

Survey of
Palestinian Refugees
and
Internally Displaced Persons
2008 - 2009



**Survey of Palestinian Refugees and Internally
Displaced Persons 2008-2009**

Volume VI, 2008 - 2009

215 pages. 30 cm

ISSN 1728-1679

Palestinian Refugees – Statistics – Periodical
Palestinian Internally Displaced Persons –
Statistics – Periodical

HV640.5.P36S97 2009

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Cover Photo: Children navigate through the
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This report is produced with the generous
support of: Danchurch Aid, ICCO
(Netherlands), NDC/ European Human
Rights and Good Governance Program,
Oxfam Solidarity (Belgium), Spanish Agency
for International Development Cooperation
(AECID) and Trocaire (Ireland)

Preface

This edition of the Survey of Palestinian Refugees and Internally Displaced Persons (Volume VI) focuses on Palestinian refugees and internally displaced persons in the period between 2008 and mid-2009. Statistical data and estimates of the size of this population are updated until the end of 2008.

The need to overview and contextualize Palestinian refugees and IDPs 61 years after the Palestinian *Nakba* (Catastrophe) and 42 years after Israel's belligerent occupation of the West Bank, including eastern Jerusalem, and the Gaza Strip, could not be more urgent. Not only do Palestinian refugees and IDPs continue to constitute the largest and longest-standing unresolved case of refugees and displaced persons in the world today, but their numbers continue to grow in light of Israel's policies and practices that result in more forcible displacement of Palestinians in Israel and the Occupied Palestinian Territory (OPT).

This Survey endeavors to address the lack of information or misinformation about Palestinian refugees and internally displaced persons (IDPs), and to counter political arguments that suggest that this issue can be resolved outside the realm of international law and practice applicable to all other refugee and displaced populations. The Survey:

- (1) provides basic information about Palestinian displacement – i.e., the circumstances of displacement, the size and characteristics of the refugee and displaced population, as well as their living conditions;
- (2) clarifies the framework governing protection and assistance for this displaced population;
- (3) sets out the basic principles for crafting durable solutions for Palestinian refugees and IDPs consistent with international law, relevant United Nations resolutions and best practice; and
- (4) presents an overview of past and current political initiatives aimed at resolving the Palestinian refugee question, including official diplomacy and civil society efforts.

A professional review of the methodology used to estimate the current Palestinian refugee and IDP population was undertaken to guarantee data accuracy and reliability. Existing statistical data, including findings from the 2007 census conducted in the OPT by the Palestinian Central Bureau of Statistics, have been reviewed and updated, while hundreds of supplementary sources have been used to collate and document the phenomenon of ongoing forced displacement and related statistical, legal and political matters. Nonetheless, in the absence of systematic monitoring and comprehensive registration of all displaced Palestinians, it remains difficult, and is sometimes impossible, to produce accurate statistical data reflecting the phenomenon. In such cases, the best available illustrative data is provided.

The Survey of Palestinian Refugees and Internally Displaced Persons has been published by BADIL Resource Center since 2002. This edition differs from previous versions in its attempt to present the phenomenon of on-going forced displacement in a systematic manner. A holistic framework is applied for this purpose to Israeli policies and practices which induce the forced displacement of Palestinians on both sides of the 1949 armistice line ("Green Line"). It is our belief that such a framework is required for proper understanding of the root causes of the protracted and on-going phenomenon of forced displacement of Palestinians and effective remedies. In this respect, the Survey complements other information and advocacy materials prepared by BADIL, including the Campaign for Boycott, Divestment and Sanctions against Israel until it abides by international law. Many issues raised in the Survey are addressed in more detail in other BADIL publications, and can be accessed at our website.

BADIL Resource Center
December 2009

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Note on Sources

The information in the *Survey* is compiled from a variety of sources, including published reports, books, United Nations documents, press reports, unpublished materials and data from the Palestinian Central Bureau of Statistics (PCBS). The information presented in the *Survey* represents the most recent information available to BADIL Resource Center at the time of publication. Because of the nature of Palestinian displacement, registration and enumeration, and technical and political complications related to the collection of information about Palestinian refugees, systematic data and information for all groups of Palestinian refugees and internally displaced persons is not available. The most extensive data and information covers those Palestinian refugees displaced in 1948 and registered with the UN Relief and Works Agency for Palestine Refugees (UNRWA). There is little data and information on Palestinian refugees residing in Europe, North America and other areas outside the Middle East. Systematic data and information is also lacking for internally displaced Palestinians in both Israel and the occupied Palestinian territory.

Executive Summary

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

Palestinian refugees include those who became refugees in the context of armed conflicts in 1947-1949 (“1948 Palestinian refugees”) and 1967 (“1967 Palestinian refugees”), as well as those who are neither 1948 nor 1967 refugees, but outside the area of former Palestine and unable or unwilling to return owing to a well-founded fear of persecution.

Palestinian IDPs include those who have been internally displaced inside Israel since 1948, as well as those displaced in the OPT since 1967 as a consequence of Israel’s practices and policies combining elements of colonization, apartheid and belligerent occupation.

At the end of 2008, there were at least 7.1 million displaced Palestinians, representing 67 percent of the entire Palestinian population (10.6 million) worldwide. Among them were at least 6.6 million refugees and 427,000 IDPs.

1948 Palestinian refugees and their descendants constitute the largest group of refugees (5.7 million). This group is composed of those displaced or expelled from their places of origin because of the *Nakba*, and their descendants. The *Nakba*, Arabic for “Catastrophe”, refers to the ethnic cleansing of Palestinians by Zionist militias and the newly established state of Israel between 1947 and 1949.

