

al majdal

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al majdal aims to raise
public awareness and
support for a just solution
to Palestinian residency
and refugee issues

**BADIL Resource Center
for Palestinian Residency and Refugee Rights**



Updates on Refugee Activities for the Right of Return/Real Property Restitution

Zionism Facing the Challenges of the Intifada

Refugee Voices: Memorandum Concerning Public Opinion on the Right of Return

Recent 'Peace Plans' and Refugee Rights

Updates on Refugee Protection and Assistance

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Cover Photo: Qalandia checkpoint, October 2002

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Residency and Refugee Rights
PO Box 728
Bethlehem, Palestine
Tel/ Fax: 972- 2- 274- 7346
Email: info@ badil. org
Web: www. badil. org

Editor

Terry Rempel

Editorial Team

Terry Rempel, Nihad Boka'ee, Mohammad Jaradat, Ingrid Jaradat Gassner

Layout & Design

Atallah Salem

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Racism, Refugees, and Apartheid

September 2002 marked the first anniversary of the launching of a global campaign to end Israel's brand of apartheid. The campaign was inaugurated in Durban, South Africa at the 2001 World Conference against Racism (WCAR). September 2002 also marked the second anniversary of the second Palestinian uprising - al-Aqsa intifada in the 1967 occupied Palestinian territories. Over the past year, the Israeli government has responded to Palestinian demands for an end to the occupation, equality inside Israel, and implementation of the right of refugees to return to their homes of origin with increasingly overt forms of racial discrimination, ongoing displacement and attacks on Palestinian refugees, and new measures that bolster forced segregation and apartheid.

Racial Discrimination

In the 1967 occupied Palestinian territories the Israeli government continues to advance policies and underwrite practices - including the expansion of the network of colonies (i.e., settlements), confiscation of Palestinian land, and demolition of Palestinian homes - that aim to permanently alter the demographic, ethno-national composition of the West Bank, including eastern Jerusalem, and the Gaza Strip. Freedom of movement of the Palestinian population between cities, towns and refugee camps is virtually non-existent, while freedom of movement within population centers is severely restricted by ongoing rolling curfews that keep Palestinians locked in their homes for days and weeks on end. Israeli Jewish colonists (i.e., settlers) meanwhile, continue to move in and out of the occupied territories on the specially constructed 'bypass roads.'

Palestinian civilians, moreover, have borne the brunt - in lives, injuries, damage to homes and properties etc. - of Israel's military campaign to suppress the Palestinian uprising. There is no apparent distinction between civilian and combatant in Israel's self-declared 'war on terrorism' in the occupied territories. The July extra-judicial killing of Hamas activist Saleh Shehadeh, which left more than a dozen

other Palestinians dead and 140 injured, including women and children, is only one example. Israeli military officials, who characterized the attack as a great success, also admitted that they were aware of the fact that the assassination would result in civilian deaths. One can only explain the scope of the humanitarian crisis resulting from Israel's military policies, where more than 50 percent of the population is unemployed and more than 60 percent

are living below the poverty line (US\$ 2 per day), if one accepts the view that every single Palestinian - by virtue of their ethno-national character - is a potential 'terrorist.'

Israel's profiling of an entire population based on their ethno-national character, however, is not limited to the 1967 occupied territories. Over the past year the Israeli government has adopted

policies that have led to further isolation and marginalization of Palestinian citizens of the state. These policies include: suspension of family reunification for Palestinian citizens marrying non-resident Palestinian spouses; consideration of new laws to further restrict Palestinian access to land; the reactivation of a Council for Demography to study mechanisms to increase the Jewish population relative to the Palestinian population; establishment of new Jewish settlements to alter the demography in the Galilee and Naqab; revocation of citizenship;

Only a global, co-ordinated and effective Boycott Campaign can convey a clear message to Israel and change the unfavorable balance of forces in favor of universal respect for international law as the foundation for building a comprehensive, just and durable solution to the Israeli-Palestinian conflict and Palestinian refugees. It is contingent upon all those interested in a comprehensive, just and durable solution to the conflict to return to the roots of the conflict - i.e., the mass displacement and dispossession of the Palestinian people in 1948 and after.



Annual Al-Awda Right of Return Rally, Chicago, 29-9-2002 (Al-Awda US)

ongoing attacks on the traditional way of life and land ownership of the Bedouin; and refusal to address rights of internally displaced Palestinians. These policies have been accompanied by a veiled campaign to target outspoken Palestinian political leaders including MKs Azmi Bishara and Ahmad Tibi as well as the Islamic Movement.

