closed to Palestinians for 61 percent of all working days (UNSCO 2001). Refugees reported more difficulties in mobility with around 84 percent of refugees in camps reporting severe mobility problems by January 2001 (IUED 2001a). In the occupied Gaza Strip low labor force participation for refugee women is also related to fewer employment opportunities (FAFO 1994).

### **Income**

Wage employment is the primary source of income for refugees, while transfers are the most common source of secondary income. Generally, there are few significant differences with regard to the primary source of income between refugees and nationals in

host countries (PCBSb). Low income among camp refugees is particularly related to dispossession and lack of accumulated of material assets.

#### Host Countries

- In Jordan close to 70 percent of refugees and displaced person households, including those inside refugee camps, receive income from wage employment (FAFO 1997; FAFO 2002). Fewer refugee households (25 percent) receive income from self-employment with lower rates in refugee camps. Thirty-six percent of refugee households receive income from gifts and transfers. Having income from property in Jordan is 3 times as common among non-refugees/displaced than among camp refugees and displaced (FAFO 1997).
- Most refugee households in Lebanon rely on income from wage employment. Of those households that rely on wages, 40 percent also rely on transfers as a source of secondary income (FAFO 2000). Thirty-six percent of refugees in Lebanon are without any source of income (Ajial Center 2001).
- In Syria 84 percent of employed refugees receive income from wage employment while 13 percent are self-employed (CBSNR 2000).

#### Palestine/Israel

- In the 1967 occupied Palestinian territories refugees (36 percent) are more often employed as workers than non-refugees (30 percent). Camp residents have a lower rate of self-employment than city and village dwellers. (IUED 2001c). Income from land cultivation is insignificant for refugee camp households, although 15 percent of households outside of camps report income from land (FAFO 1994).

Annual income for refugees is generally lower than annual income for nationals in the primary host countries.

**Table 4.6 – Average Annual Refugee Income**

Host Country	Year	Average Annual Income (US\$)
Syria	2000	1,000 – 1,100
Lebanon	1999	3,633
Jordan	2002	2,400

Sources: PCBS, 2001. *Statistical Abstract of Palestine*, No. 2. FAFO, 2002. *On the Margins: Migration and Living Conditions in Palestinian Refugee Camps in Jordan*.



### Host Countries

- In Lebanon, 44 percent of Palestinian refugee households fall into the lowest income bracket (less than US\$ 2,400 per year) as compared to 6 percent of Lebanese households. Seventy percent of refugee households fall into the lowest two income brackets (less than US\$ 4,000 per year) compared to 20 percent of Lebanese households. The total mean annual income is one third of the Lebanese average (FAFO 2000).
- In Jordan, more than 25 percent of camp households have a total annual income below US\$ 1250, while only 10 percent of other households have such a low income. Only 6 percent of camp refugees and displaced have more than US\$ 5000 per year while almost 20 percent of other households receive this level of income (FAFO 1997).

### Palestine/Israel

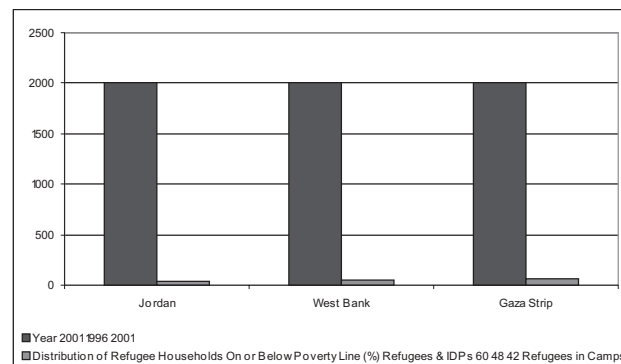
- In the 1967 occupied Palestinian territories UNRWA refugees are over-represented in the lowest income category. More refugees (44 percent) compared to non-refugees (39 percent) as well as more refugees in camps (50 percent) reported a significant decline in household income following the forced migration of Palestinian workers from Kuwait during the first Gulf War (FAFO 1994). Low incomes are particularly prevalent among refugee camp households. Interestingly, however, there are a greater number of households in camps in the occupied West Bank with incomes over US\$ 1000 per month than households outside of camps. This may be explained, in part, by low household incomes in villages and higher levels of international assistance for camp households (IUED 2001c).



#### Box: Poverty Among Refugees

A high reliance on wage labor, restrictions on access to the job market, lack of material capital due to dispossession, and fewer savings also lead to higher levels of poverty. In Lebanon it is estimated that over 60 percent of refugees live below the poverty line (Ajial Center). Approximately 50 percent of refugee households could raise US\$ 130 in case of an emergency. About one in ten have savings or can replace broken furniture. Half can eat meat three times a week and buy new rather than second hand clothes (FAFO 2000). In Jordan, approximately 31 percent of all households in camps fall below the poverty line (1,250 JD/yr or US\$ 1,770 for a family of 6) with the rate as high as 36 percent in northern camps and 45 percent among households headed by Gazan refugees. The majority of camp households are unable to buy new clothes for their family (55 percent), raise 100 JD or US\$ 141 within a week in case of an emergency (52 percent), or eat meat 3 times per week (77 percent). Nearly 95 percent of households in camps lack savings. (FAFO 2002). Inside 1948 Palestine/Israel, approximately 42 percent of all Palestinian families, including internally displaced, live below the poverty line (ICBS 2001). More than half the total number of children living below the poverty line (250,000 out of 481,000) is Palestinian even though Palestinians comprise only 20 percent of the total population (IMLW 2000). By the end of 2000, an estimated one-third of the total Palestinian population in the 1967 occupied Palestinian territories was living below the poverty line (UNSCO 2001). Rates were even higher in refugee camps. Two-thirds of the population receiving international assistance was refugees; three-quarters of refugees in camps were receiving emergency assistance (IUED 2001a).

**Chart 4.1 – Refugee and IDP\* Households by Poverty Status**

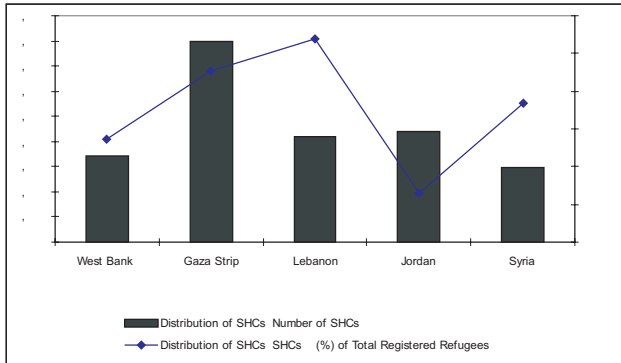


Sources: PCBS, 2001. *Statistical Abstract of Palestine, No. 2. Palestinian Territory – Unknown*; DPA, 1998. *Atlas of Palestinian Refugee Camps in Jordan*; Ajial Center, 2001. *Palestinian Non-Government Organizations in Lebanon*; ICBS, 2001. *Statistical Abstract of Israel, No. 52*; IUED, 2001. *Palestinian Public Perceptions on Their Living Conditions, the Role of International and Local Aid during the Second Intifada (Report III)*; and, FAFO, 2002. *On the Margins: Migration and Living Conditions in Palestinian Refugee Camps in Jordan*.

\* There are no separate statistics for IDPs in Israel. Figures used are for 'non-Jews' as classified by the ICBS.

The total number of special hardship cases among registered refugees is highest in Lebanon followed by the Gaza Strip. Close to 6 percent of all registered refugees qualify as special hardship cases (For more details on SHC's, see Chapter Six, International Assistance)

**Chart 4.2 – Special Hardship Cases (SHCs), Registered Refugees**



Source: UNRWA. (Figures as of 30 June 2002)

### Developments in 2001-2002

During the reporting period the economic status of Palestinian refugees and internally displaced persons remained relatively the same in most areas with the exception of the 1967 occupied Palestinian territories. The economic situation of refugees in Lebanon and in Iraq remains critical due, respectively, to restrictions on access to employment and the impact of economic sanctions on the general Iraqi population.

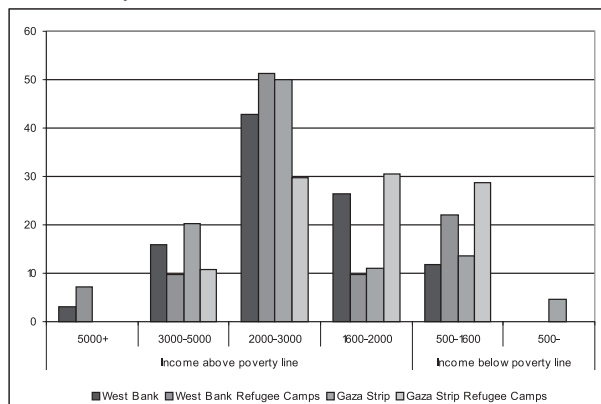
Unemployment levels among refugees in the 1967 occupied Palestinian territories rose dramatically in 2001-2002. By the middle of 2001, 30 percent of refugees in camps reported that they had lost their jobs as a result of Israel's policy of military closure and curfew. Nearly 60 percent of day laborers from the 1967 occupied Palestinian territories working in 1948 Palestine/Israel rendered unemployed as a result of the political crisis were registered refugees. Fewer refugees in camps, moreover, managed to change jobs due to severe restrictions on freedom of movement. Between 86 and 95 percent of refugees in camps in the occupied Gaza Strip and West Bank respectively, experienced severe problems in mobility in 2001 (IUED 2001b). Unemployment climbed even higher in 2002 due to severe closure and curfew. Refugee camps in the northern occupied West Bank, for

example, were placed under military curfew for more than half of 2002 (UNHIC-OPT 2002). As of December 2002 unemployment in the 1967 occupied Palestinian territories hovered around 50 percent and higher in refugee camps.

Employed refugees in the 1967 occupied Palestinian territories also experienced a continuing decrease in wages. Refugees in camps were particularly vulnerable. At the end of 2001, 54 percent of refugees in camps reported a reduction in wages compared to 48 percent of persons not living in camps (IUED 2001c). The increase in households without breadwinners due to deaths and injuries incurred during clashes with Israeli military forces has particularly affected households in refugee camps. At the end of the first quarter of 2002, 54 percent of those Palestinians who were employed received monthly wages that fell below the poverty line (1642 NIS for a household of two adults and 4 children for 2001) (PCBS, April 2002). The percentage of households with an income below the poverty line is two times as high in refugee camps.



**Chart 4.3 – Distribution of Household Income by Place of Residence in the 1967 Occupied Palestinian Territories, 2001**



Source: IUED, 2001. *Palestinian Public Perceptions on Their Living Conditions, the Role of International and Local Aid during the Second Intifada (Report III)*.

By the end of 2001 around 64 percent of Palestinian refugees in camps in the occupied Gaza Strip and 46 percent of Palestinian refugees in camps in the occupied West Bank were living below the poverty line (defined as an income of less than US\$ 2 per day). It is estimated that over 90 percent of Palestinians who were employed in Israel and had a household income below the poverty line at the end of 2001 were camp refugees (IUED 2001c). By the end of 2002 an estimated 60 percent of the population was living below the poverty line, with rates higher among households in refugee camps especially in the occupied Gaza Strip (UNSCO 2002).

## Housing Profile

The impact of the mass destruction of Palestinian homes during periods of conflict, expropriation, and secondary occupation of remaining homes, combined with the lack of durable solutions continues to have a significant impact on refugee housing conditions. Overcrowding, inadequate infrastructure, and poor environmental conditions characterize housing conditions for many Palestinian refugees in the primary areas of exile.

Housing problems tend to be much more pronounced in refugee camps. While the area of refugee camps has remained the same over the last 50 years the population has more than quadrupled. Some refugees with sufficient resources have eventually found alternative housing in areas of

exile. A significant number of refugees, however, lack resources to either rent or build new homes in areas of exile and have remained in densely built-up refugee camps. Overcrowding in camps has led to increasing inward and upward expansion of the camps and the growth of refugee neighborhoods adjacent to camps.

## Overcrowding

Housing density (i.e., the number of persons per room) ranges from 2.5 to 3.0 persons per room. According to international standards, 3 persons per room or more is generally regarded as a standard measure of overcrowding. Refugees in camps tend to have a higher number of persons per room. In Lebanon the camps are not as crowded (i.e., percentage of households with 3 or more persons per room) (28 percent) as camps in Jordan (34 percent), the 1967 occupied Palestinian territories (39 percent) (FAFO 2000).

## Host Countries

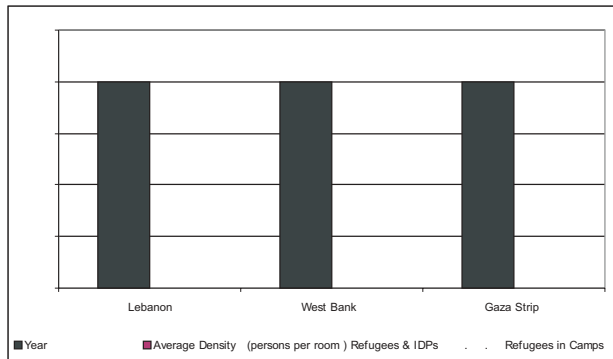
- In camps in Jordan around 46 percent of the population are in shelters with 3 or more persons per room compared to half that figure for refugees outside of camps and non-refugees (FAFO 2002; FAFO 1997).

## Palestine/Israel

- In the occupied Gaza Strip more than 40 percent of households in camps have 3 persons or more per room and in the occupied West Bank camps 31 percent have more than 3 persons per room, compared with an overall average in the 1967 occupied Palestinian territories of about 28 percent. Refugee camp households are more crowded (2.7 vs. 2.4) than towns and villages (FAFO 2001).



**Chart 4.4 – Average Refugee and IDP\* Housing Density (Persons per room)**



Sources: FAFO, 2001. *Growing Fast. The Palestinian Population in the West Bank and Gaza Strip*; PCBS, 2001. *Statistical Abstract of Palestine, No. 2*; FAFO, 1997. *Living Conditions Among Palestinian Refugees and Displaced in Jordan*; ICBS, 2001. *Statistical Abstract of Israel, No. 53*; IUED, 2001. *Palestinian Public Perceptions on Their Living Conditions, the Role of International and Local Aid during the Second Intifada (Report III)*; CLS, 1995. *Palestinians in Lebanon: Conference Report*.

\* There are no separate statistics for IDPs in Israel. Figures used are for 'non-Jews' as classified by the ICBS.

*This camp, Jabalia, hasn't changed since I was born. I am now 45 years old. That is a long time in the camp. It doesn't change. It becomes worse. The overcrowding of the population is terrible, you can see one house with an area of 60 meters square, and 15 persons are living inside. This means two meters per-person. This is an unusual disaster. Education is not effective because of the overcrowding and the unemployment inside the camp. According to the growth in the population there should be a rise in the education, but the opposite is true, there is a decline.*

**Abdel-Mauti Al-Khalidi (Jabalia) Gaza.**  
*Adel Yehya, Palestinian Refugees 1948-1998, Oral History. Ramallah: Palestinian Institute for Cultural Exchange, 1999, p. 83.*

The average area per refugee shelter in camps ranges from approximately 40 m<sup>2</sup> to around 108 m<sup>2</sup>. Camps in Lebanon have the smallest average square meters per person per unit. The average area of housing units in camps in the 1967 occupied

Palestinian territories appears to have increased substantially in the 1990s. The increase may be related to relaxed building restrictions following the transfer of civil affairs to the Palestinian Authority in the mid-1990s.



**Table 4.7 – Average Area of Refugee Housing Units in Camps**

Host Country	Year	Average Area of Housing Unit (m <sup>2</sup> )
		Refugees in Camps
Jordan	1998	88.0
Lebanon	1995	40.0
West Bank	2000	93.3
Gaza Strip	2000	107.9

Sources: PCBS, 2000. *Housing and Housing Conditions: Detailed Tabulations – Data*; DPA, 1998. *Atlas of Palestinian Refugee Camps in Jordan*; CLS, 1995. *Palestinians in Lebanon: Conference Report*.

Refugee household sizes range from 4.8 to 8.0 persons per household.

**Table 4.8 – Average Refugee and IDP\* Household Size (Persons per household)**

Host Country	Year	Household Size (persons per household)
		Refugees & IDPs
Jordan	1996	6.2
Syria	2000	5.5
West Bank	2001	6.6
Gaza Strip	2001	7.8
Israel	2001	4.7
		Refugees in Camps
Jordan	2002	6.3
Lebanon	1995	5.5
Gaza Strip	2001	8.0

Sources: FAFO, 1997. *Living Conditions Among Palestinian Refugees and Displaced in Jordan*; PCBS, 2001. *Statistical Abstract of Palestine, No. 2*; FAFO, 2002. *On the Margins: Migration and Living Conditions in Palestinian Refugee Camps in Jordan*; CLS, 1995. *Palestinians in Lebanon: Conference Report*; FAFO, 2001. *Growing Fast, The Palestinian Population in the West Bank and Gaza Strip*; ICBS, 2001. *Statistical Abstract of Israel, No. 53*; IUED, 2001. *Palestinian Public Perceptions on Their Living Conditions, the Role of International and Local Aid during the Second Intifada (Report III)*.

\* There are no separate statistics for IDPs in Israel. Figures used are for 'non-Jews' as classified by the ICBS.

Overcrowding is related to lack of resources to expand existing shelters or build new ones, planning and building restrictions in some host areas, and the high rate of natural growth of the refugee community commensurate with the lack of access to durable solutions. Overcrowding in Palestinian communities, including internally displaced persons, inside 1948 Palestine/Israel is also related to the expropriation of land for Jewish use. (See Chapter Three, *Domestic Law, Moveable and Immovable Property*) While Palestinians comprise about 20 percent of the population of 1948 Palestine/Israel they have access to only 3 percent of the land with even less land allocated as building plots.

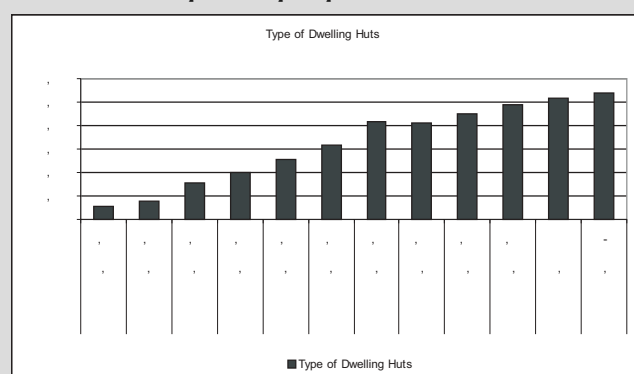


**Box 4.2: Housing in Refugee Camps**

Housing conditions in camps tend to be more severe than for refugees living outside of camps. In some host countries, however, refugee camps often have better infrastructure than refugee neighborhoods outside of camps due to international assistance and development.

Due to the protracted nature of Palestinian exile, most refugee camps are densely-built up urban-like conglomerations. Over the past five decades cinderblock and concrete shelters have eventually replaced tents, huts and other forms of emergency shelters.

**Chart 4.5 - Camps, Camp Population, Tents and Shelters, 1950-1960**



Source: UNRWA, Annual Report, 30 June 1960.

In some host countries, governments have either prohibited or placed severe limitations on construction in the camps. In Lebanon, for example, the government has prohibited the expansion of existing camps, the construction of new camps, and the reconstruction of three destroyed camps – Tal al-Za’ater, Jisr al-Basha, and al-Nabatiya. In the 1967 occupied Palestinian territories, Israel often prevented refugees from constructing multi-story buildings for so-called security considerations until the establishment of the Palestinian Authority in the 1990s. In host areas where construction is permissible the lack of options for horizontal expansion of the camps has led to vertical expansion.

**Table 4.9 – Population Density in Palestinian Refugee Camps**

Host Country	Area of Refugee Camps (km2)*	Refugee Camp Density (persons/km2)
West Bank	6.399	26,000
Gaza Strip	13.570	34,000
Jordan**	5.691	51,000
Syria**	3.617	59,000
Lebanon	1.134	190,000

Sources: PALGRIC, 1996. Survey of the Palestinian Populated areas in Palestine; al-Urdun al-Jadid Research Center, 2001. Non-Governmental Organizations in Palestinian Refugee Camps in Jordan; UNRWA; Ajlial Center, 2001. Palestinian Non-Government Organizations in Lebanon.

\*The figures for the area of refugee camps for some host countries may not reflect real area as there is no clear demarcation of camps in some urban areas.

\*\* The figures for the area of refugee camps includes camps not recognized by UNRWA.

Increasing inward and upward expansion of refugee camps has left few if any public outdoor areas and green space in the camps. In Jordan refugee camps, less than 10 percent of the space is used for garden plots (FAFO 1997). In camps in the occupied Gaza Strip, gardens, courtyards and rooftops comprise 26 percent of space compared to 43 percent outside of camps in the Strip (FAFO 1994).

Camp shelters are primarily constructed of cement cinderblocks and concrete. In camps in the 1967 occupied Palestinian territories around 70 percent of shelters are built of cinderblocks (PCBS 2001). In Lebanon, the rate is over 90 percent (CBSNR 1999). Cinderblock and concrete shelters offer little protection from the heat in the summer and the cold in winter increasing the risk of sickness and disease. In Jordan, for example, 55 percent of camp households report that shelters are difficult to heat in winter while nearly two-thirds state that they are uncomfortably hot in summer (FAFO 2002). Refugees in camps in Lebanon report similar problems. There are few differences between camp households and those outside camps in Lebanon (FAFO 2000).