Today, Palestinian refugees are living in forced exile in many parts of the world. Despite the changes in the pattern of distribution of Palestinian refugees over the last 61 years, the majority of the refugees still live within 100 km of the borders of Israel and the 1967 OPT, where their homes of origin are located.

Most refugees do not live in camps: UNRWA-registered refugees in camps comprise 29.4 percent of the total UNRWA registered refugee population and 20.7 percent of the total Palestinian refugee population. In addition, hundreds of thousands of Palestinian refugees reside in one of at least 17 unofficial camps in the OPT, Jordan, Lebanon and Syria.

Most Palestinian refugees (approximately 79 percent) live outside UNRWA’s 58 camps. Many West Bank villages and towns, for example, host a significant refugee population. There are approximately 100 localities in the occupied West Bank in which 1948 refugees comprise more than 50 percent of the total population.

Displacement of Palestinians from their homes and homeland is not a phenomenon relegated to the past. It is an ongoing process that occurs in slow and fast motion on both sides of the Green Line. The years 2008 and 2009, the period which is the focus of this Survey, was no exception.

Israel’s military offensive “Operation Cast Lead” against the occupied Gaza Strip at the end of 2008 and beginning of 2009, for example, caused the massive internal displacement of 80-90,000 persons. Excessive and indiscriminate use of force, home demolition and forced evictions, attacks and harassment by non-state actors, revocation of residency rights, closure and segregation, confiscation and discriminatory distribution of land, and settler implantation, have been identified as Israeli policies and practices which constitute the main “triggers” of forced Palestinian displacement on both sides of the Green Line (Israel and OPT). Hundreds of thousands of Palestinians have thus been displaced in and from the OPT since 1967, many suffering multiple displacement.

By 2009, Palestinian communities in the OPT at particular risk of forced displacement include communities in the path of the Wall (498,000 Palestinians in 92 communities), Palestinian Bedouin, Palestinians residing in the

Jordan Valley, eastern Jerusalem, Hebron, Southern Gaza and the Gaza Strip buffer zone, (which extends from 500 meters to one kilometer in from the Gaza Strip's border). Among Palestinian citizens of Israel, the Bedouin in the Naqab (Negev) and Palestinian communities in the Galilee and the so-called "mixed cities" are particularly vulnerable to forced displacement.

In light of the historical continuity and systematic character of Israeli policies and practices that displace and dispossess Palestinians within Israel and the OPT, a holistic framework is required for the analysis of Israel's regime, identification of root causes of forced Palestinian displacement, and effective remedies.

A holistic analysis shows that Palestinian displacement and dispossession are not the result of incidental or isolated occurrences, but rather the consequence of an over-arching Israeli policy designed to consolidate a "Jewish state" in historic Palestine, while severely restricting Palestinian territorial presence in their homeland. In light of this agenda, Israel's contemporary regime of control over the Palestinian people, those in Israel, the OPT and in exile, should be understood as one that combines occupation, colonization and apartheid.

Under international law, states are the primary parties obliged to provide protection for persons under their sovereignty or jurisdiction. Israel, whose policies and practices constitute gross violations of international human rights law and serious violations of international humanitarian law that have caused massive forcible displacement of Palestinians, per definition, violates its legal obligation to protect and must offer reparations.

Israel's failure to meet its legal obligations triggers the obligation of the international community to protect the Palestinian people, including the search for rights-based durable solutions for Palestinian refugees and IDPs, and effective remedy and reparation. The international community, however, has largely remained unable or unwilling to understand and respond to the policies and practices of Israel's illegal regime, to hold Israel accountable to its legal obligations, and to provide effective protection of Palestinians from, during and after displacement.

Durable solutions to refugee flows include repatriation, integration in a host-country, and resettlement in a third state. Of these three solutions, repatriation is most favorable and the only solution based on a recognized right under international law, namely the right to return. Durable solutions for the plight of IDPs are similar, yet since IDPs do not cross borders, these solutions are sought within their country. The key principle governing these solutions is "voluntariness", that is, well-informed, free and individual choice by refugees and IDPs. Durable solutions also include housing and property restitution, as well as compensation for damages and losses.

In the aftermath of the Nakba, a special international protection and assistance regime was set up for Palestinian refugees composed of the UN Conciliation Commission for Palestine (UNCCP) and the UN Relief and Work Agency in the Near East (UNRWA). The UNCCP was mandated to provide protection to 1948 Palestinian refugees, including the search for durable solutions. UNRWA was mandated to provide humanitarian assistance to 1948 and, later on, 1967 Palestinian refugees in five areas of operation (Lebanon, Syria, Jordan, West Bank and Gaza Strip). A special provision for Palestinian refugees was included as a "safety net" in the 1951 Refugee Convention (Article 1D), in order to ensure that protection and assistance would be available for them through the UN High Commissioner for Refugees (UNHCR), if UNCCP or UNRWA ceased "for any reason" to provide protection or assistance.

In the mid-1950s, the UNCCP effectively ceased to operate. Under the restrictive terms of UNRWA's mandate, the Agency was not equipped to take over the protection role of the UNCCP, and no replacement mechanism was established to fill the subsequent protection gap. At present, only Palestinian refugees residing outside of UNRWA's areas of operation are currently offered limited protection by UNHCR. The majority of Palestinian refugees in UNRWA areas of operation receive partial protection through UNRWA health, education and social welfare programs. No international agency is currently mandated to search for durable solutions for all Palestinian refugees.