While most of these policies are framed in the language of 'national security', the primary motivation behind these policies is the over-riding political imperative to maintain Israel as a 'Jewish state.' According to a 1988 Israeli High Court decision (*Ben Shalom vs. Central Election Committee*), 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 such as the Law of Return; and 3) that a reciprocal relationship exists between the state and the Jews outside of Israel. Israel's definition of itself as a Jewish state also explains the public discourse around the so-called demographic threat posed by the Palestinian population inside Israel and in the 1967 occupied territories. Public discussion of the demographic threat and the concomitant 'final solution' of

population transfer (i.e., ethnic cleansing) have become regular staples of public discussion and debate inside Israel.

"[Israel] is a country in which the streets are plastered with posters calling for a population transfer," comments Israeli journalist Gideon Levy, "and no one bothers to remove them or to indict those who put them up." (*Ha'aretz*, 9 September 2002). Recent public opinion polls by the Rabin Center, the Jaffee Center for Strategic Studies, and independent researchers, moreover, have found that a majority of Israel's Jewish citizens support the idea of limiting Palestinian rights, that the government should prefer Jews over Arabs because Israel is a Jewish state, that Palestinian citizens should be encouraged to leave the state, and that Palestinian political parties should not take part in a governing coalition and should not be involved in important decisions. Commenting on proposals tabled over the summer to restrict access to land to Jews, former MK Shulamit Aloni noted, "By the right of our might, we are acting as a racist nation. South Africa, as well as white and democratic [a reference to Israel's definition of itself as a Jewish and democratic state].'" (*Ha'aretz*, 9 July 2002)

Refugees

The outcome and continuing impact of this system of racial discrimination has been the creation of millions of refugees. The creation of the Jewish state in 1948 resulted in the expulsion and displacement of some 800,000 Palestinians. More than 500 Palestinian villages with a land base of 17,178 km² were erased from the map in a process described as "cleaning up the national views." Between the end of the first Arab-Israeli war in 1948 and the beginning of the second war in 1967 tens of thousands of Palestinians who remained inside the territory that became the state of Israel were transferred internally, forced across armistice lines and deprived of their lands. It is estimated that by the 1960s Israel had expropriated some 700 km² of land from the indigenous Palestinian community that remained within the borders of the Jewish state.

In 1967 some 400,000 Palestinians were displaced - half for a second time - during the second Arab-Israeli war. Israel acquired immediate control of more than 400 km² of land in the West Bank and Gaza Strip. Throughout the post-1967 period Palestinians remaining in areas of their historic homeland have been subject to continued displacement and dispossession through a process that includes deportation, revocation of residency rights and demolition of homes. It is estimated that more than three-quarters of a million Palestinians have been affected while Israel has acquired control of an additional 300 km² of Palestinian land inside Israel and more than 3,000 km² of land in the occupied territories.

Today, it is estimated that more than two-thirds of the Palestinian people are displaced; more than half of the Palestinian people are displaced outside the borders of their historic homeland. While Palestinians owned over 90 percent of the land in mandatory Palestine on the eve of the 1948 war today Palestinians have access to just 10 percent of their land. The Palestinian people constitute one of the largest and longest standing unresolved cases of displacement in the world today. Approximately one in three refugees world-wide is Palestinian. In total, 6 million Palestinians - more than two-thirds of the Palestinian people world-wide - are refugees or displaced persons.

The lack of geographical and temporal limitations on the displacement and dispossession of the Palestinian people for over five decades points to a clear policy of population transfer or in more common parlance - ethnic cleansing. While some commentators are reluctant to use the term 'ethnic cleansing' as descriptive of Israeli policies and practices, it is worth remembering that the modern origins of the term ('etnicko ciscenje' in Serbo-Croatian), which conjures up images of concentration camps and mass graves in the former Yugoslavia, initially related to administrative and non-violent policies in Kosovo fully a decade before the mass displacement and slaughter of the civilian population in Bosnia and Kosovo. The causes of population transfer in the Palestinian case are both dramatic, as in the case of armed conflict in 1948 and 1967, and subtle and insidious - a kind of 'low-intensity transfer' - through decades of discriminatory legislation, planning and the administration of justice.