During the past five decades, refugee shelters in Jordan, Lebanon and the 1967 occupied Palestinian territories, in particular, have been subject to widespread damage and destruction. In the occupied West Bank, Israeli forces destroyed several refugee camps in the Jordan Valley on both sides of the Jordan river, including Nuweimeh camp in Jericho and the camp at Karameh on the Jordanian side of the border. Most of the refugees living in Ein as-Sultan and Aqbat Jabr camps in Jericho were displaced to Jordan. In Lebanon Israeli war planes totally destroyed al-Nabatiya refugee camp near the city of al-Nabatiya in south Lebanon in 1974. Refugees were displaced to Ein al-Hilwe refugee camp and other camps in Beirut. Two years later, Christian Phalangist forces totally destroyed Tal az-Za’ater and Jisr al-Basha refugee camps in eastern Beirut. Refugees were displaced again to Ein al-Hilwe and other Beirut camps.

**Table 4.10 – Destroyed Refugee Camps in Lebanon**

Camp	Land Area	Population	Year of Destruction
al-Nabatiya (South)*	103,455	6,500	1974
Dhbaia (Beirut)*	83,576	5,500	1975
al-Maslakh (Eastern Beirut)**		1,250	1975
Jisr al-Basha (Beirut)*	22,000	3,000	1976
Al-Dekwana (Beirut)*	56,646	15,100	1976
Burj Hammod (Eastern Beirut)**		4,500	1976
Al-Naba'a (Eastern Beirut)**		1,450	1976
Meih Meih (Sida)*	54,040	4,500	1982
Hursh Shatila (Western Beirut)**		3,600	1985
Al-Hai al-Gharbi Shatila (Western Beirut)**		1,450	1985
Al-Daouq (Western Beirut)**		3,250	1985
Al-Shawakir (Sur)***		82	1986
Ras al-Ein (Sur)***		75	1986

Source: Husein Ali Sha'aban, *Palestinian Refugees in Lebanon. From Hosting to Discrimination*. Jerusalem: PASSIA, 2002.

\* Official (UNRWA) camp. Some of the displaced refugees from Dhbaia camp who remained in Lebanon later returned to the camp during the mid-1990s, but most of the camp housing is occupied by other refugees and displaced (Lebanese and Palestinians). After 1982 some Palestinian refugees, especially from other areas, found shelter in Meih Meih camp.

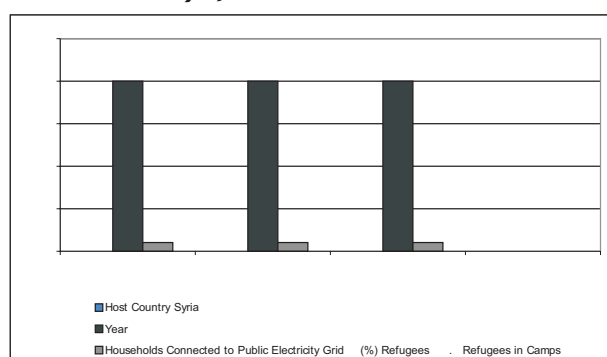
\*\* Unofficial camp.

\*\*\* Marginal camp.

In the 1970s and 1980s, the Israeli military demolished over 10,000 refugee shelters in several large refugee camps in the occupied Gaza Strip displacing more than 62,000 refugees (UNRWA Accommodation Office). The demolition campaigns, carried out under the guise of security operations, aimed to 'thin-out' the large refugee camps and facilitate forced resettlement of the refugees. During the 1980s, according to UNRWA estimates, 57 percent of refugee homes in the eight camps in Beirut, Saida and Tyre areas of Lebanon were destroyed and 36 percent damaged in aerial bombardment, ground fighting or subsequent bulldozing following Israel's military invasion of the country. The massive damage affected some 73,500 refugees or 90 percent of the camp population in those areas. Between October 2000 and December 2002, the Israeli military destroyed over 650 Palestinian homes in the occupied Gaza Strip rendering over 5,000 persons homeless, the majority of whom are registered refugees. In the occupied West Bank Israeli military operations resulted in damage to more than a thousand homes in 2002 alone. In Jenin refugee camp some 400 families were rendered homeless after the April 2002 assault and siege of the camp.

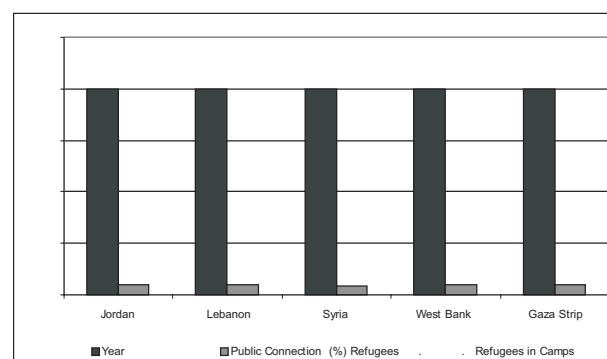
### Infrastructure and Household Amenities

Nearly 100 percent of all refugee households in the primary areas of exile are connected to the public electricity network.

**Chart 4.6 – Refugee Households Connected to the Public Electricity Grid**

Sources: PCBS, 2001. *Statistical Abstract of Palestine, No. 2*; DPA, 1998. *Atlas of Palestinian Refugee Camps in Jordan*; FAFO, 2001. *Growing Fast, The Palestinian Population in the West Bank and Gaza Strip*.

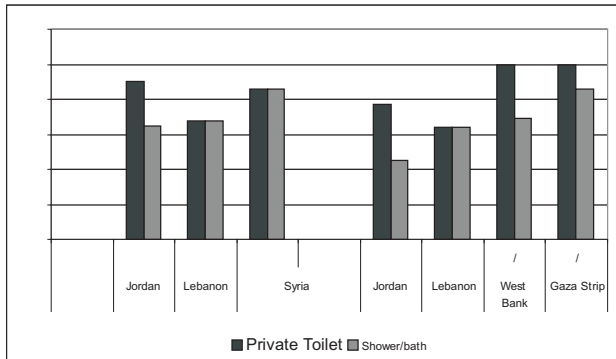
Between 70 percent and 99 percent of refugee households are connected to the public water network.

**Chart 4.7 – Refugee Households with Piped Water**

Sources: FAFO, 1997. *Living Conditions Among Palestinian Refugees and Displaced in Jordan*; PCBS, 2001. *Statistical Abstract of Palestine, No. 2*; UNRWA.

Between 60 percent and 93 percent of refugee households in the primary areas of exile are connected to the public sewage network. Generally, fewer households in refugee camps are connected to the public sewage network.

**Chart 4.8 – Refugee Households Connected to the Public Sewage Network**



Sources: PCBS, 2001. *Statistical Abstract of Palestine, No. 2*; FAFO, 2001. *Growing Fast, The Palestinian Population in the West Bank and Gaza Strip*; UNRWA.

Most refugee households have an indoor private toilet with water, although the rate is much lower in refugee camp households.

**Chart 4.9 – Refugee Households with Private Toilet and Shower**



Sources: FAFO, 1997. *Living Conditions Among Palestinian Refugees and Displaced in Jordan*; FAFO, 2002. *On the Margins: Migration and Living Conditions in Palestinian Refugee Camps in Jordan*; PCBS, 2001. *Statistical Abstract of Palestine, No. 52*; PCBS, *Housing and Housing Conditions: Detailed Tabulations – Data*.

## Environmental Conditions

Generally, refugees living in camps report more environmental problems than refugees outside of camps, including problems with lack of garbage collection, noise, air pollution, and lack of safe outdoor spaces for children.

High levels of noise are problematic for many refugees in camps.

- Approximately one-quarter of refugees residing in camps in Jordan report noise so disturbing daily that it is difficult to hold a normal conversation (FAFO 2002).
  - Noise is also a problem in Lebanon, for 30-40 percent of the camp population (FAFO 2000).  
In most host countries more than half of camp refugees are also highly dissatisfied with outdoor pollution.
  - Refugees in camps in Jordan express a high rate of dissatisfaction with the outdoor pollution (60 percent) compared to refugees (40 percent) not residing in camps. In Jordan, the problem of garbage collection is higher for non-refugees/displaced and other refugees/displaced (around 30 percent) than it is for refugees and displaced in camps (less than 10 percent) (FAFO 1997).
  - Nearly 50 percent of refugees outside camps Lebanon express dissatisfaction with pollution compared to less than 40 percent in camps. While around 15 percent of camp refugees face problems in garbage disposal more than 60 percent of refugees outside camps face similar problems (FAFO 2000).
- In many host countries in the region around one-third of camp households are dissatisfied with the level of child safety in the camp.
- In Jordan approximately 33 percent of households report concerns for safety of children and 21 percent with traffic (FAFO 2002).
  - In Lebanon more than 30 percent of households are concerned about safety for children (FAFO 2000).
  - The situation is particularly grave in the 1967 occupied Palestinian territories where up to 88 percent of camp households are concerned about the lack safe space for children (FAFO 1994).



### **Developments in 2001-2002**

During the reporting period there were no significant improvements in housing conditions for Palestinian refugees. According to UNRWA, more than 54,000 registered refugees still live in housing that does not meet minimally acceptable standards for structural soundness, hygiene, ventilation and space relative to family size. An estimated US\$ 12 million is needed to repair or reconstruct the 2,509 shelters that have been identified as requiring immediate intervention.

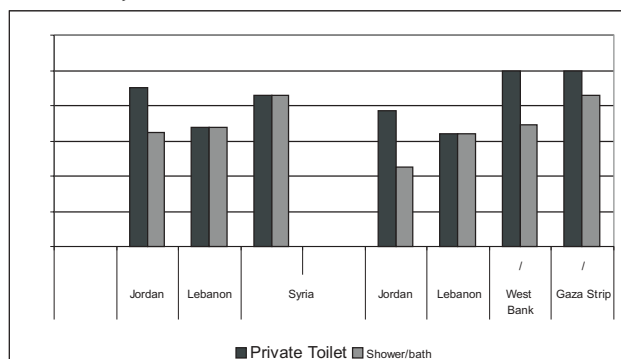
In Lebanon severe building restrictions prevent necessary improvements to poor quality housing. New property legislation adopted during 2002 further limits housing options for Palestinian refugees. Lebanese authorities continued to ban import of building materials into the Tyre camps. In Jordan, an estimated 500 refugee camp households live in housing constructed of unacceptable building materials such as asbestos or zinc roofs. A further 8,000 households have

either no potable piped water or no connection to a sewerage network or neither of both. An estimated 9,000 households are overcrowded. In total some 142,000 refugees are affected (FAFO 2002).

In the 1967 occupied Palestinian territories there was a severe deterioration in housing conditions due to Israeli military attacks. During the first six months of 2001, property damage in refugee camps in the occupied West Bank nearly doubled to 27 percent as compared to the last three months of 2000 (IUED 2001b). Damages to refugee businesses in camps also rose, from 34 to 58 percent in the occupied Gaza Strip and from 37 to 55 percent in the occupied West Bank. The total damage to refugee shelters during the first three months of 2002 was equal to more than half of the entire damage resulting from Israeli military assaults since the beginning of the second intifada.



**Chart 4.10 – Damage to Property by Place of Residence in the 1967 Occupied Palestinian Territories, 2001**



Sources: IUED, 2001. *Palestinian Public Perceptions on Their Living Conditions, the Role of International and Local Aid during the Second Intifada (Report III)*.

During 2002 UNRWA estimates that Israeli military forces destroyed an average of 38 homes per month and damaged another 45 in the occupied Gaza Strip. As of June 2002 demolition of homes in the West Bank increased significantly (UNRWA 2003). The damage was particularly high in Jenin refugee camp with some 400 families rendered homeless as a result of Israel's April 2002 invasion and attack on the camp. Refugees in camps in the occupied West Bank experienced greater disruptions in access to clean water and electricity during the Israeli reoccupation and invasion in March/April 2002 (IUED 2002).

**Table 4.11 – Physical and Institutional Damage, Jenin Refugee Camp and Other Camps, March-April 2002**

Infrastructure	Estimated Damage (US\$)
Roads	2,107,690
Water & Sewage	1,190,000
Electricity	720,733
Public Buildings	
Health	100,000
Education	75,000
Municipalities/Governorates	80,000
Private Sector	
Commercial	1,459,079
Private Housing	33,764,000
Cars	
Private	320,000
<b>TOTAL</b>	<b>39,386,502</b>
Other Camps	
<i>Total</i>	<i>4,668,000</i>

Donor Support Group (May 2002). *Private Sector damages not verified. The valuation of damage was based on replacement cost, defined to include materials and equipment, labor cost, commercial overheads, the removal of debris and provision of temporary supplies essential for maintaining vital services.*

In addition to damages and destruction resulting from Israeli military strikes, ongoing demolition of Palestinian homes for both punitive and administrative (i.e., lack of a building permit which is difficult if not impossible to obtain) reasons created further internal displacement in the 1967 occupied Palestinian territories and in 1948 Palestine/Israel. During the reporting period Israel demolished 122 Palestinian homes in the 1967 occupied Palestinian territories for punitive reasons, an increase of more than 14 times from the previous year (Btselem). Thirty-five Palestinian homes in the occupied West Bank,

including eastern Jerusalem, were demolished for administrative reasons, along with 41 uninhabited homes and 19 tents/huts during 2001. (Btselem) A further 33 Palestinian homes were demolished in eastern Jerusalem alone between January and mid-June 2002, nearly double the number of homes demolished in the city during all of 2001 (LAW). Inside 1948 Palestine/Israel, Palestinian homes were demolished for administrative reasons in the villages of Katamat, Ramle, al-Bea'ana, Al-Kabsi, Dar al-Hanoun, Deir al-Assad, al-Hussainia, Majd al-Krum, al-Khwalid, Jeser al-Zarqa, Ibillin, the city of Lydda and others. Between April and June

2002 more than 100 homes were demolished. This included several homes in the mixed cities of Ramle and Lydda, Majd al-Krum in the Galilee, and scores of homes in the unrecognized villages of al-'Araqib, al-Maqiman, and Beir Hadag in the Naqab.

## Education

Education is valued highly in the Palestinian refugee community as a means of reaffirming identity and, for many families, an opportunity for a better life in the face of the protracted nature of the Palestinian refugee crisis. There is a weak relationship between education and socio-economic progress, however, due to limited opportunities to translate education into suitable employment in primary host countries in the region. Political instability in host countries, poor living conditions, and inadequate international assistance for education programs, in addition to aptitude and family support, all impact education levels of Palestinian refugees.

Generally, enrollment rates among Palestinian refugees are high but tend to drop off at the secondary level due to poverty, demotivation, and among females, marriage and social constraints. Educational attainment has risen sharply since the initial mass displacement of Palestinians in 1948. Literacy rates have also increased significantly over the past five decades. While the gender gap has been narrowed differences remain between male and female refugees.

## Enrollment

Enrollment levels at the basic level are high in all primary areas of exile with an average enrollment of close to 99 percent. There are no significant differences in enrollment rates between male and female refugee pupils. Enrollment rates, however, tend to drop off at the secondary level.

**Table 4.12 – Enrollment Levels Among Refugee Students**

Host Country	Year	Total Enrollment by Age (%)		
		7-9	10-14	15-17
Jordan (camps)	2002	99.7	93.4	69.7
Lebanon	2001	97.5	93.3	-
Syria	1998	99.8	91.6	82.8
Males				
Jordan (camps)	2002	99.7	93.0	66.7
Lebanon	2001	96.5	93.9	-
Syria	1998	99.7	89.4	79.1
Females				
Jordan (camps)	2002	99.7	94.0	72.7
Lebanon	2001	98.6	93.3	-
Syria	1998	100.0	93.8	86.6

Sources: FAFO, 2002. *On the Margins: Migration and Living Conditions Among Palestinian Refugees in Camps in Jordan*; PCBS, 2001. *Statistical Abstract of Palestine, No. 2* (Figures for refugees in Lebanon are for the age range 10-12).

Refugee children tend to drop out of school due to poverty, demotivation, and failure at school. Drop-out rates appear to be lower in UNRWA schools, however, there is a substantial increase in the drop-out rate among refugee students in UNRWA schools in Lebanon and Syria at the secondary level. Generally, non-enrollment increases at a higher rate among young refugee men residing in camps.

## Host Countries

- In Jordan 10 percent of refugee drop-outs report that they cannot afford to attend school. Boys more often drop out (50 percent vs. 25 percent) due to lack of interest while girls more often due to marriage and social constraints. Around 20 percent of girls who drop out do so because the family does not allow them to go to school, or because they marry or have to take care of others (FAFO 1997).

- High drop-out rates in Lebanon are related to high rates of poverty, which oblige many refugee children to leave school and enter the labor market to help their families. At the secondary level, 21 percent of refugees drop out of school due to poverty with an additional 15 percent in order to assist their families (FAFO 2000). Demotivation is a particularly strong factor influencing drop-out rates in Lebanon. Four in ten Palestinians leave school at the lowest levels due to demotivation (Ajjal Center 2001).
- The comparatively high ratio of school irregularity of children between 15-17 years in Syria is related to child employment in the labor market (Mawed 1999).

Palestine/Israel

- Inside 1948 Palestine/Israel 7 percent of Palestinians, including internally displaced, drop out of school by age 14. The drop-out rate more than quadruples by age 17. At every grade, boys drop out of school at higher rates than girls (HRW 2001).

**Table 4.13 – Drop Out Rates and Repetition Rates in UNRWA Schools, 1998-1999**

Host Country	Drop Out Rate		Repetition Rate	
	Elementary	Preparatory	Elementary	Preparatory
Jordan	0.78	2.9	1.6	3.2
Lebanon	1.17	3.6	8.9	9.7
Syria	0.59	4.3	4.9	9.9
West Bank	0.51	4.3	2.8	3.2
Gaza Strip	0.50	3.1	3.7	5.5
Total	0.66	3.4	3.6	5.4

Source: UNRWA. (The repetition rate is determined by the host government's Ministry of Education at each field).

During periods of armed conflict in Lebanon and in the 1967 occupied Palestinian territories refugee children have often lost days, weeks and months of the regular school calendar.

- During the early 1980s, for example, some refugee children in Lebanon lost more than a year of schooling because of prolonged civil conflict and the 1982 Israeli invasion of the country.
- In the 1967 occupied Palestinian territories, refugee children lost between 35 and 50 percent of class time during the first *intifada* between 1987 and 1991. A similar impact has occurred during the *al-Aqsa intifada* that began in September 2000.



**Box 4.3: Education Providers**

The United Nations, the public and private sector all provide education services to Palestinian refugees. UNRWA is the main service provider for the majority of registered Palestinian refugees at the elementary and preparatory levels. UNRWA does not provide secondary education with the exception of Lebanon where refugees have limited access to government schools and limited resources to pay for private education. Refugees residing in camps more often attend UNRWA schools than registered refugees not residing in camps. In Jordan, for example, 80 percent of refugee children in camps attend UNRWA schools compared to 28 percent of registered refugee children not residing in camps (FAFO 1997).

The burden on UNRWA to provide education to Palestinian refugees is reduced slightly by access of refugees to public education, particularly, at the secondary level where UNRWA only provides education services to refugees in Lebanon. The Jordanian government has established 10 secondary schools in camps: six for girls and four for boys (DPA 1998). Three-quarters of refugees and displaced in Jordan not living in camps attend government schools (FAFO 1997).

Inside 1948 Palestine/Israel, the government allocates fewer resources to schools serving Palestinians. The schools provide fewer services and have poorer facilities. There is an estimated shortage of 2,500 classrooms for Palestinian students, including internally displaced (HRW 2001). There is no parallel system for religious schools supported by the government for Muslims and Christians. Moreover, the education system for Palestinians is supervised by Israel's internal security service.

Private school education is dependent largely on income. In Jordan, for example, more than half of children from wealthier families attend private schools while only a negligible fraction of the poorest do so (FAFO 1997). Generally, few refugees in camps attend private schools.

**Table 4.14 – Refugee Students in UNRWA, Government, and Private Schools**

Host Country	Year	Education Authority		
		UNRWA	Government	Private
<b>Elementary Level</b>				
Jordan	1999/2000	36.0	18.0	1.0
Lebanon	1999/2000	63.0	4.0	7.0
Syria	1999/2000	49.0	13.0	4.0
West Bank	1998/1999	36.0	20.0	5.0
Gaza Strip	1998/1999	58.0	6.0	1.0
<b>Preparatory Level</b>				
Jordan	1999/2000	22.0	13.0	0.3
Lebanon	1999/2000	19.0	1.0	0.2
Syria	1999/2000	24.0	3.0	0.2
West Bank	1998/1999	14.8	16.0	1.0
Gaza Strip	1998/1999	18.0	8.0	0.1
<b>Secondary Level</b>				
Jordan	1999/2000	-	9.0	0.1
Lebanon	1999/2000	4.0	0.2	0.4
Syria	1999/2000	-	7.0	0.4
West Bank	1998/1999	-	6.0	0.5
Gaza Strip	1998/1999	-	8.0	0.1

Source: UNRWA, 2001. Statistical Yearbook 1999/2000. No. 36. (Enrolment figures of refugee students in government and private schools are believed to be incomplete, since refugee students lack the interest and incentive for reporting on their refugee status if and when requested).