Palestinian IDPs in Israel do not receive internal protection or assistance since UNRWA ceased to operate within the borders of Israel in the early 1950s. In the OPT, first-line response to internal displacement has been provided by the International Committee of the Red Cross (ICRC) and UNRWA (for displaced refugees), mainly in the form of emergency assistance which has not been complemented by adequate intermediate and long-term responses, including the search for durable solutions for IDPs. Since 2008, an inter-agency Displacement Working Group (DWG) led by the United Nations Office of the Coordinator of Humanitarian Affairs (OCHA) has worked to improve the international protection response to internal displacement in the OPT. These recent efforts have yet to achieve tangible results, in particular in the areas of prevention of new forced displacement, medium and long-term protection and durable solutions.

The protection obligations of states that host Palestinian refugees are enshrined in the 1951 Refugee Convention. In countries signatory to the 1951 Refugee Convention, including Europe and North America, most Palestinians are denied effective protection because national authorities and courts do not (properly) apply the Convention (Article 1D) to them.

Most Arab states, where the majority of Palestinian refugees reside, are not signatories to the Convention. Protection provided under regional instruments is inconsistent and does not meet the international standards, giving rise to discrimination. Ineffective protection and armed conflicts in Arab host countries give rise to secondary forcible displacement of Palestinian refugees.

The U.S.-led war and occupation of Iraq since 2003, for example, has led to a state of perpetual instability and persecution for Palestinian refugees residing in Iraq, forcing over half of the approximately 34,000-strong community to seek safety elsewhere. Additionally, 31,400 Palestinian refugees were displaced from the Nahr el Bared refugee camp in northern Lebanon between May and September 2007, as a result of fighting between the Fateh al Islam group and the Lebanese army. The living conditions of Palestinian refugees in Lebanon have also deteriorated because of the armed conflict.

Living conditions of Palestinian refugees have also declined in the OPT in 2008 and 2009, due to the ongoing conflict and Israel's illegal regime. Refugees in the occupied Gaza Strip have suffered the brunt of this decline as a consequence of Israel's continued military operations, siege and collective punishment, including prevention of access to basic supplies.

International efforts for resolving the Palestinian refugee question continue to be guided by political power-broking and interests, rather than a rights-based approach. The performance-based Road Map to a Permanent Two-State Solution to the Israeli-Palestinian Conflict (Road Map) has remained the official political framework for international peacemaking, although Israel continues to implement unilateral measures in violation of both the Road Map and international law. These unilateral measures are applied in order to annex de facto the main Jewish colonies ("settlements") and large areas of Palestinian land ("Areas C") in the occupied West Bank, and establish a Jewish majority in areas populated by Palestinians, in particular in occupied eastern Jerusalem, but also in the Naqab and the Gailee.

There was no change in the fundamental positions of Israel and the Palestine Liberation Organization (PLO) regarding the parameters of solutions to the Palestinian refugee question. Official political negotiations have remained frozen, if not collapsed, in the face of the positions and policies of the right-wing Israeli government coalition formed in 2009.

Israel continues to advocate for a politically-driven solution which excludes recognition of the right of return of Palestinian refugees, arguing that the latter should be absorbed in Arab host states or re-settled in third countries outside the region. Israeli official and public debate concerning Palestinians in general, and refugees in particular, has increasingly focused on racist demographic notions (i.e., how to maintain a Jewish majority) and segregation (i.e., how to "separate" from the Palestinian population while keeping control of its land).

The PLO has represented the Palestinian people in peace negotiations with Israel since 1991, although its institutions have been largely inactive since the organization's de facto merge with the Palestinian Authority (PA) in the mid-1990s. Since then, the PLO's bargaining power on behalf of Palestinian refugees and IDPs has been weakened by the lack of democratic mechanisms and participation of its constituency, as well as the absence of international law-based third-party mediation or enforcement mechanisms in peace negotiations with Israel. In the period of 2008–2009, official statements by the PLO and the PA have continued to promote a rights-based approach to the refugee question, including a solution in accordance with UN Resolution 194(III) and the rights to return, property restitution and compensation of Palestinian refugees and IDPs. The ability of the PLO, however, to represent the Palestinian people in political negotiations with Israel, has been further undermined by the failure of PLO reform to activate its institutions and incorporate all sectors of the Palestinian people, including its Islamic movement.

In the absence of effective protection of their rights to return, restitution and compensation by governments and the United Nations, Palestinian refugees and IDPs have continued to protect and affect these rights by themselves. The year 2008 marked 60 years since the Nakba, and witnessed the largest Palestinian public commemorations ever both in the borders of historical Palestine and in exile. Civil society and the media abroad engaged in the Nakba 60 commemoration in a way they had never done before, not only in Arab countries, but also in Europe, North America, Australia and elsewhere. For the first time in decades, the Palestinian Nakba featured prominently in major mainstream newspapers published in Europe and North America. Palestinian citizens of Israel have also become increasingly vocal in demanding reform of Israel's political and legal system, including demands for democratization of the state of Israel, and Israel's recognition of its responsibility for the Nakba. These demands have encountered a backlash of repression from the Israeli state, including attempts to outlaw and criminalize Nakba commemoration and education, or any kind of national identification of Palestinian citizens with their brethren in the OPT or Arab world.

While internal political divisions between the two main Palestinian power blocs (Fateh and Hamas) have crippled effective unified political action to achieve Palestinian rights, increased activity on behalf of Palestinian civil society has gained ground, particularly the Campaign for Boycott, Divestment and Sanctions (BDS) against Israel until it abides by international law. This campaign is based on a 9 July 2005 call issued by more than 170 Palestinian civil society networks and organizations, and is inspired by the campaign against apartheid in South Africa.

Dozens if not hundreds of BDS motions and activities have been launched since then by churches, unions, political parties, student bodies, community organizations and solidarity committees in countries of Europe, North America, Africa, Asia, as well as in Israel and the Arab world.

