



General Assembly

Distr.: General
29 May 2017

English only

Human Rights Council

Thirty-fifth session

6-23 June 2017

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Joint written statement* submitted by the International
Organization for the Elimination of All Forms of Racial
Discrimination (IAFORD), the Arab Organization for
Human Rights, the Indian Movement "Tupaj Amaru", the
International-Lawyers.Org, the Meezaan Center for Human
Rights, the Union of Arab Jurists and the Women's Centre
for Legal Aid and Counseling, non-governmental
organizations in special consultative status, the International
Educational Development, Inc., the World Peace Council,
non-governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[15 May 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

GE.17-08618(E)



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Palestinians: A Displaced People*

Palestinian displaced persons and refugees represent the largest and oldest case of displacement on the UN agenda and in the world today. Palestinians have been facing the harsh realities and constant threat of displacement for seven decades. While the injustices of the 1948 *Nakba* and the 1967 *Naksa* still reverberate¹, Israeli illegal practices continue to cause extensive displacement among the Palestinian population inside Israel and in the Occupied Palestine Territory (OPT) – which will be the focus of this submission.

Not only has Israel consistently prevented Palestinian refugees and displaced persons from returning to their homes², but it has also effected ongoing forcible internal displacement and dispossession on both sides of the Green Line (1949 Armistice Line), hence in Israel and occupied Palestine, through institutionalized racial discrimination against and oppression of the Palestinian population.

Israeli Actions Leading to Displacement

Forced displacement is a result of Israel's recurrent military actions and its colonialist and apartheid activities disproportionately affecting the Palestinian population. Israel has fragmented the Palestinian people, which it submits to distinct policies and practices that share in common racial oppression and discrimination.

Military Action

The first factor is Israeli military operations, which are in grave breach of humanitarian law and are characterized by disproportionality and non-distinction. Israeli military attacks and operations in occupied Palestine have caused extensive damage and destruction³, thereby leading to large-scale internal displacement of civilians.

Forcible internal displacement has accelerated in recent operations. The 2008-2009 Israeli offensives in Gaza caused the highest rate of internal displacement since 1967, with nearly 120,000 Palestinians being displaced, and many others trapped in unsafe places. The scale of destruction, displacement and humanitarian disaster during and following Israel's 2014 military offensive in Gaza was "unprecedented" (A/70/421). It has left deep marks on the Palestinian civilian population – particularly on refugees, many of whom have been forcibly displaced again. 14,000 refugee families were displaced as a result of the offensive and 6,750 Palestine refugee families (40,000 individuals) remain displaced (UNRWA, 2017).

Discriminatory Land and Development Model

Central measures underlying the policy of forced population transfer for the purpose of establishing control, acquiring land and altering the demographic composition are home demolitions, confiscation and expropriation of Palestinian land

¹ For a description of the historical precedents, please refer to Appendix 1.1.

² The incessant displacement of Palestinians is intricately linked to the right of return of Palestinian refugees and displaced persons, which Israel continues to deny and directly counteract. Four to five generations of Palestinians have lived in refugee camps all their lives. Many will die without having seen their homeland or original place of residence. In the absence of a just solution, many Palestine refugees and displaced persons face immense suffering and deplorable conditions under occupation and in exile marked by vulnerability, dispossession, and perilous socioeconomic conditions.

³ Israeli offensives resulted in massive damage and destruction of homes, economic, industrial and agricultural properties and lands, infrastructure, religious sites and public institutions such as hospitals and schools, and UN facilities.

and property, and unabated settlement and Wall construction⁴. This is compounded by Israel's closure and permit system. On basis of discriminatory laws, military orders, and apartheid zoning and planning schemes, Israel has persistently and systematically conducted large-scale confiscation of Palestinian land and property for the sake of Jewish settlements in historic Palestine. As Palestinian property is declared Israeli State property without any possibility for compensation, Palestinians are forced to leave⁵.

In the past year, home demolitions and evictions under the pretext of lacking Israeli-issued building permits have again risen alarmingly⁶. At least 70 percent of Area C had already been expropriated for exclusive Israeli use by 2016. Most of the remaining 30 percent of Palestinian land, mostly private property, is largely unusable for Palestinian development due to the denial of permits and further obstructions by the Israeli military authorities. As the rejection rate for building permits submitted by Palestinians ranks well above 90 percent, Palestinian residents face a constant threat of dispossession and displacement. Meanwhile, legal protection through the High Court that could avert demolitions dwindles and compensation remains absent.

Life is Unbearable

Israel's creation of conditions that render life for Palestinians unbearable⁷, particularly its control over the Palestinian economy and discriminatory allocation of vital infrastructure, essential services, and natural resources, is a further factor contributing to widespread displacement among Palestinians on both sides of the Green Line.