**Chart 4.11 - Classroom Occupancy Rates, UNRWA Schools Compared to Host Country Schools**

**Chart 4.12 – Pupils per Teacher, UNRWA Schools Compared to Host Country Schools**

**MISSING IN ACTION!**

**MISSING IN ACTION!**

Sources: UNESCO, 1998. World Education Report: Teachers and Teaching in a Changing World; UNRWA; PCBS, 2001. Statistical Abstract of Palestine, No. 2.

## Education Attainment

Education attainment of Palestinian refugees has risen sharply over the past several decades. There has also been a narrowing of the gender gap although refugee women still have an overall lower level of education than refugee men. In some host areas, there are few differences between refugees and non-refugees concerning levels of education, while in other areas camp refugee may be more likely to have advanced education than any other group.

### Host Countries

- In Jordan there are few differences between refugees and displaced and the non-refugee population particularly among children. University education, however, is most common among non-refugees with the exception of refugees who returned from the Arab Gulf as a result of the 1991 Gulf War. Generally, adult camp refugees have less schooling and children in refugee camps finish education at a lower level (FAFO 1997). A more recent survey suggests that the educational status of refugees in camps is lower than that of refugees and non-refugees outside of camps (FAFO 2002).

- In Lebanon, where Palestinian refugees live in the most severe socio-economic conditions, the education level is low. Three of ten refugees have not completed education and only half have passed basic education (FAFO 2000).

### Palestine/Israel

- In the 1967 occupied Palestinian territories 10 percent more refugee women finish secondary school than non-refugee women age 20-24 and about 5 percent more refugee men (FAFO 2001). Camp refugees, however, are slightly more educated than Palestinians living in villages. While 11 percent of camp residents attain post-secondary education, only 10 percent of urban and 9 percent of village residents do so. Refugees score significantly higher in educational attainment than the rest of the population. Refugees have more post-secondary education (11 percent) compared to non-refugees (8 percent) (Birzeit 2002).

Generally, UNRWA students stay in school longer and receive higher scores.

**Table 4.15 – Highest Level of Education Completed Among Refugees**

Host Country	Year	Level of Education (%)					
		None	Elementary	Prep./ Intermediate	Secondary	Int. Diploma	Higher Education
Refugees							
Lebanon	2000	35.0	32.0	20.0	9.0	3.0	
Male Refugees							
Jordan	1996	30.0	27.0	13.0	15.0	9.0	
Lebanon	2000	30.0	35.0	20.0	10.0	5.0	
Female Refugees							
Jordan	1996	34.0	24.0	20.0	17.0	5.0	
Lebanon	2000	40.0	30.0	20.0	8.0	2.0	
Camp Refugees							
West Bank	2001	5.0	13.0	19.0	29.0	23.0	10.0
Gaza Strip	2001	6.0	8.0	20.0	33.0	23.0	10.0
Jordan	1996	37.5	27.0	14.0	16.5	5.0	
Male Camp Refugees							
Jordan	1996	38.0	27.0	10.0	16.0	9.0	
Female Camp Refugees							
Jordan	1996	37.0	27.0	18.0	17.0	1.0	

Sources: FAFO, 1997. *Living Conditions Among Palestinian Refugees and Displaced in Jordan*; PCBS, 2001; FAFO, 2000. *Living Conditions of Palestinian Refugees in Camps and Gatherings in Lebanon*; IUED, 2001. *Palestinian Public Perceptions on Their Living Conditions, the Role of International and Local Aid during the Second Intifada (Report III)*.

### Host Countries

- In the annual brevet examines in Lebanon at the 3rd preparatory level in the 1999/2000 school year UNRWA students had a 54 percent pass rate compared with a 44 percent pass rate in government schools. In the Galilee and Bissan schools in Lebanon the pass rate was 84 percent compared to 60 percent in government and private schools.
- Students in UNRWA schools in Syria had a 93.6 percent pass rate for 3rd year preparatory exams in the 1999/2000 school year.

### Palestine/Israel

- In the occupied West Bank, some 21 percent of refugees in camps have schooling beyond the secondary level compared to only 9 percent on those who live in West Bank villages and 17 percent of residents of eastern Jerusalem. Some 45 percent of UNRWA refugees have at least 10 years of schooling compared to 36 percent of other Palestinians (FAFO 1994). The proportion of males in the occupied West Bank finishing secondary school over the last fifty years has been as high in the refugee camps as in the urban areas (FAFO 2001).

## **Literacy**

Refugee illiteracy rates in Lebanon are 1.5 times as high as refugees in Jordan and over twice as high as refugees in the 1967 occupied Palestinian territories (FAFO 2000). The 1967 occupied Palestinian territories, in particular, have a higher rate of literacy than primary areas of exile in the region.

### Host Countries

- In refugee camps in Jordan, 1 in 4 women and 1 in 10 men are functionally illiterate. More women than men are literate among the young. 5.5 percent of men aged 15-29 are illiterate compared to 3.4 percent of women in the same age group (FAFO 2002).
- In Lebanon, where the rate of illiteracy is the highest 20 percent of refugees are illiterate with illiteracy among refugee women aged 15 and over rising to 26 percent (FAFO 2000).
- In Syria, approximately 11 percent of refugees age 15 and over are illiterate with rate among females

(16 percent) two and a half times that of males (Mawed 1999).

### Palestine/Israel

- In the 1967 occupied Palestinian territories UNRWA refugees have about the same rate of illiteracy as non-refugees. Only 5 percent of refugees in camps age 15 and over are illiterate (IUED 2001c). Fewer refugees are illiterate or with elementary skills (23 percent) compared to non-refugees (25 percent) (Birzeit 2002).

## **Developments in 2001-2002**

During the reporting period students in UNRWA schools continued to obtain high pass rates. In Syria, for example, refugees in UNRWA schools obtained a pass rate of 95.5 in the annual government examination for the third preparatory level compared with 66.76 in government school examinations (July 2001). In Jordan technical/semi-professional trainees in UNRWA training centers attained a pass rate of over 95 percent as compared with the national average of 61 percent in corresponding subjects (July 2001). In the West Bank, UNRWA trainees obtained pass rates averaging over 85 percent compared to 67 percent for all colleges in the 1967 occupied Palestinian territories (July 2001).

In both Lebanon and the 1967 occupied Palestinian territories, however, academic performance declined. This may be explained by the severe conditions under which refugees live. In Lebanon, UNRWA students in the annual brevet examination for the third preparatory level attained a pass rate of 49.30 percent compared with 67.77 percent in government schools (July 2001). Secondary students in the Galilee, Bissan and al-Aqsa schools' pass rate was 73.90 percent as opposed to the general result of 81.28 percent in private and official schools (July 2001). In the 1967 occupied Palestinian territories the unified examinations conducted by UNRWA's Education Department at the end of the first term for 2001 showed a much lower-than-average achievement. In Arabic language, test scores fell to 38 percent while mathematics dropped to 26 percent in various grades compared to test scores from the same period last year of 71 percent in Arabic language and 54 percent in mathematics. Similar reductions in academic performance

were noted in English and science. Results from remedial classes in the occupied Gaza Strip, however, showed significantly improved pass rates in subject areas where student results had been relatively poor.

Severe restrictions on freedom of movement and lack of physical safety also continued to have a negative impact on education in the 1967 occupied Palestinian territories in terms of lost school days, deaths and injuries to students, and trauma. During the 2001/2002 school year, for example, UNRWA schools in the occupied West Bank lost an average of 29 days of school. In the occupied Gaza Strip, 36 UNRWA students were killed and more than 800 injured during the 2001/2002 school year. Of 531 students in UNRWA schools who received counseling, 99 percent exhibited aggressive behavior, 55 others complained of fear and anxiety attacks, 40 were excessively agitated, 21 stuttered and 28 complained of bedwetting.

## Health

The health status of Palestinian refugees is in transition from a developing to a developed stage. Poor housing conditions, unemployment and poverty, and the level of international assistance for health programs, in addition to individual genetic susceptibility, all impact refugee health. Armed conflict continues to have a negative impact on refugee health and well-being, particularly in the 1967 occupied Palestinian territories.

Palestinian refugees appear to suffer from higher rates of acute and chronic illness, particularly in refugee camps. In some areas psychological distress and mental illness appears to be linked to refugee status, especially among young men in camps, while in other areas refugee status itself does not influence the degree of distress. Women and children's health has improved dramatically over the course of the last five decades; however, they remain particularly vulnerable to the impact of political instability and armed conflict.





**Box 4.4: Armed Conflict and Refugee Health**

In Lebanon, some 30-40,000 Palestinian refugees were killed during Lebanon's internal wars and conflicts between the PLO and Israel. There were more than 73,000 casualties and fatalities during the first *intifada* (1987-1992) in the 1967 occupied Palestinian territories. The level of fatalities during the first year of the second *intifada* comprised three-quarters of the level of the entire first uprising. During the first several months of the second *intifada* refugees reported having a relative killed twice as often (24 percent) as non-refugees (12 percent). Nearly 50 percent more refugees (46 percent) reported having a relative injured than non-refugees (32 percent) (IUED 2001a). The impact was particularly high for refugees in camps in the occupied West Bank. Approximately 60 percent of the 904 Palestinians killed during the first year of the second *intifada* were refugees.

**Table 4.16 - Intifada Casualties/Fatalities, Refugees, December 1987 – June 1992**

	Shot	Beaten	Rubber Bullets	Tear Gas	Other	Total
Casualties	23,633	40,541	4,434	2,754	1,123	72,485
Fatalities	1,295	22	5	45	78	1,445
Total Casualties/Fatalities	24,920	40,563	4,439	2,799	1,201	73,930

Source: UNRWA Annual Reports.

**Table 4.17 – Intifada Casualties/Fatalities, Refugees and Non-Refugees, September 2000 – December 2002**

	Live Ammunition	Rubber/Plastic Bullets	Tear Gas	Other	Total
Casualties	5,002	5,548	5,338	4,953	20,841
Fatalities	-	-	-	-	1,973
Total Casualties/Fatalities	-	-	-	-	22,814

Source: Palestine Red Crescent Society.

**Chronic and Acute Illness**

The rate of chronic and acute illness among refugees varies from as low as 4 percent to more than 40 percent. Chronic health problems are more prevalent among the poor, women, and among refugees in camps. The rate is highest among refugees in 1967 occupied Palestinian territories and in Lebanon.

**Host Countries**

- Similar trends are found in Jordan although the rates are much lower. Approximately 4 percent of refugees outside of camps suffer from long-term illness, compared to 13 percent of refugees in camps. Nearly half of the chronically ill suffer from severe health problems. Chronic illness among the poor in camps is about twice as high as other camp dwellers. Women and the poor experience more problems in mobility and physical disability (FAFO 2002).
- One in every five Palestinian refugees in Lebanon suffers from poor health and chronic health failure. Thirteen percent have a chronic problem caused by war (21 percent males vs. 3 percent females). Approximately 9 percent suffer from a severe chronic problem making it difficult to go out without help. Seven in ten have acute illness requiring a doctor. Chronic health problems are



more prevalent in the lower income bracket and the southern camps as well as among women rather than men beginning in the late 40s age bracket (FAFO 2000).

Palestine/Israel

- In the occupied West Bank, a significantly higher number of refugees (42 percent) report prolonged illness, compared to persons in villages and towns

(31 and 32 percent respectively). There is also a marked difference in refugees with prolonged illness between urban (29 percent) and rural (43 percent) camps; however, there is no reported difference between refugees in urban camps and non-refugees. The refugee population in the occupied Gaza Strip reports lower levels of distress than refugees in the occupied West Bank. There are no differences between men and women in rates of acute or chronic illness (FAFO 1994).

**Table 4.18 – Prevalence of Diabetes Mellitus Among Adult Refugees**

Host Country	Prevalence of Diabetes Mellitus (%)
Jordan	3.5
Lebanon	4.6
Syria	5.7
West Bank	6.5
Gaza Strip	9.4

Source: UNRWA (Figures as of 30 June 2002).

*One day I got sick and I didn't have the money to pay the fee the clinic in Jenin. I was ashamed. We used to have self-respect. We were rich men in our city. Haifa was one of the richer cities in the Diddle East, and we used to help the poor men who came to Haifa. I sat from the morning until the noon with the pain. I didn't have the courage to ask the clinic to give me medicine since I couldn't pay the fee. Then an officer came to me and asked me: "You are sitting since the morning, what is the matter?" I'm sick, I answered. After he gave me medicine I started to cry."*

**Khaled Rashid Mansour, (Haifa), Jenin, West Bank**

*Adel Yehya, Palestinian Refugees 1948-1998, Oral History. Ramallah: Palestinian Institute for Cultural Exchange, 1999, p. 75-76.*

**Mental Health**

Symptoms of psychological distress and mental illness are more common among women and among refugees in camps. Refugees in the 1967 occupied Palestinian territories and in Lebanon appear to experience greater degrees of psychological distress than refugees in other host countries.

Host Countries

- One in every five Palestinian refugees in Lebanon requires medicine for psychological distress. Symptoms of distress include worrying too much, feeling depressed and sad, feeling hopeless about the future, feelings of worthlessness, nervousness, headaches and feeling continuously anxious. Forty-two percent report four symptoms





or more, 21 percent have used medicines due to psychological distress regularly, and 16 percent occasionally during the last 6 months (FAFO 2000).

- Male refugees in camps in Jordan appear particularly vulnerable to poor health and psychological distress. As many as 18 percent of male camp refugees and displaced consider their health to be bad or very bad, opposed to only 5 percent of male non-refugees/displaced. In particular, among the young male camp refugees and displaced in Jordan

more than 30 percent say that they feel helpless about the future, while less than 10 percent of other young male refugees and displaced say the same. Approximately 11 percent of male camp refugees and displaced report taking sedatives or medicines for the nerves regularly, as opposed to 7 percent of male refugees and displaced outside camps, and 4 percent of non-refugees/displaced males. Women are generally more affected by mental problems than men in Jordan with the exception of male camp refugees, and more often take medication. Among women, refugees and displaced are somewhat more affected by psychological distress than other women. Female camp refugees report that they experience continuous fear more often than other women do (FAFO 1997).

#### Palestine/Israel

- Outside of camps in the occupied Gaza Strip 20 percent of refugees report high stress and 53 percent moderate stress while the respective rates in the occupied West Bank are 34 percent and 50 percent. Living in camps in the 1967 occupied Palestinian territories does not make a difference in itself, however, people in rural camps in the occupied West Bank report higher degrees of stress than others do. The refugee population in the occupied Gaza Strip reports lower levels of distress than refugees in the occupied West Bank. There are no differences between men and women in rates of acute or chronic illness (FAFO 1994). Several months into the second intifada 80 percent of refugees reported a change in children's behavior as a result of the political and humanitarian crisis in the occupied Palestinian territories compared to 67 percent of non-refugees. Refugees in camps also reported higher frequencies of change in children's behavior than Palestinians not in refugee camps in the same area (IUED 2001a).

**Table 4.19 – Prevalence of Hypertension Among Adult Refugees**

Host Country	Prevalence of Hypertension (%)
Jordan	5.4
Lebanon	8.9
Syria	8.7
West Bank	6.5
Gaza Strip	9.4

Source: UNRWA (Figures as of 30 June 2002).

**Box 4.5: Health Care Providers**

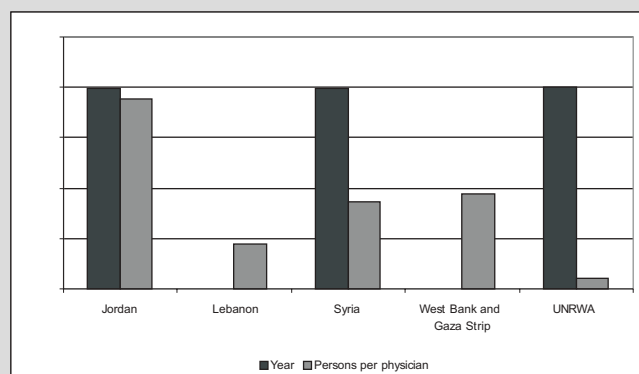
The United Nations, the public and private sector provide health care services for Palestinian refugees. Generally, withdrawal of services provided by non-governmental organizations, lack of access to government services, high cost of private sector health care, and humanitarian crises during which refugees are unable to either access or pay for government and private sector services, increases UNRWA's share of the patient stream.

Nearly half (45 percent) of refugees in Lebanon use UNRWA health clinics (FAFO 2000) as compared to less than one-third (30 percent) of refugees in Jordan (FAFO 1997). One half as many refugees in the gatherings in Lebanon get services for free compared to refugees in the camps (FAFO 2000). As with education, refugees inside camps tend to use UNRWA health services more often than refugees outside of camps. Few refugees (5 percent) living outside of camps in Jordan, for example, use UNRWA health clinics (FAFO 1997). In urban camps in the occupied West Bank refugees use a combination of UNRWA (56 percent), private (22 percent) and government clinics or hospitals (14 percent); rural camp refugees tend to use UNRWA (44 percent) and private clinics (44 percent) (FAFO 1994).

In Lebanon, Palestinians must pay for use of the state health system. Free government services are offered to all Palestinians in Syria. In Jordan there are some 143 clinics providing health care for Palestinian refugees. The majority of the clinics (80 percent) are operated by the private sector. There are 9 special clinics run by organizations such as Daliet al-Karmel organizations, and church councils. Refugees and displaced who are not registered depend mostly on private services as they were consulted in 50 percent of the cases, while government services were used by 43 percent (FAFO 1997).

The Palestinian Red Crescent Society (PRCS) also provides health care services to refugees in major Arab host countries. In Syria, the Palestinian Red Crescent operates health centers in some camps, in addition to two hospitals – the Palestine Hospital in Yarmouk Camp and Beisan Hospital in Homs. In many places, however, services provided by the PRCS have been reduced due to the resettlement of many Red Crescent staff in the West Bank and Gaza Strip after the establishment of the Palestinian Authority in the early 1990s. Services were also affected by financial difficulties experienced by the PRCS after the 1991 Gulf War. The total number of Palestinian Red Crescent Hospitals in Lebanon was 6 with 168 beds, 3 in Syria with 135 beds and one in Egypt with 150 beds (PCBS 1997).

**Chart 4.15 – Average Persons per Physician, UNRWA Compared to Host Countries**



Sources: PCBS, 2001. *Palestinian Children – Issues and Statistics, Executive Summary*; PCBS Health Survey 2000, *Regional Reports Series (No. 1), North of the West Bank*; PCBS, *Number of Medical Staff, Hospitals, Beds and Health Profile in Arab Countries*; UNRWA, *Report of the Commissioner General, 1 July 2001 – 30 June 2002*.

**Table 4.20 - Per Capita Total Expenditure and Public Expenditure on Health**

Country	Per capita expenditure on health (US\$)		
	Total	Public	UNRWA
	1998	1998	2000
Jordan	147	91	UNRWA spends an average of US\$ 16 per refugee on health
Lebanon	503	96	
Syria	42	24	
Israel	1561	1003	

Sources: WHO, 2001. *World Health Report 2001*; UNRWA, 2001.

## Women and Children

The mean marital age for registered refugee women is generally young. Birth intervals are short and contraceptive prevalence in some areas is low compared to the regional average of 54 percent (UNICEF). Infants and young children have a higher

risk of dying if they are born to very young mothers or much older mothers, or if their mothers already have many children. Among registered refugees women of reproductive age and children below 15 years of age constitute approximately 58 percent of the population.

**Table 4.21 – Health Indicators for Registered Refugee Women**

Host Country	Women of reproductive age 15-49 years (%) (2002)	Total Fertility Rate	Mean Marital Age	Modern Contraceptive Prevalence (%)	Birth Interval (%) (1999)		Mean Birth Interval (Months) (1999)	(% of at Risk Pregnancies (2002))
					<12 months	>24 months		
West Bank	23.7	4.1	19.5	41.9	3.3	47.9	33	33.9
Gaza Strip	21.5	4.4	18.9	36.5	5.5	53.2	30	34.6
Jordan	24.7	3.6	20.3	48.6	3.3	43.9	34.8	35.9
Lebanon	26.1	2.6	19.7	64.7	2.7	34.9	35	35.0
Syria	25.6	2.5	20.5	65.4	2.8	37.6	38	28.1

Sources: UNRWA (Figures for 2000, except as noted above).

Infant and child mortality rates are good measures of the well-being of children. Infant mortality rates among registered refugees have dropped from 180 deaths per 1,000 live births in the 1960s, to 32-35 per 1,000 in the 1990s. This is well ahead of the World Health Organization (WHO) target for developing countries of 50 per 1,000 by the year 2000 (UNRWA). Infant mortality rates for all refugees

in primary areas of exile are highest in Lebanon (42 per 1,000 births) and the lowest in Jordan (24 per 1,000 births). Infant and under five mortality rates of refugees are similar to the non-refugee population in the occupied territories and Syria. In other primary host areas the mortality rates for refugee children are slightly higher.