Israel's 2008/2009 military assault on the occupied Gaza strip greatly accelerated the scope and depth of the BDS Campaign, in some cases chalking up significant accomplishments in the form of resolutions, and the canceling of contracts and affiliations with Israeli state bodies or corporations implicated in Israel's oppression of the Palestinian people.

Parallel efforts have been undertaken by local and international human rights organizations and lawyers for accountability to international law and ending Israeli impunity. These initiatives in UN fora and in domestic courts under universal jurisdiction have so far failed to achieve substantive investigation or prosecution, mainly due to political pressure on judges and courts. They have, however, succeeded to convey the message to Israel and the Palestinian victims that impunity will not prevail in the long term.

Recommendations

General Recommendations

1. Strengthen the rule of law: the current and future status of Palestinian refugees and IDPs should be addressed by a framework consistent with international law, including relevant United Nations resolutions (UNGA 194(III) and UNSC 237), and best practice. Fundamental principles include the right of the Palestinian people to self-determination and the rights of refugees and IDPs to return to their homes of origin, repossess their homes, lands and properties, and be compensated for losses and damages. Robust mechanisms should be developed to bring Israel into compliance with international law, investigate violations, determine responsibility and accountability for the injuries, loss of life and property, ensure reparations from those responsible, and prosecute those guilty of serious violations of international human rights and humanitarian law.

2. Facilitate Refugee and IDP participation: the process of clarifying protection gaps and crafting durable solutions should include the refugee and IDP communities in order to strengthen democratic principles and structures, expand the range of solutions, and lend greater legitimacy to peace making. Special emphasis should be accorded to the inclusion of Palestinian refugees outside the OPT and Palestinian IDPs in Israel, including women, children, the elderly and the physically impaired.

3. Study and address the root causes of the ongoing forcible displacement of Palestinians by Israel: more than 61 years after the 1948 *Nakba*, a strong effort should be undertaken by civil society and official parties for more awareness of and effective responses to Israel's system of occupation, apartheid and colonialism which prevents self-determination of the Palestinian people and constitutes the root cause of Israel's systematic and protracted policy of population transfer. States and the United Nations are called upon to activate mechanisms and resources for this purpose, and re-examine the obstacles to the return, restitution and compensation of all displaced Palestinians, in particular the 1948 Palestinian refugees.

4. With regard to the State of Israel and the Quartet, BADIL concurs with the UN Special Rapporteur on Human Rights in the OPT who concluded already in 2006:

“It is pointless [...] to recommend to the Government of Israel that it show respect for human rights and international humanitarian law. More authoritative bodies, notably the International Court of Justice and the Security Council, have made similar appeals with as little success as have had previous reports of the Special Rapporteur. It also seems pointless [...] to appeal to the Quartet to strive for the restoration of human rights, as neither respect for human rights nor respect for the rule of law features prominently on the agenda of this body, as reflected in its public utterances. In those circumstances, the Special Rapporteur can only appeal to the wider international community to concern itself with the plight of the Palestinian people.”¹

International Community, Governments

1. Do not recognize or render assistance to the illegal situation resulting from Israel's colonization and apartheid, including the Wall, siege and collective punishment of the occupied Palestinian population of the Gaza Strip, Jewish settler implantation and forcible displacement of Palestinians. States must not render assistance in maintaining the illegal situation created by Israel and should consider measures, including sanctions, suspension of cooperation and embargos on arms trade, until Israel complies with international human rights and humanitarian law.

2. Promote accountability of Israeli suspects of international crimes in domestic courts: states, party to the Fourth Geneva Convention have a legal obligation to investigate and prosecute Israeli perpetrators of war crimes in the

¹ Report of the Special Rapporteur on the Situation of Human Rights in the OPT since 1967, John Dugard, A/HRC/2/5 of 5 September 2006, para. 75

territory under their jurisdiction. All states should facilitate the prosecution of international crimes in their domestic courts and ensure that appropriate legislation is adopted for universal jurisdiction. Courts should be allowed to investigate and prosecute without undue political interference by the government or interested parties.

3. Support rights-based durable solutions: all members of the international community should support and facilitate solutions for Palestinian refugees and IDPs consistent with international law, relevant UN resolutions and best practice.

4. Adopt and implement international protection standards: state signatories to the *1951 Refugee Convention* should incorporate Article 1D of the Convention into national legislation, ensure proper interpretation and apply Article 1D to asylum cases involving Palestinian refugees. States should adopt and apply provisions of the *1954 Statelessness Convention* in line with the proper interpretation of Article 1D (*Refugee Convention*) and develop appropriate procedures for the assessment of Palestinian protection claims under the Convention.

5. Strengthen Arab regional instruments and mechanisms for refugee protection and durable solutions: members of the League of Arab States should develop existing regional instruments (*1965 Protocol on the Treatment of Palestinians, 1992 Cairo Declaration*) into a regional refugee convention with the aim of increasing the scope of protection and clarifying the applicable framework for durable solutions for Palestinian refugees. LAS members should also strengthen regional mechanisms to monitor the implementation of relevant regional standards.

6. Increase financial support for assistance and protection of Palestinian refugees and IDPs: donor states should increase and provide in a more predictable and stable manner, contributions to UNRWA emergency appeals and the General Fund, in line with the average annual growth rate of the refugee population and the annual weighted average rate of inflation in UNRWA areas of operation. Donors should prioritize programs and organizations that meet international standards for assistance and protection, and assist and protect Palestinians from, during and after displacement.