Racial Discrimination and Refugees

The Committee on the Elimination of Racial Discrimination,

Conscious of the fact that foreign military, non-military and/or ethnic conflicts have resulted in massive flows of refugees and the displacement of persons on the basis of ethnic criteria in many parts of the world,

2. Emphasizes in this respect that:

- (a) All such refugees and displaced persons have the right freely to return to their homes of origin under conditions of safety;
- (b) State parties are obliged to ensure that the return of such refugees and displaced persons is voluntary and to observe the principle of non-refoulement and non-expulsion of refugees;
- (c) All such refugees and displaced persons have, after their return to their homes of origin, the right to have restored to them property of which they were deprived in the course of the conflict and to be compensated appropriately for any such property that cannot be restored to them. Any commitments or statements relating to such property made under duress are null and void;

General Comment XXII, 'Article 5 and refugees and displaced persons,' Convention on the Elimination of Racial Discrimination (excerpts)

Apartheid

Israel's system of racial discrimination has not only led to the mass displacement, denationalization and dispossession of the majority of the Palestinian people, it has also engendered a system of physical separation characterised by segregation and 'bantustanization.' The NGO Declaration and Program of Action from the 3rd World Conference against Racism termed this system as Israel's 'brand of apartheid.'

The imposition of a military government between 1948 and 1966 to 'administer' the remaining Palestinian towns and villages inside Israel enabled the state to consolidate its hold on the land and congregate the Palestinian population in isolated zones separated by Jewish only colonies built on land expropriated from Palestinian refugees as well as Palestinian citizens of the state. The process replicated itself in the West Bank and Gaza Strip

the form of a new wall that is eventually to run the length of the border area separating Israel and Jerusalem from the West Bank. According to details released to the public the components of the barrier spread over a width of about thirty meters and a trench intended to create an obstacle against tanks, a dirt path that would constitute a "killing zone" onto which access is forbidden, an electric warning fence, a trace path to disclose the footprints of infiltrators, and a two-lane patrol road. In some areas the zone may be as wide as 100 meters. (B'tselem, *Separation Barrier*, September 2002). The Gaza Strip is already surrounded by a similar fence.

Palestinian refugees in exile, meanwhile, are separated from each other by virtue of the borders of the host countries in which they reside, and they are separated from their historic homeland by Israel's refusal to accept its obligations under international law and permit the voluntary, safe and dignified return of Palestinian refugees to their homes of origin simply

Qalandia Checkpoint, October 2002



following Israel's military occupation in 1967. The 1967 territories were further segregated under the Oslo process into Areas A, B, and C, (H1 and H2 in Hebron), and then subdivided once again for so-called security reasons during the last two years of the Palestinian uprising.

Today, the West Bank is divided into some 64 non-contiguous zones surrounded by 46 permanent checkpoints and 126 roadblocks. As of May 2002 Palestinian residents need special permits issued by the Israeli Civil Administration, Israel's military government, for travel between Palestinian cities and between the various 'zones' or 'bantustans.' The culmination of the idea of separation is unfolding in

because the refugees are not Jewish. According to the 1973 Convention on the Suppression and Punishment of the Crime of Apartheid (Article II), the 'crime of apartheid' includes legislative measures that deny members of a racial group basic human rights and freedoms, including the right to leave and to return to their country and the right to a nationality, for the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them. It also includes legislative measures designed to divide the population along racial lines by the creation of separate reserves and ghettos for members of a racial group and the expropriation of land property belonging to a racial group.

Beyond Oslo

The experience of the Oslo period raises serious questions about the viability of a two-state solution to the Israeli-Palestinian conflict. Since the beginning of the Oslo process, for example, every Israeli government has continued to strengthen the network of colonies in the occupied territories, expanding Israeli control over Palestinian land and other natural resources such as water, and separating the Palestinian population into increasingly smaller non-contiguous zones. As one observer noted already back in the 1980s: "In the long-term the [Palestinian] community would be cut into isolated blocks [by the colonies], separated from one another. ... On a West Bank segmented in this fashion it would be difficult to imagine any genuine self-government beyond the municipal level as a practical possibility." (W. Harris, *Taking Root: Israeli Settlement in the West Bank, the Golan, and Gaza-Sinai*) Over the last two years, the government of Ariel Sharon has used the Palestinian uprising as a means to wipe out the infrastructure of Palestinian autonomy and the last vestiges of the Oslo process.

Throughout this period the US and Europe have largely sat on the sidelines. Policy has been characterised by the complete absence of basic standards of international humanitarian and human rights law, substituted by an emphasis on 'dialogue with Israel' and minimal political intervention. While both the US and Europe continue to promote a two-state solution, the absence of effective and timely political intervention has resulted in a situation where prospect of a Palestinian state in the West Bank and Gaza Strip is no more likely than the creation of an Israel apartheid state in all of Palestine or a binational or secular democratic state in all of historic Palestine. International donor money has now largely shifted from projects intended to build a prosperous Palestinian state to short-term relief for the Palestinian people intended to reduce such things as malnutrition and epidemics. For all practical purposes Israel has 're-occupied' the 1967 Palestinian territories (as if it ever left) only now the international community is paying for the occupation. The likelihood of *effective* international intervention is further diminished by the US-British focus on war against Iraq.