**Table 4.22 – Infant and Under Five Mortality Rate, Refugees and Registered Refugees**

Country and Population Reference	Infant Mortality	Under Five Mortality	Year
Lebanon			
Registered Refugees	35	37	1997
All Refugees	42	49	1996
Jordan			
Registered Refugees	32	35	1997
All Refugees	24	26	1996
Syria			
Registered Refugees	29	32	1997
All Refugees	40	50	1995
Palestinian Territory			
Registered Refugees	27.3	33.2	1990-1994
All Refugees	25.5	28.7	1995-1999
West Bank			
Registered Refugees	25.0	30.3	1990-1994
All Refugees	24.4	27.2	1995-1999
Gaza Strip			
Registered Refugees	28.5	35.4	1990-1994
All Refugees	27.3	31.2	1995-1999

Sources: PCBS, 2001. *Statistical Abstract of Palestine, No. 2.*

Good nutrition is the cornerstone for survival, health and development for current and succeeding generations. Well-nourished children perform better in school, grow into healthy adults and in turn give their children a better start in life (UNICEF). Poverty, low levels of education and poor access to health services are major contributors to childhood malnutrition.

- Acute malnutrition is very rare in Jordan. Refugee children and displaced are less malnourished than other children, and camp children seem to be less affected than other refugees and displaced. Less than 1 percent of children in Jordan camps are malnourished and around 2 percent are considered vulnerable (FAFO 1997).
- Five percent of children ages 1-3 old in Lebanon are malnourished. Another 4 percent are vulnerable. (FAFO 2000). Health is generally poor for children under five years of age. Malnourishment, indicated by height for age is particularly prevalent among refugee children under 5 in Lebanon (8.8 percent for females and 13.1 percent for males) (CBSNR/UNICEF 2001).
- Approximately 50 per cent of registered refugee children below three years of age and one

third of women of reproductive age still suffer from moderate to mild levels of iron-deficiency anaemia (UNRWA).



### **Developments in 2001-2002**

During the reporting period there were few changes in the health status of Palestinian refugees with the exception of refugees in the 1967 occupied Palestinian territories. The rapid deterioration in the health profile of Palestinian refugees in the occupied territories was characterized by a high number of deaths and injuries during clashes with Israeli military forces or during military assaults on refugee camps and other civilian areas; a serious decline in health among women, children, and the poor; and higher rates of malnutrition and psychological distress.

It is estimated that as many as 60 percent of Palestinians killed since the beginning of the second intifada are refugees. During the first six months of 2001 refugees in camps reported the highest number of family members killed with the rate highest in Gaza camps (30 percent) as compared to West Bank camps (19 percent) and an overall average, not including Jerusalem, of around 13 percent (IUED 2001b). Refugees in camps in the occupied West Bank also reported a higher number of family relatives injured compared to persons outside camps (34 percent vs. 22 percent). Based on refugee status, more refugees than non-refugees reported family members killed (18 percent vs. 10 percent) and more family members injured (32 percent vs. 25 percent).

Military closure and curfew made it increasingly difficult for refugees to reach health care facilities. Between October 2000 and March 2001, for example, the patient load in occupied east Jerusalem hospitals dropped by some 32 percent due to the fact that refugees from the occupied West Bank were unable to enter the city. St. John's, the only ophthalmic hospital available in the occupied West Bank reported a drop in outpatient services of 31 percent. Attendance of children in mother-child health clinics operated by UNRWA was down by 10 percent in mid-2001. Moreover, when patients do reach the hospital, approximately 20 percent are curtailing their stay because they can not afford the cost.

Severe restrictions on freedom of movement also resulted in a significant decline in the number of women registered for ante-natal care (22 percent)

and the number of women covered by post-natal care (13 percent). The number of home births rose by 29 percent, while the number of still births rose by 32 percent. Across the occupied West Bank immunization rates for infants declined by between 10 and 25 percent (UNRWA). Closures and curfews across the occupied West Bank in 2002 resulted in a 61 percent increase in the number of home births. Between 2000 and 2002 the number of miscarriages has increased by 135 percent while there has been a 35 percent drop in the proportion of infants below six months of age completing the regular immunization program.

Malnutrition is also on the increase due to the severe economic crisis in the 1967 occupied Palestinian territories. A nutritional survey conducted by Johns Hopkins University, CARE International, ANERA and others in the summer of 2002 found that malnutrition among children under five had reached emergency levels, with approximately 22 percent of children suffering from acute or chronic malnutrition. Figures in the occupied Gaza Strip were significantly higher. In both fields, nearly one-fifth of Palestinian children aged from 6 months to 6 years were shown to be moderately or severely anaemic. A market study in mid-2002 found widespread food shortages including shortages in fish, lamb, chicken, powdered milk.

Reports of psychological distress also increased. By mid-2001, for example, 84 percent of refugee parents reported changes in their children's behavior compared to 75 percent of non-refugee parents. Children in camps (85 percent) were affected about the same as children in cities (84 percent) but more than in villages (70 percent). Parents also reported changes in behavior towards children as a result of increased stress and trauma. Approximately 44 percent of refugees compared to 36 percent of non-refugees reported changes in behavior, while in camps 38 percent of parents reported changes in behavior compared to 45 percent of parents in cities and 32 percent of parents in villages. Refugee parents appeared less able to address psychological distress among their children, however, refugee parents in camps appeared to be better able to deal with the psychological needs of their children than parents in cities and villages (IUED, 2001b).

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# 5

Chapter



# Chapter Five: International Protection and Assistance

## **Preface**

*Refugees and internally displaced persons are entitled to protection and assistance. National authorities hold the primary responsibility for the provision of protection and assistance within their borders. International protection and assistance is required when states are either unable or unwilling to act on their obligations to protect and provide assistance to refugees and IDPs. The Office of the UN High Commissioner for Refugees (UNHCR) is the primary body mandated to provide international protection for refugees worldwide. The Office works closely with other international and national organizations.*

*International protection activities include ensuring asylum, securing basic human rights, provision of travel documents, facilitating durable solutions, and monitoring the treatment of refugees once they return home to ensure provision of national protection. Protection activities also include the promotion of international refugee law, helping states to enact or revise national legislation, and assistance in strengthening relevant legal and judicial institutions. Assistance activities are closely related to protection and include provision of food, shelter, health and education services.*

*In the Palestinian case, the United Nations established a separate regime to provide international protection and assistance to refugees displaced during the 1948 war in Palestine, including internally displaced Palestinians. The UN Conciliation Commission for Palestine (UNCCP) was created in 1948 to provide protection and facilitate durable solutions. The UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was created in 1949 to provide assistance for those refugees in need. Special provisions for the protection of Palestinian refugees were later included in the 1951 Convention Relating to the Status of Refugees in case either UNCCP protection or UNRWA assistance ceased to exist for any reason. The United Nations did not establish a special regime for Palestinian refugees displaced for the first time in 1967 or for internally displaced Palestinians in the 1967 occupied Palestinian territories. Significant gaps exist in the provision of international protection for Palestinian refugees and displaced persons due to the collapse of UNCCP protection and limited protection afforded by the UNHCR.*

*This chapter examines international protection and assistance for Palestinian refugees, including mechanisms for protection and assistance. The specific framework for durable solutions is addressed in greater detail in Chapter Six.*

## International Protection

Between 1948 and 1950 the United Nations established a unique regime to provide international protection for Palestinian refugees, including internally displaced Palestinians. The response of the international community to the mass displacement and eviction of Palestinians in 1948 was a hybrid of international approaches to refugee flows at the time. On the one hand, the international community established a separate agency to provide international protection – the UN Conciliation Commission for Palestine (UNCCP). On the other hand, the drafters of the 1951 *Convention Relating to the Status of Refugees* allowed for the inclusion of 1948 Palestinian refugees (including internally displaced Palestinians) as ‘Convention refugees’ (See *Chapter Three*) in the event that either protection or assistance ceased to exist for any reason. Generally, the Office of the UN High Commissioner for Refugees (UNHCR) is responsible for protection of Convention refugees worldwide. The unique protection regime aimed to ensure that all Palestinians displaced in 1948 would receive international protection and assistance at all times until their situation was resolved in accordance with General Assembly Resolution 194(III), 11 December 1948.

The United Nations has not established a special protection regime for Palestinian refugees displaced for the first time in 1967. Other Palestinians displaced after 1967, who are neither 1948 or 1967 refugees, and are considered refugees according to Article 1A of the 1951 *Convention Relating to the Status of Refugees* fall within the protection mandate of UNHCR. There is no international agency with an explicit mandate to provide protection for internally displaced Palestinians in the 1967 occupied Palestinian territories.

### **The United Nations Conciliation Commission for Palestine**

The United Nations Conciliation Commission for Palestine (UNCCP) was established under paragraph 2 of UN General Assembly Resolution 194(III). The General Assembly authorized the Commission to provide protection and facilitate durable solutions for Palestinian refugees displaced in 1948, including internally displaced Palestinians inside Israel. The UNCCP does not have a protection

mandate for other categories of Palestinian refugees and internally displaced persons. The UNCCP was also authorized to facilitate a final settlement of all outstanding issues between the parties to the conflict in Palestine. The Commission is composed of representatives of the United States, France and Turkey and is empowered to create sub-organs, as necessary, in order to fulfill its mandate. Today the Commission has no budget and no staff. The secretary of the UNCCP is a staff member of the UN Department of Political Affairs.

Protection Activities: During its early years of operation, the Commission attempted to provide legal and diplomatic as well as physical protection for refugees, in addition to efforts to facilitate durable solutions based on paragraph 11 of UN Resolution 194. (*Protection activities concerning a durable solution are discussed in Chapter Six*). The UNCCP established several subsidiary bodies, including a Technical Committee and the Economic Survey Mission, to investigate and recommend immediate measures, which might be taken to safeguard the rights and property of the refugees.

Immediate efforts were undertaken to persuade Israel to permit the return of certain categories of refugees (without prejudice to the right of all refugees to return to their homes) based on humanitarian considerations. The UNCCP attempted to facilitate the return of owners of citrus groves and their laborers, for example, in order to reduce the total number of persons in need of relief. Similar efforts were made to ensure access for Palestinian Arab farmers who had been cut off from their lands by the 1949 armistice lines.

The UNCCP also attempted to reunite separated Palestinian Arab families. The program focused on repatriation of dependents (i.e., children and female spouses) with breadwinners who had remained in the territory that became the state of Israel. The Commission also appealed to Israeli officials to allow religious leaders and other clergy to return to their places of origin. At the same time, the Commission urged Israel to allow freedom of worship and respect the sanctity of mosques and churches.

Finally, the UNCCP engaged in various types of activities to protect the legal status and rights of refugees. The Commission drafted a refugee definition to identify those persons in need of

international protection (See Box 5.1). It also worked with Israeli officials to facilitate refugee access to blocked savings accounts and assets in banks inside Israel. Appeals were also made to Israeli officials to abrogate discriminatory laws

adopted in the aftermath of the displacement of the Palestinian population and initial efforts were begun to identify and document refugee property inside Israel (See Chapter Six for more details).

**Box 5.1: Draft UNCCP Definition of a 'Palestine Refugee'**

Article 1

Are to be considered as refugees under paragraph 11 of the General Assembly resolution of 11 December 1948 persons of Arab origin who, after 29 November 1947, left territory at present under the control of the Israel authorities and who were Palestinian citizens at that date.

Are also to be considered as refugees under the said paragraph stateless persons of Arab origin who after 29 November 1947 left the aforementioned territory, where they had been settled up to that date.

Persons who have resumed their original nationality or who have acquired the nationality of a country in which they have racial ties with majority of the population are not covered by the provisions of the above paragraphs of this Article. It is understood that the majority of the said population should not be an Arab majority.

Article 2

The following shall be considered as covered by the provisions of Article 1 above:

1. Persons of Arab origin who left the said territory after 6 August 1924 and before 29 November 1947 and who at that later date were Palestinian citizens;
2. Persons of Arab origin who left the territory in question before 6 August 1924 and who, having opted for Palestinian citizenship, retained that citizenship up to 29 November 1947.

Article 3

The term "of Arab origin" appearing in the foregoing Articles related to persons belonging to the Palestine Arab community and to those who are considered or who considered themselves as belonging to that community.

*Addendum to Definition of a "Refugee" Under Paragraph 11 of General Assembly Resolution of 11 December 1948 (Prepared by the Legal Advisor), UN Doc. W/61/Add.1, 29 May 1951.*

Mixed Success: UNCCP efforts met with mixed success. The UN General Assembly adopted the recommendations drafted by one of the Commission's sub-organs, the Economic Survey Mission, for short and long term economic relief. This included the creation of a new mechanism, the UN Relief and Works Agency for Palestine Refugees (UNRWA) (See *International Assistance this chapter*). The Commission also succeeded in facilitating the release of blocked accounts and assets. The Israeli government and the Israeli Custodian of Absentees' Property retained a significant proportion of the monetary value of accounts and assets, however, through the imposition of taxes and administration fees.

Through the family reunification program a small number of refugee dependents were able to return. In late 1949 and early 1950, for example, approximately 800 dependents who had been displaced to Jordan and Lebanon were able to rejoin family members inside Israel. In February 1950, 115

refugee dependents were able to cross into Israel from the Gaza Strip. Palestinian inhabitants of two villages cut by the armistice lines were permitted to cultivate their land in territory held by Israel.

At the same time, however, Israel refused to permit the immediate return of owners of citrus groves and their laborers. Israeli officials rejected UNCCP appeals to abrogate discriminatory property laws and refused to release religious property, particularly that belonging to the Muslim community. The UNCCP was unable to significantly advance political negotiations between Israel and the Arab states.

Collapse of UNCCP Protection: When the United Nations established the UNCCP in 1948 it was assumed that the refugees would return to their places of origin within a short period of time. The Commission, therefore, was not provided with the machinery or with the resources to facilitate the durable solutions set forth in Resolution 194(III)

in the context of a protracted conflict. The ability of the Commission to fulfill its mandate, moreover, was compromised by the lack of international political will to ensure the return of those refugees wishing to go back to their homes and villages.

By the early 1950s, the UNCCP had reached the conclusion that it was unable to fulfill its mandate. The decision by the UN General Assembly to merge the role of international protection for the refugees with the larger task of Arab-Israeli conciliation ultimately compromised the Commission's ability to protect and promote the legal rights of the refugees. The rights affirmed in Resolution 194(III) were often deferred in light of what the Commission came to view as the practicalities on the ground i.e., Israel's opposition to the return of the refugees.

In light of the ongoing stalemate in political negotiations, the UN Secretary General recommended that the UNCCP focus its protection activities on the identification and evaluation of Palestinian property. (See Chapter Six for more

details) The General Assembly accepted the recommendation and the UNCCP budget was reduced to conform to the Commission's limited protection activities. As of 1952, the Commission has taken the view that the governments concerned have the primary responsibility for the settlement of their outstanding differences, including the plight of the refugees.

Since this period, the UNCCP has not provided Palestinian refugees with the basic international protection accorded to all other refugees. In less than a decade, the United Nations had issued recommendations (i.e., the 'Partition Plan') that had created the conditions leading to the mass displacement of the Palestinian Arab population (See *Chapter One for more details*), affirmed the rights of the refugees to return to their homes and properties following their displacement, and then, faced with Israel's opposition to the return of the refugees, had recommended to liquidate the entire matter, irrespective of the wishes and rights of the refugees. Today the UNCCP still exists in name and produces an annual one-page report on its activities.

#### **Box 5.2: UNCCP 2002 Annual Report**

Fifty-sixth report of the United Nations Conciliation Commission for Palestine

A/57/294

31 August 2002

"In paragraph 2 of its resolution 56/52 of 10 December 2001, the General Assembly requested the Commission to report to the Assembly as appropriate, but no later than 1 September 2002. The Commission notes its report of 31 August 2001 (A/56/290) and observes that it has nothing new to report since its submission."

### **The Office of the UN High Commissioner for Refugees**

The 1951 *Convention Relating to the Status of Refugees* includes special provisions for international protection of Palestinian refugees. Article 1D allows for the ipso facto inclusion of 1948 and 1967 Palestinian refugees within the scope of the 1951 Refugee Convention in the case that either protection or assistance ceases for any reason. (See *Chapter Three*) The Office of the UN High Commissioner for Refugees (UNHCR) is authorized to provide protection for refugees worldwide, including those defined as refugees under the 1951 Refugee Convention. Other Palestinians displaced after 1967, who are neither 1948 or 1967 refugees, and are considered refugees according to Article 1A of the 1951 *Convention Relating to the Status of Refugees* fall within the protection mandate of UNHCR.

The UNHCR has only partially filled the protection gap created by the cessation of UNCCP protection activities in the early 1950s. UNHCR's approach to 1948 and 1967 Palestinian refugees may be explained by a variety of factors, including: the absence of an inclusion clause for Palestinian refugees in the 1950 Statute of the UNHCR, similar to the second clause of Article 1D of the 1951 Refugee Convention; the perception that the 'political character' of the Palestinian refugee case is incompatible with the 'neutral character' of UNHCR protection activities; financial concerns related to the inclusion of millions of additional refugees in UNHCR programs; and, combined Western and Arab opposition to the inclusion of all Palestinian refugees within the protection mandate of the UNHCR.

*We feel that we are treated like nuclear waste. Everyone is afraid of nuclear waste and no one will take responsibility for that waste. And yes, we agree with them. Yes, we are like nuclear waste, and each country should be responsible for its nuclear waste. Palestine should be responsible for the Palestinian people. So I think the best solution is to throw us back to Palestine. We insist that we want the right of return to be implemented. UN Resolution 194 talked about this right and we don't want this right to exist only on paper. We want the UN to implement all their resolutions.*

**Ulfat Mahmud (Tarshiha, Acre) Lebanon**

*Right of Return – Joint Parliamentary Middle East Councils  
Commission of Enquiry – Palestinian Refugees (2001).*

**Limited Protection Activities:** UNHCR protection activities for 1948 and 1967 Palestinian refugees are characterized by a limited degree of protection for a limited number of refugees based on geographical restrictions and subject to the cessation and exclusion clauses in the UNHCR Statute and the 1951 Refugee Convention. UNHCR does not provide protection to Palestinian refugees residing in UNRWA areas of operation – i.e., West Bank, Gaza Strip, Lebanon, Syria and Jordan. As of January 2002, for example, UNHCR statistics stated that an estimated 349,100 Palestinian refugees or 5 percent of the total refugee population (not including internally displaced persons), including refugees in Iraq and Libya, fall within the UNHCR mandate.

Agency protection activities for Palestinian refugees are limited generally to assistance concerning travel documents, renewal of registration cards for refugees outside the areas of UNRWA operations, and facilitation of interim solutions for Palestinian refugees in recent cases of forced departure from Arab host countries. After the Palestine Liberation Organization (PLO) was forced to leave Lebanon in 1982, for example, UNHCR intervened with the Lebanese authorities on behalf of Palestinian refugees who had experienced difficulty in obtaining the renewal of Lebanese travel documents. During the Gulf War at the beginning of the 1990s, the Agency extended protection services and provided material assistance for several hundred thousand Palestinian refugees in the Gulf States confronted with detention and forced departure. Between

1995 and 1997, UNHCR provided assistance to Palestinian refugees stranded on the Libyan-Egyptian border after being expelled from Libya in 1995.

Internally displaced Palestinians are totally excluded from UNHCR protection activities. Generally, a request from the UN General Assembly or the Economic and Social Council, is required before UNHCR extends protection and assistance to internally displaced persons. Few details are known about UNHCR protection activities for displaced Palestinians who are neither 1948 or 1967 refugees.

**A Call for Protection:** The UNHCR recognizes the protection gap faced by 1948 and 1967 Palestinian refugees and has issued several calls to remedy the problem. Following the massacre of several thousand Palestinian refugees in Beirut in September 1982 (See Box 5.4) by Israeli-allied Lebanese Phalangist militiamen, for example, the UNHCR Executive Committee, the advisory body to the High Commissioner, “expressed the hope that measures would be taken to protect refugees against such attacks and to aid the victims.”

During the late 1980s and the early 1990s in the context of the first Palestinian *intifada* in the 1967 occupied territories, the UNHCR issued numerous executive committee conclusions that “[e]xpressed concern about the lack of adequate international protection for various groups of refugees in different parts of the world, including a large number of Palestinians, and hoped that efforts would be undertaken within the United Nations system to address their protection needs.” [Emphasis added] These conclusions ceased following the commencement of the Oslo process in 1993 (See Chapter 6 Political Negotiations), despite the continued protection gap affecting 1948 and 1967 Palestinian refugees.



**Box 5.3: International Protection and United Nations System**

Various political and legal organs of the United Nations have addressed the issue of international protection for the Palestinian people, in general, and refugees, in particular.

UN Security Council Resolution 605, 22 December 1987, for example, called upon the UN Secretary General to submit recommendations on the “ways and means for ensuring the safety and protection of Palestinian civilians under Israeli occupation,” fifty percent of whom are refugees. The recommendations specifically suggested that UNRWA add additional international staff; consider the appointment of a UN ombudsman for the occupied territories; and, that the High Contracting Parties to the Fourth Geneva Conventions use all means at their disposal to persuade Israel to respect the Convention in all circumstances.<sup>1</sup>

Security Council Resolution 681, 20 December 1990, expressly provided the UN Secretary General with a mandate to monitor the situation of Palestinians under Israeli occupation and submit a report of the General Assembly every four months. The initiative was suspended in 1991 following interventions by the United States, which argued that the monitoring program might “interfere” with the political process started in Madrid in October 1991. The US has repeatedly obstructed several UN Security Council resolutions concerning the deployment of international protection monitors in the occupied Palestinian territories.