United Nations: Member States, Organs and Agencies

1. Activate UN accountability mechanisms: member states should request a second advisory opinion of the International Court of Justice as recommended by the Special Rapporteur on the Situation of Human Rights in the OPT since 1967, in order to determine what are the legal consequences of Israel's protracted regime of occupation that includes elements of apartheid and colonialism.² Member states should also establish new and use existing UN mechanisms for the investigation and prosecution of Israeli perpetrators of international crimes, such as an *ad hoc* international criminal tribunal or referral to the International Criminal Court, and adopt sanctions against Israel until it corrects the illegal situation.

2. Identify agency responsibility to search for and implement durable solutions: UNHCR, UNRWA and other relevant bodies should continue inter-agency consultation and coordination with the aim of clarifying respective mandates and identifying agency responsibilities for the search for and implementation of durable solutions. The appropriate body or bodies should draft a framework for durable solutions based on international law, relevant UN resolutions and best practice and make clear to all stakeholders that an agreement should be consistent with the consensus of voluntary repatriation, restitution and compensation based on the free and informed choice of each individual refugee and IDP.

3. Ensure effective protection of Palestinian refugees, IDPs and those at risk of forced displacement in UNRWA areas of operation: UNRWA, UNHCR and other relevant bodies should clarify respective mandates and division of protection and assistance roles, in order to develop uniform and effective temporary protection for all Palestinian refugees in the region in accordance with the international standards. Agencies and organizations that are members of the UN-led Protection Cluster in the OPT should improve their protection response by focusing efforts on

² Report of the Special Rapporteur on the Situation of Human Rights in the OPT since 1967, John Dugard, S/HRC/4/17 of 29 January 2007, paras 58 - 62.

the prevention of forced displacement and on meeting the medium and long-term protection needs of IDPs, in addition to short-term emergency aid. International agencies and organizations should consult and cooperate with Palestinian national institutions, NGOs and community organizations for this purpose.

4. Establish a comprehensive registration system for Palestinian refugees and IDPs: The UN should coordinate action to establish a comprehensive registration system for Palestinian refugees and IDPs for the purpose of international protection, crafting of durable solutions and reparations. A comprehensive registration system should include all categories of Palestinian refugees and IDPs, and record instances of multiple displacement.

5. Facilitate reparation of Palestinian victims, including refugees and IDPs: implement measures and set up mechanisms that facilitate housing and property restitution and compensation by Israel, including documentation of damages incurred by Israel's violations of international human rights and humanitarian law and compensation funds. Immediate action should be taken to ensure that the UN Register of Damages caused by the Wall (UNRoD) undertakes meaningful and comprehensive registration of damages before valuable evidence is destroyed, and that progress reports be made available for the public, including the Palestinian victims.

Palestine Liberation Organization

1. Rebuild and activate the representative structures of the PLO: The PLO should reform and re-build structures which represent Palestinians of all political-ideological affiliations in Palestine and the exile, so that all Palestinians, including refugees and IDPs, can fully participate in the quest for self-determination, rights-based durable solutions for Palestinian refugees and just and lasting peace, and so that the PLO leadership can more effectively represent the rights and needs of its constituency.

2. Strengthen the Department of Refugee Affairs: The PLO should strengthen the capacity of the Department of Refugee Affairs in assisting and protecting Palestinian refugees. The PLO should strengthen, and where applicable, establish PLO offices where Palestinian refugees can seek the assistance and protection of their representatives.

3. Protect and promote the rights of Palestinian refugees and IDPs in regional and international fora and in bilateral relations with states: the PLO should promote initiatives for Israel's accountability to international law, including calls for boycotts, divestment and sanctions, criminal investigation and prosecution, reparations for the Palestinian victims and rights-based durable solutions for displaced persons. In the United Nations, the PLO should undertake initiatives under the GA's *Uniting for Peace* mechanism, reactivate the UN *Committee for the Exercise of the Inalienable Rights of the Palestinian People* and cooperate with supportive states and organizations for this purpose.

Civil Society

1. Raise awareness about the root causes of the conflict and the rights of Palestinian refugees and IDPs; build a rights-based political vision for peacemaking: study and raise awareness of Israel's system of occupation, apartheid and colonialism that prevents self-determination of the Palestinian people and return of displaced Palestinians, and promote application of universal legal principles and best practice to durable solutions for Palestinian refugees and IDPs. Joint efforts should be undertaken for a political vision that can offer rights-based alternatives to the existing models of peacemaking based on racial discrimination, which violate refugee rights and have been ineffective.

2. Intensify public pressure for accountability to international law: more trade unions, professional unions and associations, churches and NGOs worldwide should join the global Boycott, Divestment and Sanctions Campaign (BDS) based on the 2005 Palestinian Civil Society Call and undertake practical measures that shame and put pressure on Israel and other duty bearers until they respect their legal obligations to the Palestinian people, including the refugees and IDPs. Civil society, in particular human rights organizations and legal experts, should continue efforts for investigating and prosecuting Israeli perpetrators of international crimes and those complicit.

Glossary

Absentee

A person who, at any time during the period between 29 November 1947 and the day on which the state of emergency (declared on 19 May 1948) ceased to exist, was a legal owner of any property situated in the area of Israel or enjoyed or held it, by himself or through another, and who, at any time during the same period: (1) was a national or citizen of Lebanon, Egypt, Syria, Saudi Arabia, Jordan, Iraq or Yemen; (2) was in one of these countries or in any part of Palestine outside the area of Israel; or (3) was a Palestinian citizen and left his ordinary place of residence in Palestine for a place outside Palestine before 1 September 1948 or for a place in Palestine held at the time by forces which sought to prevent the establishment of the state of Israel or which fought against its establishment (as defined by Israel's 1950 *Absentees' Property Law*).