Palestinian Bedouin and herding communities in Area C face particularly perilous living conditions. Most communities face severe restrictions on access to natural resources and water utilization, are not connected to electricity and are deprived of social services. As they are rarely issued construction permits, their built houses, tents, vital infrastructure, as well as schools and health clinics can receive demolition orders at any time. Socioeconomic indicators in water, health, and education are thus exceedingly low. Additionally, settler violence targeting Palestinian inhabitants and their property is rampant. Many Bedouin communities are thus compelled to relocate⁸, and are subject to Israeli forced urbanization and concentration plans, mainly in Area.

Palestinian citizens of Israel, especially Bedouins living in "unrecognized" villages in the Negev, face institutionalized discrimination in e.g. employment, development, and housing, and have unequal access to or are deprived of education and basic health services. As a result, the unemployment and poverty rate is higher, the life expectancy is significantly

⁴ The Wall has substantial humanitarian consequences for Palestinians living within the closed zone and in the precincts of the Wall, such as the fragmentation of community life and the separation from places of employment, schools, universities and specialized medical care, as well as from agricultural land to harvest crops or to graze their animals, which leads to economic hardship. Required permits to cross the Wall are rarely granted and less than half of the gates in the Wall are open to Palestinians around the year, and for less than the officially stated time. These intolerable conditions have already resulted in the displacement of tens of thousands of Palestinians (see A/HRC/4/17).

⁵ In 2016, at least 180 Palestinian households in occupied East Jerusalem had eviction orders filed against them, largely initiated by Israeli settler organizations, thereby threatening 818 Palestinians, including 372 children, with displacement (OCHA, 2016). Palestinian Bedouin citizens of Israel similarly face demolitions, forced evictions and displacement, executed on the basis of the Bill for the Regulation of the Bedouin Settlement in the Negev.

⁶ Israel has executed demolitions of Palestinian homes and structures in Um Al-Khair, Sebastia, the Jericho villages of Al-Jiftlik and Fasayil, and Um Al-Hiran in the Negev, among others. Evidently, plans for the construction of hundreds more settlement units are advanced.

⁷ It should also be noted that Syrian residents of the Occupied Syrian Golan continue to face unequal access to land, housing and basic services alike and are hence compelled to leave.

⁸ Often, Bedouin communities are forced to relocate to urban townships, where they have to forsake their nomadic and agricultural way of life and lose their primary means of subsistence

lower, and the infant mortality is higher as compared to that of their Jewish Israeli counterparts. This also results in large-scale internal displacement⁹.

Israel's decade-old **Gaza blockade**¹⁰ escalated unemployment and poverty rates and hurled Gaza's population into a protracted humanitarian crisis. This situation has been aggravated by the constraints imposed on humanitarian aid and reconstruction of destroyed homes and livelihoods. This leaves more tens of thousands of Palestinians displaced. Palestinian communities living and working in Gaza's Access Restricted Areas, such as fishermen, suffer particularly under diminished access to agricultural land and the sea and the destruction and confiscation of equipment and means needed for their livelihood, resulting in unemployment or income loss and deepening displacement pressure.

The denial of citizenship status severely harms the standard of living enjoyed by **East Jerusalemite Palestinians** and forces many to abandon their place of origin. For instance, the Israeli authorities deny Palestinians the establishment of waste water treatment facilities and the provision of other vital infrastructure, education and municipal services. The rate of East Jerusalemite Palestinians living below the poverty line is exceedingly high and around three times higher than that of Jewish residents of Jerusalem (A/67/35).

Revocation of Residency

The Israeli authorities administer the population and control the issuance of identity documents for the West Bank, including East Jerusalem, and the Gaza Strip. After its illegal annexation of East Jerusalem in 1967, Israel conducted a census in the annexed areas and granted permanent residency status only to those Palestinians physically present at the precise time the census was taken, thereby depriving around 8,000 Palestinians of their right to reside in Jerusalem. Those Palestinians who were present were forcedly¹¹ allocated the status of "permanent residents" of the State of Israel, which does not entail a constitutional right to residency¹² and is therefore subject to expiration and revocation at any point in time.

Since 1967, Israel has rescinded the residency status of tens of thousands of Palestinian East Jerusalemites, thereby permanently banning them from their home City (A/67/35). Palestinians in the remaining occupied Palestine also see their residency rights arbitrarily revoked. On the basis of discriminatory military orders¹³, any Palestinian resident of the West Bank could fall under the definition of illegal "infiltrator" and be subject to forcible transfer or deportation to Gaza. Especially Palestinians holding residency permits with addresses in the Gaza Strip, even if they were born and live in the West Bank, are forcibly moved to Gaza.