The United Nations General Assembly has also issued numerous resolutions calling for international protection for Palestinian refugees and for the cessation of attacks on Palestinian refugee camps. Between 1982 and 1993, for example, the General Assembly issued annual resolutions calling upon the UN Secretary General, in consultation with UNRWA “to undertake effective measures to guarantee the safety and security and the legal and human rights of the Palestinian refugees in the occupied territories.” From the early 1970s to the late 1980s the UN General Assembly also called for the protection of refugee camps. (See Annex 1 for a list of resolutions).

**Other International Protection Activities**

A number of other international and regional organizations have provided a limited degree of protection for Palestinian refugees over the past five decades of displacement. These include the International Committee of the Red Cross (ICRC), the UN Relief and Works Agency for Palestine Refugees (UNRWA), and the League of Arab States (LAS).

International Committee of the Red Cross (ICRC): The International Committee of the Red Cross (ICRC) is the main body responsible for the implementation of international humanitarian law. Over the course of five decades of conflict in the Middle East, the ICRC has provided basic protection to Palestinian refugees in cooperation with the League of Red Crescent Societies. (Also see *International Assistance below*).

During the 1948 war in Palestine, ICRC civilian programs focused on physical protection, prevention of forced expulsion, tracing of missing persons, family reunification and facilitation of the return of refugees to their places of origin. The Committee established refugee camps to provide shelter and undertook several census operations to register Palestinian refugees. The ICRC also attempted to ensure protection for those refugees (referred to by Israel as ‘infiltrators’) who had spontaneously returned to their homes inside Israel.

The ICRC provided similar types of protection during the 1967 Israeli-Arab war. In 1968, for example, the ICRC facilitated the return of some 200 refugee children who had been displaced to Jordan during the war. The ICRC also made numerous appeals to Israeli officials concerning the destruction of Palestinian homes and villages, calling upon Israel to cease demolition operations and assist in the reconstruction of the homes and pay compensation to the owners.

Since 1967, the ICRC has continued to provide protection to Palestinian civilians, including refugees in the occupied Palestinian territories. Under international humanitarian law relevant to occupied territory, the parties to a conflict may appoint a “Protecting Power” to safeguard the interests of parties to a conflict, including citizens. No Protecting Power has been appointed for the 1967 occupied Palestinian territories. In 1972 the ICRC offered to act as a substitute Protecting Power in the territories, however, Israel rejected the offer. ICRC protection, therefore, is limited to the extent that Israel is willing to cooperate.

Protection activities have included intervention concerning special cases seeking family reunification and intervention with the Israeli authorities in response to violations of humanitarian law, such as expropriation of land, deportation and house demolition. When Israel began systematic and widespread demolition of refugee shelters in

Gaza camps in the 1970s, the ICRC appealed to the Israeli government for the cessation of the demolition program. Following complaints by refugees, Red Cross officials requested Israel to close down offices located in refugee camps that were offering subsidies to 'voluntary emigrants' as a way of facilitating continued transfer of the Palestinian population.

The International Committee of the Red Cross has also worked actively alongside the UN Relief and Works Agency (UNRWA) in the occupied territories and in Lebanon to provide protection for refugees during periods of political crises and popular unrest. Following the outbreak of the second Palestinian *intifada* in September 2000 and Israel's military response to the uprising, for example, the ICRC deployed additional delegates in the 1967 occupied Palestinian territories. Delegates monitor developments and work closely with the Palestinian Red Crescent Society (PRCS) to ensure safe passage for emergency medical services. (For more details, see the ICRC website, [www.icrc.org](http://www.icrc.org))

*You cannot go to a camp or to another exposed Palestinian habitat without hearing anguished cries of why don't we get protection and observers, let the world see what is going on here. The Palestinians are very keen to have in this instance as much transparency, openness, observation as possible of the situation. But as you know, the Israelis have denied and refused entry.*

**Peter Hansen, UNRWA Commissioner General, UN DPI, 5 April 2002.**

The UN Relief and Works Agency (UNRWA): UNRWA does not have an explicit mandate to provide international protection to Palestinian refugees. (See *International Assistance* below). As UNRWA noted in reference to the need for international protection of Palestinian refugees in Lebanon in the early 1980s: "The only means at the disposal of [UNRWA] is ... to report, to warn and to make representations to the authorities responsible."

UNRWA officials have made repeated interventions to the United Nations and relevant officials concerning the protection of Palestinian refugees in the 1967 occupied Palestinian territories and in Lebanon. In 1967, for example, then Commissioner-General of UNRWA, Lawrence Michelmore, approached the UN Under-Secretary General seeking international protection for refugees in the occupied territories. The initiative failed to attract sufficient support at the United Nations based on the Under-Secretary's view that Israel would oppose a protection initiative.

During the first Palestinian *intifada* in the 1967 occupied territories that began in December 1987 UNRWA recruited additional international staff to provide protection through monitoring, reporting and a limited degree of intervention. The Refugee Affairs Officer Program (RAO), as it was called, was eventually phased out, first in the occupied Gaza Strip (1994) and then in the occupied West Bank (1996), following the redeployment of the Israeli military and establishment of the Palestinian Authority in the mid-1990s.

The provision of services that guarantee basic economic, social, and cultural rights, particular in emergency humanitarian crises, may also be considered as a type of protection – i.e., "relief protection". Over the past several decades UNRWA has administered several emergency programs in response to acute and immediate needs of the refugee community, including programs in Lebanon and in the 1967 occupied Palestinian territories. In the fall of 2000 UNRWA began providing emergency assistance in response to rapidly deteriorating conditions in the occupied Palestinian territories as a result of Israel's attempt to suppress the second Palestinian *intifada* through military force.





**Box 5.4: Protection of Refugee Populated Areas**

Since 1967 Israeli military forces have destroyed thousands of refugee shelters in camps in the 1967 occupied Palestinian territories and in Lebanon. Palestinian refugee camps have come under repeated military assault by Israeli forces since the beginning of the second Palestinian intifada in September 2000 in the occupied territories. In the occupied Gaza Strip alone Israeli military forces destroyed 639 refugee shelters between September 2000 and October 2002. In March and April 2002 an estimated 3,850 refugee shelters in the occupied West Bank were damaged; some 400 families in Jenin refugee camp alone were rendered homeless. Israeli forces have also commandeered UN installations in refugee camps, in violation of UN privileges and immunities. Many of the facilities, including schools and clinics, have suffered heavy damage.

Attacks on refugee camps and refugee-populated areas violate international humanitarian, human rights and refugee law. Under the Fourth Geneva Conventions and the two Protocols to the Conventions, the Parties to a conflict, including the Occupying Power, must ensure respect for and protection of the civilian population. Attacks on civilians, including refugees, are expressly prohibited (Article 51, Protocol I; Article 13, Protocol II). Destruction of real or personal property by the Occupying Power is also expressly prohibited (Article 53, Fourth Geneva Convention). Destruction of objects indispensable to the survival of the civilian population is prohibited (Article 54, Protocol I; Article 14, Protocol II). It is important to note that the presence of an individual combatant within a civilian population, including refugee camps, does not deprive the population of its civilian status (Article 50, Protocol I).

Attacks on refugee camps also violate a host of basic rights protected under international human rights law. This includes those rights set forth in the International Covenant on Social, Economic, and Cultural Rights, such as the right to an adequate standard of living (Article 11) and the right to the highest attainable standard of physical and mental health (Article 12), among others.

Finally, attacks on refugee camps violate principles set forth in international refugee law. These principles have been elucidated in several Conclusions issued by the Executive Committee of the Office of the UN High Commissioner for Refugees. The Conclusions include No. 27 (XXXIII), adopted in 1982 in the aftermath of the Sabra and Shatila massacre, No. 32 (XXXIV) 1983, No. 45 (XXXVII) 1986, No. 48 (XXXVIII) 1987, and No. 72 (XLIV) 1993.

Photo – Sabra and Shatila

States and international bodies are obligated to provide effective physical protection to refugees. States are also called upon to investigate violations of the personal security of refugees and institute criminal prosecution against all perpetrators of such violations. Not a single person responsible for attacks on Palestinian refugee camps over the past five decades has been brought to trial and convicted for violations of international law. In 2001, however, a complaint was filed in Belgium against Israel's current Prime Minister Ariel Sharon and other Israeli and Lebanese officials for the massacre of several thousand Palestinian refugees in Sabra and Shatila refugee camps in Beirut in 1982. The complaint, filed on behalf of 28 refugee victims and witnesses of the massacre, was submitted under a 1993 law that permits trial of suspected war criminals according to the legal principle of universal jurisdiction. In June 2002 a Brussels Appeals Court dismissed the case on narrow legal grounds. The decision was condemned by major international human rights organizations, including Human Rights Watch and Amnesty International. At the end of 2002, however, the Belgian parliament appeared ready to adopt a new interpretative law to enable the pursuit of pending cases and investigations and protect the essence and guiding principles of Belgium's law on universal jurisdiction. Under the proposed interpretative law the case against Ariel Sharon and other individuals accused of war crimes for the 1982 massacre could proceed.

For more information on the case, including copies of the complaint (French, English, Arabic), see, <http://www.indictsharon.net>.

*The presence of armed Palestinian militants inside Jenin refugee camp, and the preparations made by those armed Palestinian militants in anticipation of the IDF incursion, does not detract from the IDF's obligation under international humanitarian law to take all feasible precautions to avoid harm to civilians. Israel also has a legal duty to ensure that its attacks on legitimate military targets did not cause disproportionate harm to civilians. Unfortunately, these obligations were not met. Human Rights Watch's research demonstrates that, during their incursion into the Jenin refugee camp, Israeli forces committed serious violations of international humanitarian law, some amounting prima facie to war crimes.*

***Human Rights Watch, Jenin: IDF Military Operations, May 2002.***

The League of Arab States (LAS): The League of Arab States has also attempted to provide a degree of day-to-day protection for Palestinian refugees in Arab states based on the provisions set forth in the 1965 Casablanca Protocol (See Chapter Three). The Conference of Supervisors of Palestinian Affairs, comprised of heads of government departments in host countries that administer Palestinian refugee affairs (See Box 3.2 Chapter Three), for example, have conducted investigations into member state compliance with the Casablanca Protocol and called upon member states to submit information concerning implementation of the Protocol. During a 1985 field visit to Arab states with significant Palestinian refugee problems, for example, the League obtained written assurances by states to relax arbitrary measures imposed on refugees. The League has also formed additional committees to investigate specific protection problems. In 1976, for example, the LAS formed a committee composed of Saudi Arabia, Egypt, Syria and Kuwait to liaise with Lebanon concerning the implementation of the Cairo agreement and its annexes.

Monitoring and enforcement initiatives, however, have not produced significant or lasting improvements. Investigations conducted by the Conference of Supervisors of Palestinian Affairs have concluded that implementation of LAS standards for the treatment of Palestinians in

member states is poor. Following the 1991 Gulf war, for example, several states, including Kuwait, Lebanon and Libya that had lifted some restrictions on Palestinian refugees after LAS intervention imposed new restrictions on refugees.

The Arab League and UNHCR have also signed a cooperation agreement relating to the protection of refugee rights and assistance to refugees. The agreement provides for periodical consultation, mutual representation, exchange of documents and information, and cooperation with UNRWA. In particular, the Arab League and UNHCR reaffirmed their support in maintaining the United Nations Relief and Works Agency (UNRWA) and the continuation of its services to refugees in its five areas of operation until a just solution for the problem of refugees is found on the basis of United Nations resolutions.

### **The Protection Gap**

The collapse of UNCCP protection, limited intervention by the UNHCR, non-implementation of recommendations of key UN human rights bodies, and inadequate protection by national authorities has resulted in severe gaps in international protection for Palestinian refugees and displaced persons. The international community currently recognizes no international agency as having an explicit mandate for 1948 and 1967 Palestinian refugees and displaced persons concerning systematic protection of day-to-day rights and protection of rights related to durable solutions (i.e., return, restitution, and compensation).

Application of the 1951 Refugee Convention, which delineates the rights of refugees and concomitant obligations of states generally, is partial and inconsistent and varies according to geographical area. In many areas Palestinian refugees and displaced persons are denied basic economic, social, cultural, civil and political rights. (See Chapter Three) Palestinian refugees have also been denied physical protection. For many Palestinian refugees and displaced persons, it is unclear what rights are subject to international protection, under what conditions refugees and displaced persons may access international protection, and to whom to turn to for international protection.

Practically this anomaly means that some five million Palestinian refugees and displaced persons (excluding those who have acquired citizenship and effective national protection) , or one-third of the world's total refugee population, do not have access to systematic international protection. The protection gap is evident in all areas where Palestinian refugees and displaced persons reside in exile today, with the situation concerning protection of fundamental human rights and humanitarian norms most severe in Lebanon and in the 1967 occupied Palestinian territories. Moreover, international protection of rights associated with durable solutions is virtually non-existent for all Palestinian refugees and displaced persons.

The absence of international protection over such a long period of time is particularly disturbing given the fact that the United Nations has identified and expressed concern about the international protection gap for at least several decades. As the United Nations noted in 1982: "[T]his anomalous situation [i.e., lack of protection] should not and need not continue. [T]he problem of protection requires region wide consideration and that innovative and acceptable measures that could be applied wherever and whenever warranted should be sought. Humanitarian considerations should prevail over any political or bureaucratic obstacles."

### **Developments in 2001-2002**

Despite seemingly widespread recognition of the severe gap in international protection for Palestinian refugees and displaced persons no remedy was forthcoming during the reporting period. No effective measures have been taken to address the protection problems associated with the collapse of the UN Conciliation Commission for Palestine (UNCCP) in the 1950s, the limited intervention of UNHCR, and the lack of an explicit protection mandate for UNRWA. This means that unlike other refugee crises where a specific UN body (i.e., UNHCR) provides for the protection needs of refugees, there is no international agency with an explicit mandate to protect Palestinian refugees and displaced persons. International protection thus continues to be at best minimal and glaringly insufficient, especially in the 1967 occupied Palestinian territories, in the context of Israel's protracted military occupation.

During the reporting period, however, UNHCR launched a first initiative to address the obvious gaps in the special protection regime for 1948 and 1967 Palestinian refugees. UNHCR's revised interpretation of the status of Palestinian refugees under the 1951 Refugee Convention was completed and published in October 2002. (*For more details see Chapter Three*) While the revised UNHCR interpretation should facilitate the harmonization and handling of protection requests submitted by Palestinian refugees to domestic state authorities outside UNRWA areas of operations (i.e., the 1967 occupied Palestinian territories, Lebanon, Syria and Jordan) it does not resolve the fundamental problem of which international agency is responsible for the protection of Palestinian refugees residing in UNRWA areas of operation who comprise the majority of Palestinian refugees. While the interpretation states that neither the UN General Assembly nor any subsequent UN resolution has specifically limited the scope of UNRWA's mandate, it is equally true that neither the General Assembly nor any subsequent UN resolution specifically expanded the scope of UNRWA's mandate to provide comprehensive protection to Palestinian refugees. UNRWA only has an assistance mandate with limited protection options.

UN human rights bodies also continued to issue conclusions raising concerns about specific protection gaps for Palestinian refugees and displaced persons in the region. In an unprecedented move in May 2001, the UN Committee on Economic, Social and Cultural Rights alerted the UN Economic and Social Council, the main UN supervisory body on human rights, of Israel's human rights violations, and the need for enforcement action from other bodies of the international system. In 2002 the Committee requested further information from Israel concerning protection of the civilian population in the 1967 occupied territories (e.g., closures, humanitarian access, house demolition) and Palestinians inside 1948 Palestine/Israel (e.g., access to land, nationality status and discrimination through the World Zionist Organization and the Jewish National Fund). Similar concerns were raised by the UN Committee on the Rights of the Child. These bodies, however, lack enforcement capacity.

During the reporting period the UN General Assembly and Security Council both held numerous deliberations on the deployment of international protection forces to the 1967 occupied Palestinian territories. Several initiatives to obtain a UN Security Council Resolution mandating the deployment of international observers to the 1967 occupied Palestinian territories failed to acquire sufficient support or were vetoed by the United States. General Assembly Resolution ES-10, 19 December 2001 called for the creation of an international monitoring mechanism. Decisions regarding the deployment of international protection forces/observers, however, generally fall outside the mandate of the General Assembly. The US also voted against General Assembly Resolution ES-10. While the US supported and even sponsored UN Security Council resolutions adopted in March 2002, the language of these resolutions (UNSC 1397, 12 March 2002 and UNSC 1402, 30 March 2002) is sufficiently vague as to allow considerable flexibility for interpretation which Israel used to avoid immediate implementation of the call for withdrawal of its military forces from Palestinian towns, cities and refugee camps.

UN Secretary General Kofi Annan made an explicit call in April (UN Doc. SG/SM/8200, 16 May 2002) for the deployment to the occupied territories of a multi-national contingent of international forces (rather than UN) authorized under Chapter VII of the UN Charter, which provides for the use of force. The UN Security Council, however, failed to address the issue in substantive terms. On 19 April 2002 the UN Security Council voted in favor of establishing a special team to investigate alleged atrocities, including war crimes and crimes against humanity, in the Jenin refugee camp (UNSC 1405). The investigation was disbanded by UN Secretary General on 2 May, however, due to Israel's refusal to cooperate. In July 2002 the Secretary General released his report mandated under UNGA Resolution ES-10/10, 7 May 2002, on the events in Jenin refugee camp and throughout the West Bank during Israel's massive military assault in April. The report was heavily criticized as significantly flawed by local and international human rights organizations.

During the reporting period UN human rights bodies raised concerns about the specific

vulnerability and lack of international protection for Palestinian refugees in the 1967 occupied Palestinian territories. In March 2001, the UN Commission on Human Rights, Special Commission of Inquiry, mandated to investigate the human rights situation in the occupied Palestinian territories since the beginning of the second intifada, recommended that urgent international efforts be taken to extend UNHCR protection to Palestinian refugees under Article 1D of the 1951 *Convention Relating to the Status of Refugees*. "[N]o other refugee community in the world is so excluded," stated the Commission, "from the protective mechanisms and responsibility of the United Nations High Commissioner for Refugees (UNHCR)." One year later (March 2002) the UN Special Rapporteur on Human Rights in the Occupied Territories again raised concerns about the specific vulnerability of Palestinian refugees. The Special Rapporteur specifically recommended the deployment of an international protection force in the occupied territories. The report also implicitly raised the question about the need for international protection of Palestinian refugees.

The International Committee of the Red Cross (ICRC) continued to provide protection for the civilian population of the 1967 occupied Palestinian territories, including Palestinians internally displaced due to Israel's military campaign to crush the second *intifada*. In 2001 ICRC doubled the number of delegates posted in the occupied territories in response to the political and humanitarian crisis. The operations budget was also doubled in 2001 and again in 2002. In addition to increased monitoring of the civilian population and intervention with Israeli officials concerning respect for international humanitarian law, ICRC has provided emergency assistance to displaced Palestinians whose homes have been demolished and households most severely affected by military closure and curfews. More than 6,000 Palestinians in the 1967 occupied Palestinian territories whose homes were demolished received ICRC assistance by the beginning of 2002. The number of Palestinians receiving such assistance in 2002 increased dramatically due to the massive Israeli military attacks on Palestinian civilian centers, including refugee camps, in 2002.

During 2001, UNRWA initiated a limited protection program somewhat similar to the earlier Refugee Affairs Officer Program. The Operations Support Officer Program (OSO) aims to alleviate the adverse effects of the political crisis upon the core functions of the Agency by deploying special 'monitors' to ensure that Agency assets are properly and efficiently channeled into emergency programs. The OSOs' observations and reports also enhance the integrity of the Agency's logistical supply chain and thereby enable UNRWA to act swiftly to assist Palestinian refugees.

Despite sustained lobbying efforts throughout 2001-2002 by local and international NGOs, and submission of numerous ideas and proposals, the United Nations and many of its member states exhibited an alarming ineffectiveness regarding international protection for both the Palestinian people and Palestinian refugees. This situation confirmed local perceptions, conveyed to both the UN Special Rapporteur for the Occupied Territories and the UN Commissioner for Human Rights in late 2000, that the continued violation of human rights of the Palestinian people, including refugees, was as much the fault of the Israeli government, as it was of the failure of the international community to intervene to uphold basic principles of international law.

## International Assistance

International assistance to Palestinian refugees displaced in 1948, including internally displaced Palestinians, was originally provided by private voluntary organizations, such as the American Friends Service Committee (AFSC), governments, as well as the International Committee of the Red Cross (ICRC) in cooperation with the League of Red Crescent Societies (LRCS). The United Nations also established several disaster relief programs in 1948 to coordinate and fund humanitarian operations in Palestine.

In December 1949, following the decision by private voluntary organizations to terminate relief operations, the United Nations decided to establish a new agency to provide international assistance to Palestinian refugees – the UN Relief and Works Agency for Palestine Refugees

in the Near East (UNRWA). The United Nations later requested UNRWA to provide international assistance to Palestinian refugees displaced for the first time in 1967. There is no international agency with a specific mandate to provide assistance to internally displaced Palestinians in the 1967 occupied Palestinian territories.

### ***The UN Relief and Works Agency for Palestine Refugees (UNRWA)***

The UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established under UN General Assembly Resolution 302(V), 8 December 1949. The Agency officially took over the humanitarian relief operations in the Jordanian-controlled West Bank, Egyptian-controlled Gaza Strip, Jordan, Lebanon and Syria in May 1950.