Area of UNRWA Operations

A state or territory where the United Nations Relief and Works Agency for Palestine Refugees in the Near East (*see below*) provides international assistance to Palestine refugees (*see Palestine refugees below*). These currently include Jordan, Lebanon, Syria, the occupied West Bank and the occupied Gaza Strip.

Armistice Line

The 1949 ceasefire line delineating the boundary between Israel and the West Bank and Gaza Strip including East Jerusalem. The armistice line is not an international border.

Assistance

Aid provided to address physical and material needs. This may include food items, medical supplies, clothing and shelter, as well as the provision of infrastructure, such as schools, services, education and health care. In UNHCR practice, assistance supports and complements the achievement of protection objectives.

Asylum

Admission to residence and protection against the exercise of jurisdiction by the state of origin (temporarily or permanently). A refugee does not have a right to be granted asylum. States still maintain the discretionary power to grant asylum to refugees and to prescribe the conditions under which asylum is to be enjoyed. However, many states have adopted the refugee definition as the criterion for the granting of asylum.

Balfour Declaration

One-page letter from Arthur Balfour from 1917, the British Secretary of Foreign Affairs to Lord Rothschild, head of the British Zionist Federation, granting explicit recognition of and support for the idea of establishing a Jewish homeland in Palestine through immigration and colonization.

Convention Refugee

A person recognized as a refugee by states under the 1951 *Convention Relating to the Status of Refugees*, and entitled to the enjoyment of a variety of rights under that Convention.

Displaced Person

A term sometimes used by the United Nations to designate Palestinians displaced within and from the West Bank and Gaza Strip in the context of the 1967 Arab-Israeli conflict and falling within the scope of UNSC Resolution 237 (1967) as well as their descendants. The term is also used by UNRWA in reference to persons falling under its mandate in accordance with UNGA Resolution 2252 (1967).

Durable Solutions

The means by which the situation of refugees and IDPs can be satisfactorily and permanently resolved to enable them to live normal lives. The three durable solutions are voluntary repatriation based on the fundamental right to return, integration in host country and resettlement in a third country. The key principle governing these solutions is voluntariness, that is, the well informed, free and individual choice by the refugee or IDP him or her self. Durable solutions include housing and property restitution, as well as compensation for damages and losses.

Ex-Gazan

A term used by UNRWA to designate a Palestinian who left the Gaza Strip and went to Jordan as a result of the 1967 Arab-Israeli conflict. This includes Palestine refugees who came to the Gaza Strip in 1948 and persons whose home of origin is the Gaza Strip, and their descendants.

Internally Displaced Persons

Internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized state border. Palestinian IDPs include:

- (1) Palestinians originating from that part of Palestine in which Israel was established on 15 May 1948, who were displaced from their homes during the 1947-49 armed conflict, and who are unable to return to their homes.
- (2) Palestinians who were (and continue to be) displaced from their homes inside Israel after 1948, and who are unable to return to their homes.
- (3) Palestinians originating from the West Bank or the Gaza Strip, who were internally displaced for the first time during the 1967 Israeli-Arab war, and who are unable to return to their homes.
- (4) Palestinians originating from the West Bank or the Gaza Strip who were (and continue to be) internally displaced for the first time as a result of human rights violations by the Israeli occupation regime occurring after the 1967 Israeli-Arab war (e.g., home demolition, evictions, land confiscation, the Wall, etc.)

Intifada

Connotes periods when the Palestinian people rose up to shake off their oppression. Though there have been several periods in Palestinian history when this term applies, the term general refers to two main events: the First *Intifada*, when a popular uprising spread throughout the OPT against Israeli occupation beginning in 1987 and ending in 1991 (the Madrid Conference). This Intifada is sometime referred to as the “Intifada of the stones.” The Second *Intifada* (sometime referred to as “the Al Aqsa Intifada”) began in September 2000 following the collapse of the Oslo peace process. There is no clear ending date to this *Intifada*, as developments on the ground transformed the popular struggle into evolving forms of military confrontation with Israel’s occupation army.

Green Line

See “Armistice Line” above.

Integration

One of three durable solutions afforded to refugees and displaced persons. Unlike repatriation, refugees do not have a fundamental right to voluntarily integrate into the host state.

Jewish National Fund (JNF)

Established by the Zionist movement in 1901 to purchase land in Palestine and Syria for Jewish colonization and state building. The JNF was incorporated as an Israeli company (*Keren Kayemeth LeIsrael*) in 1953 and given public functions. It holds and develops land exclusively for the benefit of Jews. In the 1950s, the state of Israel sold more than 2 million dunums of Palestinian refugee property to the JNF. The JNF holds nine of nineteen seats in the governing body of the Israel Lands Administration, the government body responsible for land policy and administration.

Jewish State

A term used by Israel to define the character of the state. Israel’s High Court (Ben-Shalom *vs.* Central Election Committee) states that the Jewish character of the state is defined by three inter-related components: (1) that Jews form the majority of the state; (2) that Jews are entitled to preferential treatment including the Law of Return; and (3) that a reciprocal relationship exists between the state and Jews outside of Israel.

Judaization (in Hebrew: *Yehud*)

A term designating Israeli governmental policies aimed at creating Jewish majorities in Palestinian areas. It gained publicity in the 1950s, when Israel launched an official campaign with the purpose to create a Jewish majority in the Galilee (in Hebrew: *Yehud haGalil*). Similar state-led campaigns have and continue to be implemented for the judaization of the Naqab (Negev) and 1967 occupied eastern Jerusalem. Non-state Zionist actors are also engaged in these campaigns.