Conclusion and Recommendations

The recent years have seen accelerating displacement for which accountability and compensation remain absent. Palestinians displaced or at risk of displacement have limited possibilities to seek redress from Israeli policies and

⁹ This is particularly evident in light of the Praver Plan and the newly discussed Bill advanced by the Minister of Housing, Uri Ariel, that is expected to displace 40,000 Bedouin residents from their villages.

¹⁰ The blockade entails severe restrictions on the movement of people, goods and services, and has resulted in the collapse of Gaza's economy, the shutting down of most factories and hundreds of businesses, and acute shortage of basic goods and essential services.

¹¹ If they had not accepted the status, they would have been expelled from their homes and lands in East Jerusalem. The permanent residence status entails some of the rights (e.g. entitlement to public education, health and welfare) and most of the duties (e.g. payment of national and municipal taxes) of Israeli citizens.

¹² The right to reside in Jerusalem is conditioned upon physical presence within the Israeli-defined borders of Jerusalem (permanent domicile, "center of life") that must be constantly proven in interaction with the Israeli Interior Minister.

¹³ In October 2009, the General Officer Commander of the Israeli Occupation Force issued military orders No. 1649 "Order regarding security provisions" and No. 1650 "Order regarding prevention of infiltration", amending military order No. 329 of 1969 and widening the definition of "illegal infiltration" to persons who do not lawfully hold a permit issued by the military commander.

practices and have to undergo protracted and wearisome bureaucratic processes, at whose end restitution of property or compensation for lost or destroyed belongings is rarely provided. The total number of Palestinians forcibly displaced persons by the end of 2015 was an estimate of 7.98 million, which amounts to 66 percent of the entire Palestinian population¹⁴.

Regardless of their residence, Palestinians face forced displacement. This leads to heightened poverty, as people are robbed of their main source of physical and economic security, and imperils their livelihoods. It usually diminishes access to basic services such as water, electricity, healthcare, and education. The situation of Palestine refugees and displaced persons thus remains precarious, with high levels of unemployment, poverty and economic decline. Due to the prolonged nature of their forcible exile, many are *de facto* stateless persons. Families and other social structures are torn apart and cultural and political life is permanently disrupted. Lastly, the negative psychosocial consequences of displacement cannot be neglected: Anxiety and stress and deep-seated traumas among communities and within households are widespread.

The signatories to this statement reaffirm that the rights of Palestinian refugees and displaced persons, including their right of return, do not diminish with the passage of time and remain cornerstone of a future solution to the Palestine question. Therefore, we urge the United Nations and its relevant bodies to:

- Ensure the voluntary return and property restitution of Palestinian refugees and internally displaced persons in safety and dignity and compensation for suffered losses, such as the destruction of or damage to land, homes and property;
- Take all necessary measures to finally bring an end to the prolonged occupation of Palestine and fulfill Palestinians' right to national self-determination, which involves the end of all annexationist and settlement activity and the illegal blockade on Gaza;
- Urge Israel to cease its discriminatory planning, development, and land system in occupied Palestine and within Israel and to rescind all policies and practices resulting in the forced eviction and transfer of Palestinians, including demolitions, confiscations, settlement and wall construction, and the creation of a coercive environment.

*Geneva International Centre for Justice (GICJ), The Arab Lawyers Association- UK, Human Rights Defenders (HRD), The Brussels Tribunal, Euro-Mediterranean Human Rights Monitor, Human Rights and Democracy Media Center "SHASM", Alternative Information Center (AIC), Association of Humanitarian Lawyers (AHL), Hebron Human Rights Defenders (HRD), The Iraqi Commission for Human Rights (ICHR), Association of Human Rights Defenders in Iraq (AHRD), Alliance to Renew Co-operation among Humankind, General Federation of Iraqi Women (GFIW), Organisation for Justice & Democracy in Iraq (OJDI), Women Will Association (WWA), The Iraqi Centre for Human Rights, The Perdana Global Peace Foundation, The International League of Iraqi Academics (ILIA), Organization for Widows and Orphans (OWO), International Anti-Occupation Network (IAON), Kuala Lumpur Foundation to Criminalise War, NGOs without consultative status, also share the views expressed in this statement.

¹⁴ These included: 6.14 million refugees of the 1948 Nakba and their descendants. Among them are 5.09 million refugees registered with UNRWA and an additional one million unregistered refugees; Above one million refugees of the 1967 Naksa; and 720,000 internally displaced persons on both sides of the Green Line. (UNRWA, OPT emergency appeal 2017; <http://www.badil.org/phocadownloadpap/badil-new/publications/research/in-focus/FT-Coercive-Environments.pdf>)