The General Assembly accorded UNRWA a short-term mandate, based on the expectation that the plight of the refugees would soon be resolved in accordance with the framework set forth in General Assembly Resolution 194(III). According to Article 6 of Resolution 302(IV), all relief and works operations were to be terminated by the middle of 1951. UNRWA's mandate has been extended on a regular basis, however, (with the exception of assistance to internally displaced Palestinians terminated in 1952 at the request of the Israeli government) due to the lack of durable solutions for Palestinian refugees.

UNRWA was established at a time when the United Nations and its member states had already begun to retreat from their obligation to facilitate durable solutions to the refugee crisis consistent with international law. Notwithstanding the important assistance provided by UNRWA, the Agency became a humanitarian substitute for the lack of international will to facilitate durable solutions as set forth in UN General Assembly Resolution 194(III). Early work programs and regional economic development programs aimed to increase the "practical alternatives" available to the refugees and thus encourage a more "realistic" view of the future. Western powers hoped that economic development would encourage resettlement and lead to a "liquidation" of the refugee problem.

By the end of the 1950s, however, the United Nations had concluded that the economic

development programs had failed to provide a solution to the refugee problem. "Although the refugee problem might ... be studied in economic and political terms," stated the UN Secretary General in 1959, "it was basically a human problem. No reintegration would be satisfactory, or even possible, were it to be brought about by forcing people into new positions against their will."

Plagued by high overhead costs, lack of regional cooperation, and beset by strong opposition among refugees to *de facto* resettlement, UNRWA refocused its humanitarian operations on the delivery of basic education, health and social assistance services. These three areas continue to comprise the bulk of international assistance programs for eligible Palestinian refugees. For more than three decades UNRWA has also provided assistance to Palestinian refugees who were displaced for the first time in 1967 by request of the UN General Assembly.

At the beginning of the Oslo process in 1993 (See Chapter Six) UNRWA began to examine how to prepare for the eventual hand over of its installations and programs to Palestinians in the 1967 occupied Palestinian territories. A 1995 report by the Agency noted, "For the first time since [UNRWA] was established, it is possible to see on the horizon the end of the Agency's mission." More than seven years later, however, UNRWA continues to provide education, health, and social services to nearly 4 million refugees in need due to the lack of a durable solution based on international law as affirmed in UN Resolution 194(III).

## Education

UNRWA's education program is the largest of the Agency's programs with more than 640 schools in its five areas of operations and nearly 17,000 educational staff (including teachers, head teachers, school supervisors and administrative staff). UNRWA's education budget comprises over 50 percent of the Agency's total budget for re-current costs. Education staff comprises three-quarters of the Agency's total staff. The largest student population served by UNRWA schools is in the occupied Gaza Strip, with nearly 185,000 pupils enrolled in elementary and preparatory education. (figures as of June 2002)

Basic Education: Refugee children registered with UNRWA have access to free elementary (6 years) and preparatory (3-4 years) education. In Lebanon, UNRWA also operates five secondary schools (since 1993) due to limited access to public secondary education and the high cost of private secondary schooling. The Agency also offers special education for children with learning difficulties. UNRWA's education program follows the education structure of host governments in order to facilitate the transition of UNRWA students to secondary and post-secondary level education provided by government and private schools and universities. Not all refugee students registered with UNRWA attend Agency schools. Students at UNRWA schools regularly out-perform students in government schools in state qualifying examinations. The system has high retention rates and low dropout rates. The schools also enjoy gender parity.



Vocational/Technical Training: UNRWA also operates eight vocational and technical training centers – 4 in the 1967 occupied Palestinian territories, 2 in Jordan, and one each in Lebanon and Syria. The centers offer training in a variety of trades courses as well as technical/semi-professional courses. Graduates of UNRWA centers also have achieved high pass rates in state certifying examinations and a high success rate in finding jobs. UNRWA also operates a teacher education program and regular in-service training. A limited number of scholarships, contingent on special funding, are also offered for study at universities in Arab countries.

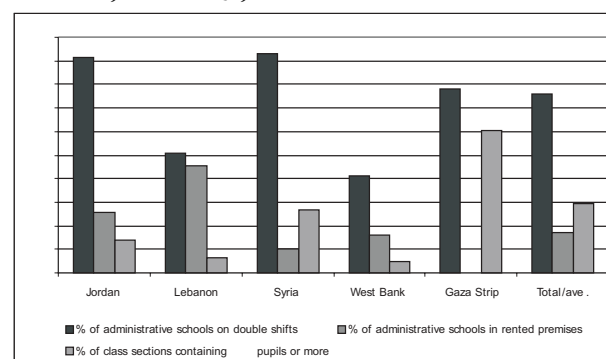
**Table 5.1 – UNRWA School Population, Number of Schools, Teachers, Training Places, 1950 – 2002**

Year	Elementary, Preparatory, and Secondary Pupils	Schools	Teachers	Vocational, Technical, and Teacher-Training Places
1950	41,053	64	~800	-
1955	104,751	264	2,670	303
1960	123,883	382	3,494	805
1965	167,993	406	4,904	2,921
1970	219,378	480	6,268	3,656
1975	275,306	575	8,000	4,396
1980	314,164	627	9,479	4,695
1985	345,844	640	10,163	5,002
1990	357,706	631	10,503	5,026
1995	408,669	644	11,966	5,168
2000	468,651	640	14,298	4,680
2002	486,020	644	16,965	4,884

Source: UNRWA.

**Issues of Concern:** Over the course of the last fifty years, UNRWA has faced numerous obstacles in delivering quality education to Palestinian refugees, including shortfalls in donor contributions to the Agency's programs and political crises in the region. The high rate of natural growth in the refugee community and the continuing absence of durable solutions consistent with international law and Resolution 194 add further pressure on the capacity of the Agency to deliver adequate services. Between 2001 and 2002, for example, the student population attending UNRWA schools grew by an average of nearly 2 percent, with the growth rate as high as 5.0 percent in the West Bank. Based on this rate of growth in the student population (excluding shifts from public or private to Agency schools) UNRWA will need to accommodate more than 10,000 additional students in its schools during 2002/2003.

Lack of funding has resulted in high rates of double-shifting, reliance on unsatisfactory rented buildings, over-crowded classrooms, reduced teacher/student interaction, higher workloads for staff, difficulties in hiring qualified teachers at existing salary scales, inability to keep up with educational reforms introduced by host governments, suspension of post-secondary scholarship assistance, reductions in maintenance allocations, and cuts in allocations for vocational training, equipment and supplies. On average, UNRWA spends approximately US\$ 380 (2001) per student. Based on the average growth in student enrolment for the last school year, the Agency would require an additional 3.5 million dollars to accommodate new students in the upcoming school year.

**Chart 5.1 – UNRWA Schools, Double Shifts, Rented Premises, Class Size, 2001**

Source: UNRWA (Figures as of October 2001).

Emergency situations, such as the Israeli invasion of Lebanon in the 1980s and popular uprisings in the 1967 occupied Palestinian territories, moreover, have forced the Agency to make additional outlays to cover remedial education for lost school days, teacher absences, counseling for traumatized students, and rehabilitation of damaged or destroyed schools.

**Developments in 2001-2002:** During the 2001/2002 academic school year UNRWA provided elementary and preparatory education for nearly 484,000 Palestinian refugees. Vocational and technical training centers accommodated some 4,900 refugees. During the reporting period UNRWA completed the construction of 10 new school buildings, 100 additional classrooms, and 12 rooms equipped for specialized activities. A total of 11 school buildings, 127 classrooms and 21 specialized rooms are under construction.

Due to *funding shortfalls* during the reporting period, UNRWA was only able to implement limited curricula changes adopted by host governments in all areas of operation. UNRWA was not able to extend the educational cycle from 9 to 10 years in the 1967 occupied Palestinian territories, in keeping with changes introduced by the Palestinian Authority. In Jordan, the Agency was only able to offer computer science at the 10th grade while courses were introduced in government schools from grades 8 through 10. UNRWA was also unable to introduce new courses or expand the capacity of existing courses in the Agency's vocational and technical training centers without reducing old courses. The Agency remains unable to support its scholarship program (suspended in 1997/1998) through its regular budget.

The ongoing *political and humanitarian crisis* in the 1967 occupied Palestinian territories continued to have a severe impact on the Agency's regular

and emergency education programs. Closures and mobility restrictions imposed by the Israeli military resulted in more than 100,000 teacher absences during the 2000/2001 school year, costing UNRWA more than 2 million dollars for substitute teaching. The number of teacher days lost in the 2001/2002 school year was 14 times higher than the previous year. At the beginning of 2002 UNRWA was unable to hold uniform examinations for the first time since 1996 at schools in the occupied West Bank at the end of the semester due to Israeli military restrictions on movement that made it practically impossible to distribute tests to all UNRWA schools. Damage to UNRWA education installations and property in the occupied territories since October 2000 has amounted to tens of thousands of dollars. This includes schools in the camps of Aida, Amari, Aska, Balata, Deheisheh, Jenin, Nurshams, and Tulkarem, in addition to schools in the Gaza Strip.





Higher enrolment levels in UNRWA schools in the 1967 occupied Palestinian territories due to the inability of families to pay for alternative private education required increased expenditures in the education program. During the reporting period UNRWA continued to provide emergency compensatory education for Palestinian refugee students in the 1967 occupied territories due to lost school days and the negative effects of stress and trauma. The Agency continued to provide counseling for traumatized students and other special activities to help students cope with high levels of stress and anxiety and death of classmates. UNRWA has also provided emergency cash assistance to families unable to purchase necessary school supplies. Nearly US\$ 10 million was budgeted under the Agency's emergency programs in 2001-2002 for compensatory education.

## Health

UNRWA operates 122 primary health care facilities and one hospital in its five areas of operations. The Agency's health care budget comprises nearly 20 percent of the total budget. The more than 3,600 staff employed in UNRWA's health program comprises approximately 15 percent of the total Agency staff. The occupied Gaza Strip, which has the second highest refugee population in the five areas of UNRWA operations has one of the highest number of patient visits to Agency facilities followed by Jordan and the occupied West Bank. (figures as of June 2002)

Primary Health Care: UNRWA health services include: primary health care, nutrition and supplementary feeding, assistance with secondary health care, and environmental health in refugee

camps. Primary health services covering medical care, family health, disease control and prevention, and health education are provided directly and at no cost to refugees registered with UNRWA. Hospital beds are contracted with public and private hospitals with the exception of one Agency-run hospital in the occupied West Bank town of Qalqilya. Not all refugees registered with UNRWA use Agency health facilities. The Agency runs one of the most cost effective health services in the region with comparable or higher results than other health services in the region. Refugees share health-care costs through co-payment towards secondary care, tertiary care, prosthetic devices, specialized medical investigations and non-program life-saving medicines. Owing to especially difficult socio-economic conditions in Lebanon, refugees are exempt from the co-payment system in place in other fields, although co-payments are required for specialized life-saving treatment. Some environmental health services in refugee camps are also provided through contractual arrangements with local municipalities or private contractors.



**Table 5.2 – UNRWA Health Facilities and Programs, 2002**

Health facilities and programs	Number of facilities
Primary health care facilities	122
Dental care	88
Family planning	122
Special non-communicable disease care	112
Specialist services	76
Laboratories	96
Health Staff	3,607

Source: UNRWA (Figures as of June 2002)

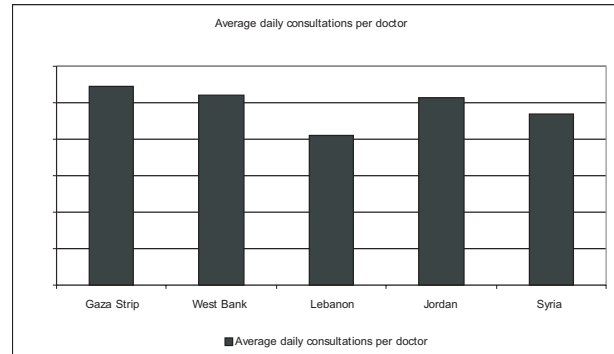
**Issues of Concern:** Over the course of the last five decades, UNRWA has faced numerous obstacles in providing health care to Palestinian refugees, including shortfalls in donor contributions and political crises in the region. The high rate of natural growth in the refugee community and the lack of rights-based durable solutions place further strain on the Agency's health care system every year. With an average annual natural growth rate of 3.5 percent per annum over the past five decades UNRWA is required to provide primary health services to over 100,000 additional refugees every year. The high dependency rate (over 36 percent of the registered refugee population is age 15 and below), moreover, adds significant costs for mother and child health.

Shortfalls in donor funding have resulted in strict controls on referrals and duration of hospital stays in some areas and some redeployment of contracted beds from the private sector to less expensive NGO hospitals, below average per capita expenditure on health services, a higher number of patients per health personnel, and difficulties in maintaining competitive salaries for recruitment of high quality health care professionals. During the last fiscal year, UNRWA allocated US\$ 13.50 per capita on health care. Based on the average natural rate of growth in the refugee community UNRWA would require an additional US\$ 2 million just to accommodate the increase in the refugee population.

**Chart 5.2 - Ratio of UNRWA Health Staff per 10,000 Refugees, Year**



**Chart 5.3 – Average Daily Consultations per UNRWA Doctor, Year**



Source: UNRWA.

Political crises in Lebanon and in the 1967 occupied Palestinian territories over the past 30 years, moreover, have necessitated significant additional expenditures to provide emergency medical care. During the first Palestinian *intifada* in the 1967 occupied Palestinian territories, for example, the increase in demand on the Agency's health services required additional medical staff, additional medicines and medical equipment, physiotherapy programs for injuries and disabilities and an expanded supplementary feeding program for children, pregnant women and nursing mothers, and infants. Health centers had to cope with hundreds of casualties, including injuries sustained as a result of beatings, injuries and deaths resulting from the use of rubber coated metal bullets and live ammunition and the effects of exposure to crowd control gases. UNRWA has been forced to institute similar emergency health programs in the context of the second *intifada* that began in September 2000.

**Developments in 2001-2002:** During the reporting period UNRWA health care facilities accommodated over 7 million patient visits for refugees requiring medical treatment and over one-half million patient visits for dental care. More than 50,000 refugees received in-patient care during the year. Renovation and upgrading of the Qalqilya hospital in the occupied West Bank was completed, while special project funding enabled the Agency to continue to rehabilitate or replace 12 primary health facilities that had deteriorated beyond the point of economical repair owing to lack of funds for preventive maintenance in previous years. During 2002, however, new health centers under construction in Balata, Dheisheh and Jenin refugee

camps were damaged by Israeli military operations. The Agency continued to make improvements in environmental health conditions in refugee camps.

Owing to *funding shortfalls*, the Agency has not been able to utilize the services of the European Gaza Hospital, which became operational at the beginning of 2001, as originally agreed in the memorandum of understanding signed in October 1997 by the Palestinian Authority Ministry of Health, the EU and UNRWA. Due to funding constraints UNRWA was forced to institute stricter referral criteria, a system of co-payment and cost-efficiency measures, such as restructuring hospitalization arrangements away from private to NGO hospitals. In Lebanon health services could only be maintained at the current level through redeployment of funds from other programs and fields. Due to the fact that health care services could no longer be maintained within the limited funds received through extra budgetary contributions UNRWA decided to integrate full hospitalization costs in Lebanon within the regular budget beginning in 2002.

The ongoing *political and humanitarian* crisis in the 1967 occupied Palestinian territories continued to place a heavy strain on UNRWA's health system in terms of much higher patient loads and increased expenditures. In the occupied Gaza Strip, for example, since the beginning of the second *intifada* UNRWA has recorded a 61 percent increase in medical consultations and a 30 percent increase in new physiotherapy cases. In the occupied West Bank a 35 percent increase in medical consultations has been recorded during the same period. Severe restrictions on freedom of movement imposed by Israel resulted in a significant decline (20 percent in 2001) in the number of refugees able to seek secondary health care in hospitals where UNRWA contracts services. A total of 54 health centers and points were closed for 576 days in the occupied West Bank in 2002 due to Israeli military operations. The system of patient cost-sharing has also broken down because of the generalized impoverishment and high unemployment rates created by Israel's military siege of the occupied territories. UNRWA emergency medical personnel have been attacked by the Israeli military and settlers and the Agency experienced grave difficulties in the distribution of medical supplies and equipment to health care facilities. (See Box 5.5, *Humanitarian Access*) Nearly 10,000 staff-hours were lost in the occupied West Bank between June 2001 and June 2002. Over

16,500 staff-hours were lost in the 1967 occupied Palestinian territories between January and October 2002.

During the reporting period UNRWA continued to provide emergency medical assistance to Palestinian refugees in the 1967 occupied Palestinian territories. By the end of October 2002, UNRWA had provided first aid at UNRWA health centers or mobile clinics, or transported to hospital 1,470 persons injured during the *intifada* in the occupied Gaza Strip. Mobile health clinics continue to be dispatched to isolated villages where residents are unable to reach regular health care facilities due to severe restrictions on freedom of movement. Over US\$ 9 million was budgeted during 2001-2002 for emergency medical needs.



**Box 5.5: Humanitarian Access**

UNRWA's relationship with host governments is based on bilateral agreements and the principles set forth in the UN Charter and the Convention on Privileges and Immunities of 1946. Under the UN Charter, member states are obligated (Article 2) to grant UNRWA "every assistance in any action it takes in accordance with the present Charter." UNRWA is also considered to be a legal individual in UN member states (Article 104); member states are obligated to respect the privileges and immunities needed by the Agency to fulfill its mandate. Under the 1946 Convention on United Nations Privileges and Immunities, the UN is a juridical personality under state laws (Article 1). UN property and assets are immune from legal process (Article II.2) and its premises are inviolable, immune from search, requisition, confiscation, expropriation and any other form of interference whether by executive, administration, judicial or legislative action (Article II.3). The UN, its assets, income, and property are exempt from all direct taxes, customs duties, and import and export restrictions on articles for official use (Article II.7). Differences in interpretation of the convention are to be referred to the International Court of Justice unless the parties agree otherwise (Article VIII).

UNRWA, however, has faced various restrictions on delivery of humanitarian assistance to Palestinian refugees. During the first Palestinian *intifada* in the 1967 occupied Palestinian territories, for example, Israeli authorities refused to allow entry of donations of foodstuffs and medical supplies through the port of Ashdod for so-called health and security considerations. The humanitarian aid supplies eventually had to be rerouted for use in Lebanon. Since the beginning of the second *intifada* in September 2000, UNRWA has faced a variety of restrictions and violations of its privileges and immunities.

UNRWA operations have been hampered by Israeli restrictions on the movement of humanitarian goods and UNRWA staff. Agency supplies and goods passing through the Karni checkpoint between Israel and the occupied Gaza Strip have been stopped for prolonged periods, as the Israeli government has insisted that UNRWA's humanitarian goods are subject to fees and security checks in violation of UN privileges and immunities. UNRWA has been forced to adopt a timely and costly "hook-unhook" procedure, which involves unhooking a trailer on which normally two sealed containers are carried, from an Israeli tractor and re-hooking it to a Palestinian tractor on the other side of the Gaza crossing. Israeli authorities collect a transit charge of NIS 150 for a 20-foot container and NIS 200 for a 40-foot container. Between 29 March and mid-May 2002 the Karni checkpoint was completely closed resulting in a backlog of containers at Ashdod port and an additional expense of US\$ 450,000. Shipping containers are also subject to inspection resulting in additional charges for loading, storage and demurrage.

The Israeli military has also prevented UNRWA from delivering emergency food and medical assistance to refugees. In early March 2002, for example, the Israeli military prevented the UN from making a delivery of humanitarian supplies, including urgently needed medicines, food, blankets and tents to the Jenin refugee camp in the northern occupied West Bank. During April, and despite unrelenting requests to gain humanitarian access to the Jenin refugee camp, UNRWA, the International Committee of the Red Cross (ICRC) and the Palestinian Red Crescent Society (PRCS) were all denied entry from the day Israeli forces entered the camp on 3 April. There was virtually no means of communication with residents of the camp for more than 10 days. On 15 April, 12 days after the assault had begun and four days after the fighting had ended, ICRC and PRCS personnel and an UNRWA ambulance were finally allowed entry into the camp. It was not until the following day, however, before UNRWA was allowed unfettered access.

UNRWA local staff from the 1967 occupied Palestinian territories continue to be required to obtain a permit to enter 1948 Palestine/Israel and occupied eastern Jerusalem. By mid-2002 almost all of the permits had expired or were revoked and were not being renewed. A separate permit is required for staff wishing to drive inside Israel and eastern Jerusalem. During the first half of 2002 an estimated 769 UNRWA staff members in the Gaza field and some 37 staff members assigned to the Agency's Gaza headquarters were regularly unable to report to work because of internal closures imposed by the Israeli military. During 2002 Israeli authorities also began to insist on conducting searches of UNRWA vehicles in which holders of UN *laissez-passer* diplomatic visas were travelling at both the Erez checkpoint and the Allenby (King Hussein) bridge in violation of the Agency's privileges and immunities.