Mandate for Palestine

A type of international trusteeship entrusted by the League of Nations in 1920 to Great Britain. The purpose of the Mandate system was to facilitate the independence of non-self-governing territory. The Mandate for Palestine, however, facilitated the colonization of the country through Jewish immigration and settlement in line with the Balfour Declaration (*see above*).

Nakba

An Arabic term meaning “catastrophe”, referring to the mass displacement and dispossession of Arab Palestinians between 1947 and 1949 due to colonization and ethnic cleansing by Zionist militias and the state of Israel.

National

A person recognized as having the status of a legal bond with a state as provided for in law. Some states use the word “nationality” to refer to this legal bond, while others use the word “citizenship.” Israel differentiates between nationals and citizens: Jews are nationals and citizens, while non-Jews (Palestinians) are only citizens.

Non-refoulement

A core principle of refugee law that prohibits states from returning refugees in any manner whatsoever to countries or territory in which their lives or freedom may be threatened. The principle of *non-refoulement* is a part of customary international law and is therefore binding on all states, whether or not they are parties to the 1951 *Refugee Convention*.

Occupied Palestinian Territory (OPT)

The part (22 percent) of pre-1948 Palestine that was occupied by Israel in 1967. The total area of the OPT is 6,225 km² which includes the West Bank (including occupied and annexed eastern Jerusalem, the Latroun salient and northern Dead Sea) with a total area of 5,860 km² and the Gaza Strip with a total area of 365 km².

Palestine Liberation Organization (PLO)

The body formed in May 1964 to represent the Palestinian people and reconstitute their rights in their historic homeland as set forth in the Palestine National Charter. The two most important institutions of the PLO are the Palestinian National Council (PNC), the exile parliament and its 18-member Executive Committee. The PLO includes economic and social institutions, and the multiple unions into which Palestinians have organized themselves. The PLO holds permanent observer status with the UN General Assembly. PLO institutions have been largely dormant since the establishment of the Palestinian Authority in 1994 (*see below*).

Palestine Refugee

The term used by UNRWA to refer to 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. Humanitarian assistance by UNRWA was later extended to include 1967 refugees but the agency’s working definition of the term remained unchanged.

Palestinian Authority

The body established under the 1993 Declaration of Principles on Interim Self-Government Arrangements and the 1994 Agreement on the Gaza Strip and Jericho Area to administer those parts of the 1967-occupied Palestinian territory evacuated by Israel pending a final peace agreement. The Palestinian Authority is an organ of the Palestine Liberation Organization.

Palestinian Refugee

Common language used to designate all those Palestinians who have become (and continue to be) externally displaced (with regard to 1948 refugees, outside the area that became the state of Israel, and with regard to 1967 displaced persons, outside the OPT) in the context of the ongoing Israeli-Palestinian conflict, as well as their descendants. The term refers to the following three groups:

1. 1948 refugees under UNGA Resolution 194(III) (“Palestine Refugees” in UNRWA terminology, including both registered and non-registered refugees);
2. 1967 refugees under UNSC Resolution 237 (“Displaced Persons” in UN terminology and used by UNRWA with particular reference to UNGA Resolution 2252);
3. Neither 1948 nor 1967 Palestinian refugees who are unable or unwilling to return to Israel or the OPT owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.

Population Transfer

The systematic, coercive and deliberate movement of a population into or out of an area with the effect or purpose of altering the demographic composition of a territory, particularly when that ideology or policy asserts the dominance of a certain group over another.

Present Absentee

Palestinian who is regarded as an absentee under Israel’s 1950 Absentees’ Property Law, but who remained in that part of former Palestine that became the state of Israel in 1948.

Protection

Protection encompasses all activities aimed at obtaining full respect for the human rights of refugees and IDPs, including the search for durable solutions.

Quadripartite Committee

A committee composed in the 1990s by Egypt, Jordan, the PLO and Israel to discuss the modalities of admission of persons displaced from the West Bank and Gaza Strip in 1967. The committee is inactive.

Refugee Camp

A plot of land placed at the disposal of UNRWA for Palestine refugees by a host government in order to accommodate Palestinian refugees and set up facilities to cater to their needs.

Refugee Rehabilitation Authority (RRA)

Israeli agency that operated during the early 1950s, primarily in official and semi-official “shelter villages.” The number of Palestinian IDPs handled by the RRA was small.

Refugee Working Group

A body established in 1992 to improve the living conditions of Palestinian refugees and displaced persons without prejudicing the final status negotiations, to ease and extend access to family reunification, and to support the process of achieving a viable and comprehensive solution of the refugee issue. The body was comprised of Egypt, Israel, Jordan, Lebanon, the Palestinians and Syria, although Lebanon and Syria have boycotted the Group. The Refugee Working Group was headed by Canada. It has been inactive since the start of the second *Intifada*.

Registered Refugee

A 1948 Palestinian refugee who is registered with UNRWA.

Reparation

A remedy that removes all consequences of an illegal act and restores the situation which would, in all probability, have existed if that act had not been committed. Full reparation includes restitution (*see below*), compensation and satisfaction, rehabilitation and guarantees of non-repetition, as required by the circumstances.

Repatriation

One of three durable solutions afforded to refugees and displaced persons. Voluntary repatriation in safety and dignity, based on the fundamental right to return to one's home and country, is recognized as the most appropriate solution to refugee flows. It is based on the fundamental right of refugees to return to their country of origin and is enshrined in human rights and humanitarian law. The right of return is independent from the acquisition of citizenship or any other legal status.

Resettlement

One of three durable solutions afforded to refugees and displaced persons. Unlike repatriation, refugees do not have a fundamental right to resettle in a third state.