Annual Al-Awda Right of Return Rally, Chicago, 29-9-2002
(Al-Awda US)

In this context only a global, co-ordinated and effective Boycott Campaign can convey a clear message to Israel and change the unfavorable balance of forces in favor of universal respect for international law as the foundation for building a comprehensive, just and durable solution to the Israeli-Palestinian conflict and Palestinian refugees. It is contingent upon all those interested in a comprehensive, just and durable solution to the conflict to return to the roots of the conflict - i.e., the mass displacement and dispossession of the Palestinian people in 1948 and after. "The refugee issue needs to be placed at the centre of the process from where it has mysteriously disappeared. [A]ll those involved in resolving the conflict must have the public courage to confront the Israeli denial of the expulsion and ethnic cleansing at the heart of the Palestinian refugee question. This remains the single largest stumbling block towards a lasting peace between both peoples." (Karma Nabulsi and Illan Pappé, "Facing up to Ethnic Cleansing" *The Guardian*, 19 September 2002).■

UPDATE

Campaign for the Defense of Palestinian Refugee Rights

All Out for Palestine - Third National Al-Awda Demonstration (Chicago): On 29th September al-Awda, The Palestine Right to Return Coalition held its third National Demonstration. Participants commemorated the 2nd anniversary of the *intifada* and the 20th anniversary of the Sabra and Shatila massacre. A march and rally was held in downtown Chicago to draw the public's attention to the dire situation in Palestine, the plight of the Palestinian refugees, Israel's gross human rights abuses and the suffering it has inflicted over 54 years, and commemorate and honor those lost in the 1982 massacre of Sabra and Shatila in Beirut, Lebanon.

WWW

For more information about the rally see the al-Awda (US) Palestine Right to Return Coalition website, <http://al-awda.org>.

Palestinian Refugees Publicly Affirm Rights: In the context of continued Israeli and international efforts to undermine Palestinian refugee rights, refugees continue to find it necessary to issue public statements clarifying and affirming basic rights, foremost being the right of return. During September, for example, some 100,000 Palestinian refugees living in camps in Lebanon signed a memorandum reaffirming the right of return. (Wafa, 4 September 2002) The memorandum also expressed support to the Palestinian leadership and reminded the international community, in the context of US-led efforts to marginalize Yasser Arafat, that only the Palestinian people are entitled to choose their leadership. The memorandum was prepared by Palestinian organisations and political parties in Lebanon.

In the 1967 occupied territories, Palestinians, including refugees, reacted strongly against a joint initiative by Sari Nusseibeh, coordinator of the Jerusalem portfolio for the PLO, and Ami Ayalon, former head of the Israeli secret service (Shabak) that called upon Palestinian refugees to forego their basic human right to return to their homes of origin inside Israel. The initiative was denounced by

8 September 2002



Annual Al-Awda Right of Return Rally, Chicago, 29-9-2002
(Al-Awda US)

political parties and by refugees themselves. The PLO Department of Refugee Affairs issued a public statement clarifying the position of the PLO, which is based on international law as set forth in UN General Assembly Resolution 194, affirming the right of each individual Palestinian refugee to choose to return to his/her home of origin.

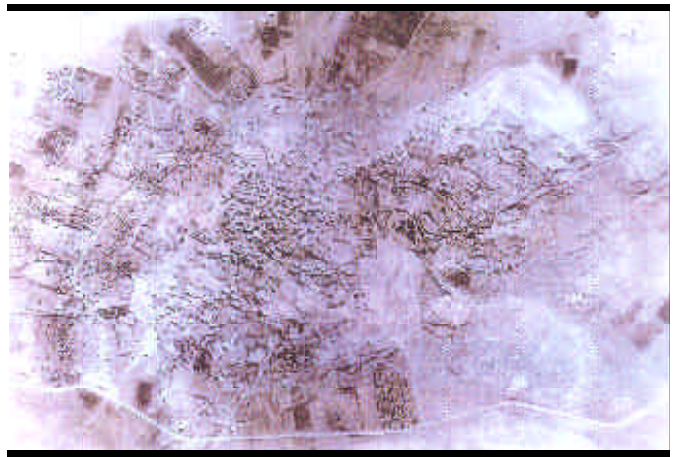
Selected statements are reprinted in al-Majdal Documents (page 39).