The Israeli military has also continued to enter and occupy UNRWA premises. Between March and June 2002 Israeli soldiers entered and took over a number of UNRWA schools and other facilities for military bases and detention centers in contravention of international law. This included the UNRWA Girls' School in the Tulkarem refugee camp, the UNRWA Boys' School in the Amari refugee camp, the Ramallah Men's Training Center, and the Kalandia Training Center. In the Jenin refugee camp the Israeli military took over the UNRWA health center. When the military withdrew center staff found that many of the doors, windows, medical equipment, a dental chair, baby scales and refrigerators in which medicines were stored were damaged or destroyed. There were also some incursions by Palestinian security forces during 2002. By mid-June the Israeli military had caused an estimated \$500,000 in damage to 40 Agency installations in the occupied West Bank and \$80,000 in damage in the occupied Gaza Strip to 26 installations.

Additionally, local and international staff has been subject to harassment and assault by Israeli soldiers. On 9 December 2001, for example, soldiers stopped an UNRWA staff member near the Fawwar refugee camp, took his identification card and fired a sound bomb at him hitting him in the leg. The staff member was detained for more than three hours before they allowed him to obtain medical attention at a nearby clinic. On 4 March 2002 three UNRWA staff were forced out of their vehicle at the Homesh checkpoint, threatened with weapons, searched and physically assaulted by Israeli soldiers. Soldiers also destroyed medicine and food parcels. During the reporting period the Israeli military has fired on numerous UNRWA ambulances, despite medical staff

having obtained prior clearance from the military. On 20 October 2001 an UNRWA medical officer was shot in the back and leg while treating injured refugees in the Beit Jibrin camp and an ambulance driver was shot in the abdomen. Israeli military forces killed three local UNRWA staff and one senior international staff member in 2002. The Agency also reported some incidents of armed interference by Palestinian security forces in early 2002 in the occupied Gaza Strip. UNRWA has also reported incidents of Israeli soldiers placing bullets or knives in UNRWA vehicles during searches at military checkpoints and then accusing UNRWA staff of carrying weapons or ammunition in their vehicles.

**Table 5.3 – UNRWA Staff Members Arrested and Detained by Field, 1986-2002**

Year	Gaza Strip	West Bank	Jordan	Syria	Lebanon
1986	18	16	4	13	22
1987	16	6	2	1	60
1988	84	37	5	1	24
1990	83	49	6	1	24
1993	50	17	0	3	1
1994	30	15	1	3	1
1995	58	10	4	3	2
1996	93	16	1	0	1
1997	19	14	8	2	1
1998	17	19	13	12	0
1999	42	17	6	6	2
2000	26	8	11	5	5
2001	10	10	2	0	0
2002	13	69	5	0	5

Source: UNRWA (The figures for the Gaza Strip and the West Bank after 1994 also include UNRWA staff members arrested or

## Relief and Social Services

UNRWA's relief program provides food support for special hardship case families, shelter rehabilitation, and selective cash assistance. Eligibility and registration for UNRWA services also falls under the relief program. (See Box 5.6 for UNRWA Definition of a 'Palestine Refugee') The social services program consists of five main sub-programs: organizational development of community-based organizations, women in development, a disability program, youth activities, and the poverty alleviation program. The relief and social services budget constitutes approximately 10 percent of the Agency's total budget, with the largest share (82 percent) allocated to assist special hardship families. The program employs 667 staff persons. The largest number of households receiving special assistance is located in Lebanon and the occupied Gaza Strip due to the difficult socio-economic conditions faced by refugees. (figures as of June 2002)

**Chart 5.4 – Special Hardship Cases by Field, 1983 – 2002**

**MISSING Chart**

### Box 5.6: UNRWA Definition of a 'Palestine Refugee'

[Palestine refugee] shall mean any person whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 conflict.

Consolidated Registration Instructions (CRI), 1 January 1993, para. 2.13, see Annex 2.

**Relief Program:** UNRWA began to offer special assistance to refugee households qualifying as “special hardship cases” (SHCs) in 1978. Refugees who qualify as special hardship cases are eligible for food and selective cash assistance, hospitalization subsidies, shelter rehabilitation and are given priority in programs offered by the social services division and preference in enrolling in vocational training schools. Food assistance includes five basic commodities distributed on a quarterly basis (flour, rice, sugar, milk and oil). Cash subsidies amount to US\$ 40 per person per year. Small grants (average of US\$ 130) are provided on a case-by-case basis to SHC families (approximately 20 percent of SHC cases) facing emergency situations, such as the loss of goods or income due to fire, flooding, death or incapacity of heads of households or primary income earners. Fluctuations in currency exchange rates, however, often result in a reduction of total per capita allocations for cash assistance.



**Social Services Program:** The social services division encourages self-reliance in the refugee community through poverty alleviation schemes, and community-based, locally-managed institutions and services concerned with women and development, the rehabilitation and integration of refugees with disabilities, and youth activities and leadership training. Poverty alleviation schemes offer both financial and non-financial services, including various credit products, to individuals and groups for projects such as business start-ups and for training in technical and business skills. The size of most loans falls within the range of US\$ 500 to \$10,000. UNRWA has established 71 Women’s Program Centers, 27 Youth Activities Centers (primarily located in the 1967 occupied

Palestinian territories), and 36 community-based rehabilitation centers/programs. Some 59 percent of all community-based organizations have gained full self-management capacities. In the 1967 occupied territories, 61 percent of community-based organizations have registered with the Palestinian Authority as independent legal entities. However, 0.82 percent of all community-based institutions have achieved financial sustainability.



Women's program centers provide skills training for women and disabled persons, technical assistance for refugee-owned and/or operated income-generation enterprises, and public awareness drives on social issues, such as early marriage, drug addiction, smoking and domestic violence. Support services for women, such as counseling, legal advice and kindergartens as well as recreational and cultural activities are also offered. Youth centers organize a wide range of community service, recreational and educational activities, such as repair of camp roads, public library services, sporting events, film screenings, plays and lectures on a wide range of community issues.

**Table 5.4 –UNRWA Centers and Programs by Location, 2002**

	# UNRWA Centers/programs by location				
	Gaza Strip	West Bank	Jordan	Lebanon	Syria
Women's Program Centers	10	15	21	10	15
Youth Activities Centers	8	18	-	1	-
Community-based rehabilitation centers	7	13	10	1	5

Source: UNRWA.

Since 1991 UNRWA has also operated a microfinance and microenterprise program in the 1967 occupied Palestinian territories. The program was launched in response to deteriorating economic conditions following the outbreak of the first intifada in 1987 and the Gulf war in 1991. The program is organized around three revolving loan funds in the occupied Gaza Strip and two in the occupied West Bank. Loans are given to small-scale enterprises in the occupied territories, to women organized in groups in the occupied Gaza Strip, and to microenterprise in the occupied territories. Recently, UNRWA also decided to regionalize the program by expanding it into Jordan and Syria.

Issues of Concern: Over the course of the last five decades, UNRWA has faced numerous obstacles in providing basic relief and social services to Palestinian refugees due to shortfalls in donor contributions and political crises in the region. Due to funding shortfalls UNRWA is unable to provide relief and social service assistance to all of those refugees who are in need of services provided by the Agency. UNRWA has been forced to adopt increasingly stringent criteria for qualification as a special hardship case, limit special cash assistance to acute crises, and limit needed shelter rehabilitation. Agency social workers, moreover, have an excessively high patient caseload.

Political crises in the region, moreover, often lead to higher caseloads for basic food, cash, and shelter assistance. During the 1980s, for example, political crises in Lebanon and in the 1967 occupied Palestinian territories forced UNRWA to provide emergency food and cash assistance to Palestinian refugees who comprise a particularly vulnerable sector of society. Massive damage to refugee shelters in Lebanon in the 1980s and in the occupied territories following the onset of the second Palestinian *intifada* in the second half of 2000 significantly increased demands on UNRWA for shelter rehabilitation and reconstruction. Political crises are also often accompanied by an increase in registration for UNRWA services, as

previously unregistered refugees turn to UNRWA for assistance to help cover basic needs.

Developments in 2001-2002: During the reporting period UNRWA provided annual special hardship case (SHC) assistance to more than 55,000 Palestinian refugee households and over 200,000 food rations. The three largest categories of SHC assistance were directed to families whose male breadwinner was incapable of working for medical reasons (35.2 percent), families headed by a widow, divorcee or deserted female (24.5 percent), or the destitute elderly (13.3 percent). Between 2001-2002, 119 families moved off UNRWA's list of SHC families through the establishment of their own successful microenterprises and 810 others gained marketable skills through apprenticeships or skills training. Special project funding in 2001 enabled UNRWA to rehabilitate 358 refugee shelters at an estimated cost of US\$ 2.1 million. In 2002 UNRWA rehabilitated 667 shelters of SHC families. Shelter rehabilitation was carried out either on a self-help basis, with the Agency providing financial and technical assistance and beneficiary families arranging volunteer labor, or by small camp-based contractors, with the aim of creating employment within the refugee community.

In the 1967 occupied Palestinian territories, community-based organizations supported by UNRWA adjusted and developed their activities to address the urgent needs arising from the *political and humanitarian crisis* in the occupied territories, particularly with regard to the socio-economic situation of the refugee community. In addition to in-kind assistance, community-based organization's activities included first aid courses, therapeutic workshops for traumatized children, supplementary classes for pupils, special assistance to the disabled, and support for the victims of the *intifada* and their families. The rapid increase in the number of refugee households in the 1967 occupied Palestinian territories living below the poverty line necessitated emergency appeals to the international community for funds to cover

significant increases in cash assistance needs. The rapid decline in the economy and personal income, as well as the depletion of savings, also meant that refugees in the occupied Palestinian territories were no longer able to pay fees for services or share in costs.

*Funding shortfalls* and fluctuations in the currency exchange continued to hamper UNRWA's ability to provide relief and social services to Palestinian refugees. Annual allocation of US\$ 500,000 for selective cash assistance covered less than half of refugees in need of such assistance. Funding shortfalls also meant that UNRWA was only able to rehabilitate a fraction of the total number of refugee shelters in need of urgent repairs. The situation was further exacerbated by the destruction of more than 650 shelters in the occupied Gaza Strip, hundreds of others in the occupied West Bank and damage to thousands of others by Israeli military forces since the beginning of the second *intifada*.

The credit operations of UNRWA's microfinance and microenterprise program were severely hampered owing to the disastrous economic consequences of Israeli-imposed military closures and other measures restricting the movement of labor and goods. Disbursal of loans dropped from 1,304 loans worth US\$ 1.46 million in September

2000 to a mere 831 loans valued at US\$ 670,000 in June 2001. From the beginning of the *intifada* at the end of September 2000, the average monthly on-time repayment rate dropped from 69.43 percent to 20 percent. The program has therefore switched its credit products from straightforward market-oriented private sector development and reorient its credit activities to business survival, rehabilitation and rescue. Currently the program is only lending to existing businesses that show a capacity to survive, sustain jobs, generate income and help mitigate poverty. During 2002 the program provided 8,523 loans valued at US\$ 6.51 million for businesses in the 1967 occupied Palestinian territories. By June 2002 the monthly credit outreach had fallen to 923 loans valued at US\$ 655,276.

During the reporting period UNRWA continued to provide emergency food, cash, employment and shelter rehabilitation services to Palestinian refugees in the 1967 occupied Palestinian territories. Nearly US\$ 80 million was budgeted for emergency food assistance with more than US\$ 100 million allocated for emergency employment creation during 2002-2002. Approximately US \$22 million was budgeted for emergency cash assistance and shelter rehabilitation.





**Box 5.7: UNRWA Emergency Operations**

Throughout its five decades of operation, UNRWA has provided emergency humanitarian assistance, consisting of emergency medical assistance, remedial education programs, food and cash assistance, psychological counseling, post-injury rehabilitation, as well as repair and reconstruction of refugee shelters and Agency infrastructure during political and humanitarian crises in its five areas of operation.

During the early 1980s, the Israeli invasion of Lebanon largely undid the Agency's work of three decades in the country. Emergency operations included food rations, distribution of blankets, mattresses, kitchen supplies and clothing, water, and medical supplies. Following the withdrawal of Israeli forces from Beirut, UNRWA was left with the task of providing emergency care to the wounded as well as the families of the victims of some 3,000 refugees massacred by Israeli-allied Lebanese Phalangist militiamen in the Beirut camps of Sabra and Shatila and the reconstruction of camps and Agency infrastructure. Many of these same emergency services were provided to Palestinian refugees during the first *intifada* in the occupied Palestinian territories that began in December 1987.

Since September 2000, UNRWA has again been forced to supplement regular services with emergency programs to provide for hundreds of thousands of Palestinian refugees in the 1967 occupied territories due to the impact of Israel's military campaign to crush the second popular uprising or *intifada*, and Israel's ongoing denial of the right to self-determination and the right of Palestinian refugees to return to their homes and villages of origin. By November 2000 more than 200,000 refugee families had turned to UNRWA for immediate food and cash assistance due to increased poverty, mass unemployment (estimated to have increased from 11 to 40 percent between October and December 2000), emergency medical assistance, and repairs for damaged shelters. UNRWA issued two emergency appeals, primarily for food and shelter assistance, totaling US\$ 45 million to the international community to cover emergency operations.

Throughout 2001-2002, UNRWA continued to provide emergency assistance to Palestinian refugees in the 1967 occupied territories to meet daily needs generated by the crisis, including emergency poverty alleviation, maintenance of nutritional safety nets, repair of damaged shelters, provision of services to those disabled during confrontations with or attacks by occupying Israeli military forces, and delivery of health through mobile health units; ensuring emergency preparedness with full medical supplies, adequate transport facilities, post-injury physical rehabilitation capacities, and compensatory education; and, consciously attempting to guarantee that violence and economic decline do not irrevocably erode the gains of the past years and create new costs in both social and financial capital in the period to come.

UNRWA made four appeals to the international community for special funding of emergency operations in the 1967 occupied Palestinian territories during 2001-2002. The appeals amounted to more than US\$ 285 million. The largest portion of the emergency programs focus on emergency employment and food aid. At the end of 2002 UNRWA announced that emergency food aid for Palestinians in 2003 would constitute the largest food program since the Agency first began work in 1950. Due to the severe humanitarian crisis in the 1967 occupied Palestinian territories UNRWA is planning to provide food support for 1.3 million Palestinians (220,000 families) in 2003. Prior to the second *intifada* UNRWA was providing food support for just 11,000 families in the occupied territories.

For more details, see UNRWA Emergency Appeals Progress Reports, available on the UNRWA website: [www.unrwa.org](http://www.unrwa.org)

**Donor Assistance**

Since it was established in 1950, UNRWA has faced continual budget crises. Over the last decade the gap between UNRWA's budgeted and actual expenditure has reached as much as US \$50 to \$70 million per year out of a total budget of around US\$ 250 to \$300 million. The Agency coped with shortfalls in donor contributions through a number of austerity measures, primarily consisting of cutbacks in international staff posts, services and freezing of planned expansion of services as well as postponing maintenance and construction costs.

Chronic budget problems are related to the system of voluntary funding by UN member states, delays in contributions for current budget

cycles, political and humanitarian crises which necessitate emergency programs, rising costs and inflation. The high rate of natural growth in the refugee population and lack of a durable solution places further strain on Agency services. UNRWA currently requires a budget growth of 7.5 percent per annum based on an average 3.5 percent growth in the refugee population and an annual weighted average rate of inflation in the Agency's areas of operation of 4 percent.

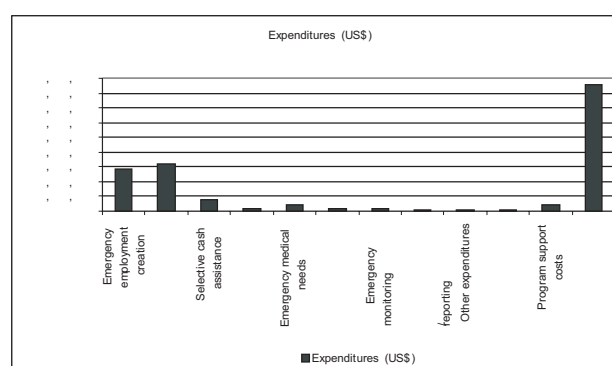
UNRWA's budget: The Agency's regular budget comprises recurrent and non-staff costs. It is further divided into cash and in-kind portions. The cash budget is funded through unearmarked cash contributions recorded as income to the General Fund. The in-kind budget represents the value of in-

kind donations that the Agency expects to receive based on agreements with donors or past practice (e.g. food aid). The project budget comprises mainly non-recurrent costs funded by earmarked project contributions. Activities are implemented only if donors specifically fund them. Most of the Agency's capital costs are included in the projects budget, as are certain other one-time activities and essential expenditure that cannot be met by regular budget allocations. Education services account for the majority of UNRWA expenditures, followed by health, and relief and social services, with operational and common services making up the remainder of expenditures.

Over the course of its fifty-year history of operations, UNRWA has launched numerous emergency funding appeals to cover the costs of emergency programs (See above). In 1997, for example, UNRWA launched a special emergency appeal for Lebanon totaling US\$ 11 million to support essential health, education, and relief and social services to alleviate financial pressures resulting from insufficient resources in the Agency's regular budget. Two emergency appeals were issued in 2001 covering the period of March to December for a total of US\$ 114 million. In 2002 UNRWA issued an appeal for US\$ 117 million. Following the massive military assault on Palestinian refugee

camps in March and April 2002, UNRWA was forced to issue a supplementary emergency appeal to the international community for US\$ 55.7 million to cover additional emergency expenses. The majority of the two emergency appeals in 2002 were earmarked for emergency employment creation and emergency food aid, with smaller amounts set aside for emergency medical needs, compensatory education, food aid, and monitoring and reporting.

**Chart 5.5 – UNRWA Emergency Appeals Expenditures (as of 31 December 2002)**



Source: UNRWA.

**Table 5.5 – Top 13 Donors to UNRWA Regular and Project Budgets, 2001**

Donor Country	2001 Contributions (US\$)
United States	114,781,440
UK and Northern Ireland	41,754,577
Sweden	21,365,899
Netherlands	21,284,298
Japan	16,535,138
France	16,235,388
Denmark	13,922,300
Norway	12,476,060
Germany	10,992,530
Italy	10,960,719
Germany	9,157,751
Spain	8,988,555
Canada	8,835,800
Switzerland	7,743,640

Source: Derived from UNRWA (Includes contributions to the regular budget and projects budget. EU contributions are included with individual EU member state contributions).

Donor Contributions: Since 1950, when UNRWA began operations, 116 donor states, in addition to the European Union and non-governmental sources, have contributed US\$ 6.9 billion (not including inflation) to provide international assistance to Palestinian refugees. The largest single donor between 1950 and 2002 is the United States (US\$ 2,447,762,217) while the largest overall donor is the European Union (US\$ 2,958,715,982). Arab states have contributed just over a quarter

of a billion dollars during the same period (US\$ 262,192,773). Israel has contributed nearly US\$ 15 million. Calculated as contributions per capita and as a percent of total GDP, however, Norway, Sweden and Denmark are the most 'generous' donor states among the top 13 donors to UNRWA when total contributions as of 2000 are calculated on a per capita basis as well as percent of GDP. The United States, the largest single state donor, ranks 8th .

**Table 5.6 – Top 13 Donors to UNRWA Emergency Appeals as of 31 October 2002, Emergency Funds include 4 October 2000 Flash Appeal, 8 November 2000 Emergency Appeal, February 2001 Emergency Appeal, June 2001 Emergency Appeal, 2002 Emergency Appeal and Supplementary Appeal. Includes value of in-kind contributions.**

Donor Country	Confirmed contributions (US\$)
US	66,302,259
UK	31,440,794
UAE Red Crescent	27,000,000
Netherlands	22,947,567
Italy	6,995,218
Germany	6,276,724
Sweden	5,471,797
Switzerland	5,329,273
Denmark	5,273,748
Belgium	5,242,125
France	5,095,186
Islamic Development Bank	5,000,000
Norway	4,934,078

Source: UNRWA (Figures are for confirmed donor contributions. ECHO contribution is included in individual European state contributions. US contribution includes USAID).

Refugees themselves also make significant contributions where possible to help cover the cost of UNRWA operations. In all fields except Gaza, nominal contributions at prescribed rates are collected from pupils and trainees on a voluntary basis to improve Agency facilities and equipment in schools and training centers. Other forms of community support include in-kind donations of equipment, furniture, and supplies. Refugees participate in the environmental health program through self-help projects for paving of pathways and drains in refugee camps, and modest payments by refugee families for connection of shelters to sewerage and water systems installed in camps. Refugees themselves made significant contributions in 2001-2002 to cope with the impact of Israel's

military and economic siege. This included the donation of around US\$ 1 million by UNRWA staff in Lebanon, Jordan, and Syria, as well as refugees and nationals in Syria.

Developments in 2001-2002: UNRWA faced a critical financial outlook for 2001. Due to increased donor contributions, as well as austerity measures (including restricted expenditures on basic health services such as medicines and the cost of secondary care) the Agency ended 2001 with a positive working capital for the first time in 10 years. Nevertheless UNRWA ended the fiscal biennium 2000-2001 with a deficit of \$33.3 million when the regular cash budget of \$570.1 million was compared with the income received

of \$536.8 million. By the end of September 2002, based on confirmed pledges and other incomes, the Agency faced the prospect of a funding gap in its 2002 regular cash budget of \$16.7 million.