Restitution

The legal remedy that strives to restore the victim to the original situation before the gross violation of international human rights law or serious violation of international humanitarian law occurred. Restitution includes, as appropriate: restoration of liberty; enjoyment of human rights, identity, family life and citizenship; return to one's place of residence; return of property; and restoration of employment. Property restitution is also a component of durable solutions for refugees under international refugee law.

Road Map

An international framework adopted by the United States, Russia, the European Union and the United Nations in 2003 and setting out a three-stage process based on UN Security Council resolutions 242 (1967), 338 (1973) and 1397 (2002) for a two-state solution to the Israeli-Palestinian conflict.

Stateless Person

A person who is not considered a national by any state under the operation of its law.

Unofficial Camp

Camps established to provide additional accommodation for Palestinian refugees. Official and unofficial camps have equal access to services provided by UNRWA (*see below*), except for solid waste collection.

UN Mediator

The special representative of the UN mandated to facilitate a solution to the Israeli-Palestinian conflict in 1948. The Mediator, Count Folke Bernadotte, was assassinated by a Zionist militiaman in September 1948 shortly after releasing his recommendations. These became the basis for UN General Assembly Resolution 194(III) calling upon Israel to permit the return of refugees displaced during the war.

United Nations Conciliation Commission for Palestine (UNCCP)

The international organ established by the UN in 1948 to protect and facilitate durable solutions for all persons displaced during the 1948 Arab-Israeli conflict in accordance with UNGAR 194 and to facilitate a solution to all outstanding issues between the parties.

United Nations High Commissioner for Refugees (UNHCR)

The primary body established by the UN in 1949 mandated to provide international protection, assistance and seek solutions for refugees worldwide

United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)

The international organ established by the UN in 1949 to provide humanitarian assistance to persons displaced during the 1948 Arab-Israeli conflict. The UN later requested the Agency to provide assistance to persons displaced during the 1967 Arab-Israeli conflict.

Voluntariness

A key principle governing durable solutions. Voluntariness means not only the absence of measures that push or coerce the refugee to repatriate, but also that s/he should not be prevented from returning.

The Wall and its Associated Regime

Israel's Wall in the occupied West Bank is either a concrete wall approximately 8-9 meters high with watchtower and sniper positions, or an electric barrier approximately 3-5 meters high with a buffer zone, ditches, razor wire, electronic sensors and cameras. The Associated Regime is a set of administrative decisions composed of military orders (land, property confiscation), closed areas, and a permit system and regulations at checkpoints (or terminals) and gates. Since 2004, the International Court of Justice and the UN General Assembly have called upon Israel to dismantle the illegal Wall and grant reparation to the Palestinian victims.

Zionism

A political movement established in the late 19th century by sections of European Jewry in response to persecution. The movement posited that the discrimination suffered by Jews could not be overcome through fighting for equality, but only through the creation of a state run by fellow Jews. The Zionist movement employed ancient religious-spiritual notions of Jews as a "chosen people" and of "*Eretz Israel*", in order to justify Jewish colonization of Palestine. Political support was provided by the British Empire (*see above: Balfour Declaration*) and later the United Nations, whose 1947 Partition Plan triggered armed conflict, Zionist conquest and Palestinian mass displacement. After 1948, the major Zionist organizations (World Zionist Organization, Jewish Agency, Jewish National Fund, a.o.) were given quasi-public status under Israeli law and continued their mission of "ingathering of the exiles" (Jewish immigration) and "redeeming the land" (Jewish colonization, dispossession and displacement of Palestinians).

Abbreviations

ADRID	Association for the Defence of the Rights of the Internally Displaced Persons in Israel
CAC	Civil Affairs Committee of the Palestinian Authority
CAP	Consolidated Appeals Process
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	Convention on the Elimination of All Forms of Racial Discrimination
CoE	Council of Europe
CRC	Convention on the Rights of the Child
DCO	District Coordination Office
DWG	Inter-Agency Displacement Working Group
ECOSOC	Economic and Social Council of the United Nations
EP	European Parliament
E.U.	European Union
FAFO	Institute for Applied Social Science
GAPAR	General Authority for Palestine Arab Refugees
GCC	Gulf Cooperation Council
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICCPR	International Covenant on Civil and Political Rights
ICJ	International Court of Justice
ICRC	International Committee of the Red Cross
IDP	Internally displaced person
ILA	Israel Lands Administration
IUED	Graduate Institute of International and Development Studies / University of Geneva
JNF	Jewish National Fund
LACC	Local Aid Coordination Committee
LAS	League of Arab States
LASC	Council of the League of Arab States
NAM	Non-Aligned Movement
NGO	Non-governmental organization
OAU	Organization of African Unity
OCHA	Office of the Coordinator of Humanitarian Affairs
OHCHR	Office of the UN High Commissioner for Human Rights
OIC	Organization of the Islamic Conferences
OPT	Occupied Palestinian Territory
PA	Palestinian Authority
PCBS	Palestinian Central Bureau of Statistics
PCWG	Inter-Agency Protection Cluster Working Group
PLO	Palestine Liberation Organization
RRA	Refugee Rehabilitation Authority
RWG	Refugee Working Group
SHC	Special Hardship Case
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCCP	UN Conciliation Commission for Palestine

UNDP	UN Development Program
UNGA	UN General Assembly
UNHCR	UN High Commissioner for Refugees
UNRPR	UN Relief for Palestine Refugees
UNRWA	UN Relief and Works Agency for Palestine Refugees in the Near East
U.S.	United States
USAID	U.S. Agency for International Development
UNSC	UN Security Council
UNSG	UN Secretary General
UNTSO	UN Truce Supervision Organization
WFP	World Food Program
WHO	World Health Organization
WJC	World Jewish Congress
WWI	World War One