During 2000, 9 members of the League of Arab States contributed to UNRWA's regular budget comprising 2.3 percent of total contributions. The largest contributor was Saudi Arabia followed by Kuwait and the UAE. In 2001 10 members of the League contributed to UNRWA regular budget comprising just 1.6 percent of total contributions. The largest contributor was Saudi Arabia followed by the Palestinian Authority. The figure is substantially lower than the figure (7.8 percent of the total regular budget) to which Arab states committed themselves under LAS Resolution No. 4645 (1987) adopted by the Arab Council of Foreign Ministers. A level of 7.8 percent would have required contributions of nearly US\$ 25 million.

UNRWA's budget requirements for the biennium 2002-2003 was estimated at US\$ 791.7 million. The budgetary requirement for 2003 is \$405.4 million. The budget for the biennium 2002-2003 reflects

the bare minimum funding requirements needed to sustain essential services at the current level and to meet the additional funding requirements that resulted from the integration of new educational programs in the school curricula of the host authorities. In December 2002, UNRWA made an appeal for US\$ 93.7 million to fund emergency operations for the first six months of 2003.

During the reporting period UNRWA also faced increased political attacks by Israeli officials and pro-Israel lobby groups in the United States. The attacks were particularly strong during Israel's military assault on Palestinian towns, villages and refugee camps in March and April 2002. Israeli officials and pro-Israel lobby groups accused UNRWA of turning a blind eye to the militarization of refugee camps. The accusations were part of a general campaign to close UNRWA down and liquidate the Palestinian refugee issue through forced resettlement. Lobby officials including AIPAC, for example, attempted to link continued US support for UNRWA's budget with demands for changes in Agency operations.

### **Box 5.8: Governmental and Non-Governmental Assistance to Palestinian Refugees**

UNRWA works closely with host governments and non-governmental organizations to provide needed assistance to Palestinian refugees. Since 1948, Arab host states and non-governmental organizations have made significant contributions towards assistance programs for Palestinian refugees. The US Department of State, for example, noted that during the last nine months of 1948 Arab states had borne "the great brunt of relief expenditures" and that the sum of their contributions (US\$ 11 million) "in light of the very slender budgets, is relatively enormous." The same report noted, "the total direct relief offered ... by the Israeli government to date consists of 500 cases of oranges." The contribution reflected views voiced in Israel's Foreign Ministry, Middle East Department. "The department staff estimated that the [Palestinian] refugees would 'manage' about the future. As they put it, 'the most adaptable and best survivors would manage by a process of natural selection and others will waste away. Some will die but most will turn into human debris and social outcasts and probably join the poorest classes in the Arab countries.'"

Arab host countries continue to provide assistance to Palestinian refugees. In all major Arab host countries, government expenditures on Palestinian refugees are significantly higher than UNRWA expenditures. In 2000/2001, for example, Syria reported expenditures of US\$ 68.4 million, more than triple that of UNRWA. Jordan reported expenditures of US\$ 392.1 million for Palestinian refugees and displaced persons compared to UNRWA's expenditure of around US\$ 70 million. In Jordan UNRWA spends around US\$ 49 per refugee (1999) while the Jordanian government spends US\$ 237 per refugee. Figures for total contributions by the Palestinian Authority in the 1967 occupied Palestinian territories are not available. At the regional level, the Palestine Liberation Organization has also provided significant assistance to Palestinian refugees including employment through "Samed" institutions and factories, PLO run medical facilities, pensions, complimentary services, study grants, etc. The level of PLO assistance, however, is susceptible to political developments in host countries. In Lebanon, for example, the expulsion of the PLO in 1982 led to a significant reduction in assistance to Palestinian refugees.

Non-governmental organizations in Arab host states have also made significant contributions to assist Palestinian refugees. In Syria, for example, the Association for the Liberation of Palestine was formed in 1948 to provide assistance to the refugees. By mid-1948, however, the number of refugees in Syria grew too large and the association appealed to the Syrian government for help. Assistance included relief in kind and cash payments, extra allowance for pregnant women, and free medical care for the sick. Orphans were provided with food, lodging, and primary education. In Lebanon a special committee was established in April 1948 under the Director General of the President's Office, consisting of representatives of the main ministries. Refugees were provided with a monthly allocation of flour, 3 Lebanese pounds per person, 25 additional pounds for pregnant women, 50 Lebanese pounds for deaths, and 25 pounds for orphans. In Egypt, the Higher Committee responsible for Palestinian refugee

affairs, together with the Egyptian Red Crescent and several international non-governmental organizations established an assistance system for 5,000-7,000 Palestinian refugees with material supplied by the UN and later through USAID.

In the 1990s the number of local NGOs offering various services to Palestinian refugees in Arab host countries, including social, medical, financial assistance, culture and sports, and services for women and youth doubled. In the 1967 occupied Palestinian territories 60 percent of NGOs working in the refugee community were established in the 1990s. In Jordan 54 percent of the total number of NGOs were established in the 1990s and in Lebanon 59.6 percent of NGOs were established during this period. The increase can be attributed to growing international awareness about the refugee issue, investment related to the Oslo process, political developments in the 1967 occupied Palestinian territories and greater political freedoms. Palestinian refugees themselves became more active as they sought means for influence and change. In the past, many refugee communities did not have the right to organize. In Lebanon, for example, organizations were barred from operating in the camps between 1959 and 1969 and camps were placed under military surveillance. Moreover, Lebanese law prevented the provision of NGO services to non-Lebanese, including the Palestinian refugees.

**Table 5.7 – Institutions and the NGOs in Palestinian Refugee Localities, 2001**

NGOs	NGO Centers	% Distribution of Registered Refugees	
West Bank	92	92	16.0
Gaza Strip	61	61	22.0
Lebanon	46 + 20	264	10.0
Jordan	50	146	42.0

The majority of the institutions working in the refugee community are multi-service oriented (27 percent in the 1967 occupied Palestinian territories). A large number of the institutions focus on women and education (19.7 percent on women; 9.2 percent on education training, and displaced 15.8 percent in the occupied Palestinian territories). In Lebanon, institutions focus heavily on kindergartens (24.6 percent), health care (19.7 percent) and social activities (14 percent). The high number of the health centers run by the NGOs in Lebanon can be explained by the legal restrictions on Palestinian refugees that prevent access to public services and high cost of private health. In Jordan, by contrast, NGOs operate only a small number (7.9 percent) of the total number of health centers. Most of the health centers in refugee camps in Jordan (80.6 percent) are private. The number is even smaller (5.9 percent) in occupied Palestinian territories (4.3 percent in the occupied West Bank and 8.3 percent in the occupied Gaza Strip).

The majority of the institutions serving Palestinian refugees are private non-governmental organizations; the rest are either semi-private organizations or organizations established by the government in the host countries. Most of the NGOs have local and limited services to a clientele of less than 1,000 persons.

Sources: Birzeit University, *Development Studies Programme, 2001. Institutional Structures in Palestinian Refugee Camps in the West Bank and Gaza Strip*; Ajlial Center, *The Statistics and Documentation Office, 2001. Palestinian Non-Government Organizations in Lebanon*; Birzeit University, *Development Studies Programme and al-Urdun Al-Jadid Research Center, 2001. Non-Governmental Organizations in Palestinian Refugee Camps in Jordan*.

## Selected UN Documents

*Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, 1 July 2000-30 June 2001*, UN Doc. A/56/13/Add.1, 2 October 2001.

*Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, 1 July 2001-30 June 2002*, UN Doc. A/57/13/Add.1, 26 September 2002.

*Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, Addendum, Programme Budget 2002-2003*, UN Doc. A/56/13, 30 June 2001.

*UNRWA Emergency Appeal Progress Reports and Emergency Funding Appeals 2001-2002*.

## Endnotes

The UNCCP mandate is a hybrid of the mandate given to the UN Mediator in Palestine by the UN Security Council and the suggestions for a commission to facilitate a solution for Palestinian refugees set forth in the Mediator's September 1948 progress report, paragraphs 4(j) and 4(i). *Progress Report of the United Nations Mediator on Palestine*, UN GAOR, 3rd Sess., Supp. No. 11 at 51, UN Doc. A/648 (1948).

For more details see, Terry Rempel, *The United Nations Conciliation Commission for Palestine (UNCCP) and a Durable Solution for Palestinian Refugees*. BADIL Brief No. 5. Bethlehem: BADIL Resource Center, 2000.

UNGA Resolution 394 (V), 14 December 1950. On the reduction in the UNCCP budget see, UN GAOR, 6th Sess., Annexes, Agenda Item 24(a), UN Doc. A/2072, at 1 (1952).

UNHCR Executive Committee Conclusion No. 27 (XXXIII) – 1982, "Military Attacks on Refugee Camps and Settlements in Southern Africa and Elsewhere."

UNHCR Executive Committee (ExComm) Conclusion No. 46 (XXXVIII) – 1987. See also, ExComm. Conclusion No. 50 (XXXIX) – 1988; ExComm. Conclusion No. 55 (XL) – 1989; ExComm. General Conclusion on International Protection (XLI) – 1990; ExComm. General Conclusion on International Protection (XLII) – 1991; ExComm. Conclusion No. 68 (XLIII) – 1992; ExComm. Conclusion No. 71 (XLIV) – 1993.

The cessation of UNHCR conclusions and General Assembly resolutions may be attributed to at least two factors. First, following the beginning of the Oslo process, the United States attempted to keep the Palestinian-Israeli conflict off the agenda of the UN. The US considered UN resolutions on the matter as unhelpful and prejudicial to the political process. See, statement by then US Ambassador to the United Nations, Madeline Albright cited in Donald Neff, *Fallen Pillars, US Policy Towards Palestine and Israel Since 1945*. Washington, DC: Institute for Palestine Studies, 1995, p. 55. Secondly, there may have been the assumption that the Palestinian Authority, established under the Oslo process, would fill the gap in national protection, at least for Palestinian refugees in the 1967 occupied territories. Recent reports by the UN Commission on Human Rights, Human Rights Inquiry Commission and the UN Special Rapporteur on the Situation of Human Rights in the Territories Occupied by Israel Since 1967, however, provide legal analysis which clearly rejects the notion that the Palestinian Authority is able to provide the protection afforded by a sovereign state. *Report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in the Palestinian territories occupied by Israel since 1967*. UN Doc. A/56/440, 4 October 2001; *Report of the Human Rights Inquiry Commission* at 33-35. UN Doc. E/CN.4/2001/121, March 2000.

*Report Submitted to Security Council by the Secretary General in accordance with resolution 605 (1987)*, UN Doc. S/19443. The Secretary-General examined four types of protection – physical, legal, general assistance and protection by the media – and concluded that the answer to protection lay in ending Israel's occupation, which was the root source of insecurity. Physical protection was deemed to be problematic as the deployment of protection forces was conditioned on Israel's consent.

For a more detailed discussion concerning the 1967 occupied Palestinian territories see, Lex Takkenberg, *The Status of Palestinian Refugees in International Law*. Oxford: Oxford University Press,

1998, p. 310, note 141.

*Annual Report of the Commissioner-General of UNRWA*, 1983, UN Doc. A/38/13, 13 June 1983.

David Forsythe, *UNHCR's Mandate: The Politics of Being Non-Political*. Working Paper No. 33. Geneva: UNHCR (March 2001), p. 6. See also, Takkenberg, p. 280.

Article One: Cooperation. Cooperation Agreement between the League of Arab States and the United Nations High Commissioner for Refugees, 27 June 2000.

UN, Joint Inspection Unit, *Report on UNRWA*, July 1983, UN Doc. JIU/REP/83/8, A/38/143, p. 42. Cited in Takkenberg, p. 283.

Note on the Applicability of Article 1D of the 1951 Convention Relating to the Status of Refugees to Palestinian Refugees. Office of the United Nations High Commissioner for Refugees (UNHCR), October 2002.

Letter by the Chairperson of the Committee on Social, Economic and Cultural Rights to the President of ECOSOC, 11 May 2001. The letter is archived on the BADIL website: [www.badil.org/Law/Human\\_Rights/CESCR\\_5-11.pdf](http://www.badil.org/Law/Human_Rights/CESCR_5-11.pdf).

UN Doc. E/C.12/Q/ISR/2, 5 June 2002, Implementation of the International Covenant on Economic, Social and Cultural Rights, list of issues to be taken up in connection with the consideration of the second periodic report of Israel concerning the rights referred to in articles 1-15 of the International Covenant on Economic, Social and Cultural Rights (E/1990/6/Add.32).

UN Doc. HR/4624, 4 October 2002, Committee on the Rights of Child Concludes Thirty-First Session, Recommendations Adopted on Argentina, United Kingdom, Seychelles, Sudan, Ukraine, Republic of Moldova, Burkina Faso, Poland and Israel.

See, e.g., UN Security Council draft resolution 1171, 18 December 2000. The resolution failed to attract the required nine votes for adoption. The United States abstained. UN Security Council draft resolution S/2001/270, 26 March 2001 vetoed by the United States. Draft resolution S/2001/1199, 14 December 2001 and draft resolution S/2001/363, 8 April 2002 both of which failed to attract the required nine votes for adoption.

According to Annan, the force would have four key objectives: to work with the parties to end the violence, in part through monitoring the withdrawal and redeployment of Israeli military forces to positions held before the beginning of the *intifada*; to gradually create secure conditions in the occupied territories for the resumption of normal economic activity and the unimpeded delivery of humanitarian and development assistance; to create conditions to allow the Palestinian Authority to rebuild its institutions damaged or destroyed during Israel's military assault; and, to create a stable environment to permit the resumption of negotiations aimed at achieving a political settlement.

E/CN.4/2001/121, March 2001, Question of the Violation of Human Rights in the Occupied Arab Territories, including Palestine, Report of the human rights inquiry commission established pursuant to Commission resolution S-5/1, 19 October 2000.

E/CN.4/2002/32, 6 March 2002. Report of the Special Rapporteur of the Commission on Human Rights, Mr. John Dugard, on the situation of human rights in the Palestinian territories occupied by Israel since 1967. "In this situation, initiatives for a ceasefire or a cessation of violence as a precondition for the resumption of talks between Israelis and Palestinians seem doomed to fail.

Only an effective international presence in the region with the power to monitor and reduce the use of violence can achieve this goal. The Special Rapporteur therefore believes that there is a need for an international peacekeeping mission, structured and composed to meet the circumstances of the region." "It is not within the mandate of the Special Rapporteur to pronounce on the implementation of the right of return of Palestinian refugees recognized in General Assembly resolution 194 (III) of 1948 or on the institutional arrangements for the protection of refugees. No report on the violation of humanitarian law and human rights in the Palestinian Territory would, however, be complete without special mention of the impact of the present crisis on refugees. Comprising over 50 per cent of the Palestinian population, refugees are particularly vulnerable to Israel's military assaults and economic blockade, on account of the location of many refugee camps near to settlements, settlement roads and the Egyptian border, and the disadvantaged position of most refugees in the labour market. More than half of the Palestinians killed since September 2000 have been refugees. The number of houses demolished or severely damaged in refugee camps is at least twice the number outside refugee camps. According to the United Nations Relief and Works Organization for Palestine Refugees in the Middle East (UNRWA) 320 of the 401 houses demolished in the Gaza Strip were homes to refugees. Unemployment is higher among refugees than non-refugees as is the number of households below the poverty line. Palestinian refugees are particularly vulnerable to higher rates of poverty as a result of negative changes in the economy. This is due to a relative lack of accumulated savings and thus no safety net to protect them from a high dependency on wage labour, the lack of access to land-based forms of subsistence, i.e., agriculture or property, and the large number of dependants per family prevalent in camp populations, which limits the ability of refugee families to absorb drastic and lengthy decreases in income." Report, para. 40.

For more details see, *ICRC Annual Report 2001*, Middle East and North Africa, Israel/Occupied Territories, Autonomous Territories, pp. 326-333. For information on ICRC activities in 2002 see, <http://www.icrc.org>.

Cited in Historical Survey of Efforts of the United Nations Conciliation Commission for Palestine to secure the implementation of paragraph 11 of General Assembly resolution 194 (III), The Question of Reintegration by Repatriation or Resettlement, UNCCP Working paper prepared by the Secretariat, UN Doc. A/AC.25/W.82/Rev.1, 2 October 1961.

UN General Assembly Resolution 2252 (ES-V), 4 July 1967.

UNRWA, *UNRWA and the Transitional Period: A Five-Year Perspective on the Role of the Agency and its Financial Requirements*. Vienna (31 January 1995).

Region-wide, three-quarters of UNRWA schools run on double-shifts, with the rate over 90 percent in Jordan and Syria. Despite an expanded program of school construction since 1993, the Agency has been unable to reduce the rate of double-shifting. Preliminary studies carried out by UNRWA's Department of Education show that in achievement tests the performance of pupils in double shift schools is inferior to that of pupils in single-shift schools.

Shortfalls in donor contributions for the construction of the necessary number of new schools (and restrictions on new construction in Lebanon) has also forced UNRWA to house schools in often unsatisfactory rented premises. Approximately 13 percent of UNRWA schools are located in rented facilities with the situation most severe in Lebanon where 46 percent of Agency

schools are located in rented buildings. Between 1993 and 2002, however, special project funds have enabled UNRWA to reduce the overall number of rented school buildings from 94 to 78.

The high rate of growth in the student population and lack of funding for new or expanded facilities has also led to overcrowding in Agency schools. Classroom occupancy rates are substantially higher than the rates in host country schools. The average classroom occupancy rate for 2002/2002 was 42.9 students. The rate is particularly high due to extremely overcrowded classrooms (75 percent) in the Gaza Strip. The area per student in UNRWA schools ranges between 0.83 – 1.17 sq. m., an average of 1 sq. m. per student, which is low compared with UNESCO standards (1.40-1.50 sq. m. per student).

Since 1997 UNRWA has been unable to provide scholarships for post-secondary education due to funding shortfalls. Existing scholars in the program, however, continue to receive assistance through special project funds until they complete their studies.

Due to funding shortfalls UNRWA per capita health expenditures are considered far below public expenditure on health by countries in the Agency's area of operations and compare with public expenditure in the world's least developed countries. Taking the allocations on environmental health services and food aid separately, the net per capita allocation on the full range of preventive and curative medical care services, both at the primary and secondary levels, was US\$ 9.30 for the 2000-2001 biennium.

Lack of sufficient donor contributions to keep pace with the natural growth of the refugee population, moreover, has resulted in extremely high patient loads for health care personnel as much as 20 times higher than the rates in Arab host countries. The overall health personnel/population ratios remained as low as 0.8 doctors and 2.2 nurses per 10,000 refugees (2000-2001 biennium). The corresponding rates are 13.8 doctors and 19.7 nurses/midwives per 10,000 persons in Syria and 16.6 doctors and 30 nurses/midwives per 10,000 persons in Jordan. UNRWA has also been unable to reduce the high number of daily consultations per doctor. On average, UNRWA doctors see more than 106 patients per day (as of December 2001). The long-desired objective of reducing the average number of consultations to not more than 70 per medical doctor per day has not been achieved due to funding shortfalls and a recruitment freeze.

A feasibility study was completed in Syria for improving water supply in camps and construction of a sewage system. In Lebanon, feasibility studies and detailed plans were completed for the rehabilitation and construction of the water and wastewater infrastructure in five refugee camps. Capital projects were complemented by self-help camp improvement activities, such as paving pathways, to which the Agency contributed construction material and the refugee community provided volunteer labor.

SHCs are defined as households having no male adult medically fit to earn an income and no other identifiable means of financial support above a defined level.

UNRWA continued to provide food rations to Palestinian refugees in all areas of operation until the early 1980s. Following the Israeli invasion of Lebanon in 1982 and the ensuing humanitarian crisis, UNRWA rations were redirected from all areas of operations to Lebanon with the consent of refugees. However, following the end of the crisis in Lebanon, rations were not reinstated.

Between 1997 and 2000 UNRWA was forced to suspend allocations for selective cash assistance. Current allocations,

reinstated in January 2000, however, only allow the Agency to provide allocations to approximately one-third of the families in need of special assistance.

Available resources for shelter rehabilitation continue to fall short of identified needs. Some 14,000 SHC case families, comprising some 54,000 persons, still live in housing that does not meet minimally acceptable standards for structural soundness, hygiene, ventilation and space relative to family size. An estimated US\$ 12 million is needed to repair these shelters.

UNRWA employs 268 social workers with an average caseload of 262 cases per year (June 2002), well in excess of the recommended 250 cases per year.

Operational expenditures include supply, transport, architectural and engineering services that support all Agency programs. Common services include management and administrative services that support all Agency programs, as well as working capital reserves to be allocated to programs during the budget biennium.

See, e.g., "Abolish UNRWA," *Jerusalem Post*, 15 April 2002; AIPAC Facts: UNRWA Camps Used as Terrorist Strongholds." The factsheet is available at <http://www.aipac.org>; Letter from Representative Tom Lantos (D) California to UN Secretary General Kofi Annan, dated 13 May 2002 [Copy on file with BADIL]; Avi Becker, "Refugees First," *Ha'aretz*, 6 June 2002; Rachel Pomerance, "Critics Pressing UN Agency, Despite Little Progress on Case," *Jewish Telegraph Agency*, 2 July 2002; and, Melissa Radler and Lamia Lahoud, "Government Questions UNRWA Neutrality," *Jerusalem Post*, 28 November 2002.

Palestine Refugee Problem, Annex I, Washington, 22 April 1948, *Foreign Relations of the United States 1949*, p. 938. Cited in Neff, p. 69.

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# 6

## Chapter