Al-Awda (London): On 16 September, over 300 people attended a talk organised by Al-Awda UK on the right of return for Palestinian refugees. The lecture was held at SOAS, University of London. Speakers included Dr. Mahmoud Issa, a researcher from the Danish Refugee Council and campaigner on the right of return, and Dr. Ilan Pappé, an Israeli historian from Haifa University and Academic Director of the Research Institute for Peace at Givat

Haviva. The meeting was chaired by Dr. Karma Nabulsi, Fellow from Nuffield College, Oxford University, and Special Advisor to Parliamentary Middle East Councils' Commission of Enquiry on Palestinian Refugees and their report *Right of Return* (March 2001).

Mahmoud Issa spoke about his research on the Palestinian village of Lubyia where he was born. The village, located in the Galilee, was depopulated and demolished during the 1948 war in Palestine. The inhabitants of Lubyia were scattered in more than 20 different countries around the world. Before the expulsion of its residents, Lubyia had a population of about 3,000 people, the majority of whom were farmers and traders. The village had a rich cultural and social life, unique to the village but not dramatically different from the life found in most other Palestinian villages of the time. Today the descendants from Lubyia number about 45,000 people. The presentation included a collection of photographs documenting life in the village before the *Nakba* in 1948 as well as the life of refugees from Lubyia after their expulsion. Although refugees from Lubyia live thousands of kilometres from their village - thousands currently reside in Denmark - they still have a common feeling of belonging to the same community. A documentary film about Lubyia and its descendants was produced by Danish TV; the research is now the basis for a large international ethnographic exhibition on the social and cultural life of Palestinian villages before 1948.

Professor Ilan Pappé spoke about the issue of the right of return in Israeli discourse with particular focus on current debate on the impending war on Iraq and the 'conditions' this may produce for Israeli Prime Minister Ariel Sharon to implement 'ethnic cleansing' under the cover of war. A master plan is not the most important thing in carrying out ethnic cleansing. 'Ethnic cleansing' is linked to an atmosphere where people who have already been indoctrinated and conditioned - a long-term campaign of education and propaganda - to "know what to do" when the situation is ready. When the moment came in 1948 people 'knew what to do'. Since the late 1960s, the peace agenda has been an American game; what is important is that there is a process and this process is more important than peace. This process has served the interests of Israel. It was



Aerial photo of Lubyia, 1945 (Mahmoud Issa)

never meant to be a process that would deal with the key issues, including the right of return. Eighty percent of the land of Palestine was erased from the agenda of the peace process and negotiations leaving the remaining 20 percent up for discussion. Since 1993, the Palestinian leadership has joined this 'game', a measured attempt that would have succeeded had it not been for the start of the new *intifada*. The best way to counter the serious threat of another *Nakba* is to develop a campaign focused on divestment from and sanctions against Israel. Secondly, the campaign to end the occupation must continue. This campaign, however, should also be a campaign against a two-state solution, which is a means of continuing the occupation through different and indirect means. And thirdly, it is necessary to update the language and debate on a secular democratic state. This is the only way to solve the conflict in Palestine, implement the right of return, and stop discrimination of Palestinians in Israel. *Aisling Byrne, Al-Awda UK.*

For information on Al-Awda UK's activities and events, please see our website:

www.al-awda.org.uk

or contact us on info@al-awda.org.uk



Workshop on Oral History of Expulsion: A pilot project workshop on oral history and the story of the *Nakba*, entitled "The Experience of Expulsion" was convened by Karma Nabulsi of Nuffield College, and Ilan Pappé of Haifa University at Oxford University this past September. The workshop was largely sponsored by Nuffield College, with additional assistance and support from the Refugee Studies Centre and St Antony's Middle East Centre, both part of Oxford University. It was a chance for scholars (oral historians, political

scientists, sociologists, anthropologists, historians of political thought) and practitioners from all over the world for an intensive weekend of work, during which the various methods and means to proceed with this crucial research was discussed. It also provided an opportunity to explore both the intellectual and practical difficulties that have and will emerge in this complex endeavour, and to establish the relationship between the oral history of the *Nakba* with the current political, social, and civil situation of the refugees today.

The opening presentation by Illan Pappé first examined the challenging intellectual questions raised by the particularisms and peculiarities of the literature on Palestine and the Palestinian expulsion and the mystifying language created to deal with it. The first part of the workshop focused upon a general introduction to oral history's purposes and its main approaches. With the help of experts on the subject, the workshop reviewed the latest developments in the field, discussed the growing importance of oral history in historiographical enterprises, and explored some of the difficulties and restrictions that are posed by this method. Naseer Aruri gave an overview of the current situation of the study of Palestine, and set out the parameters of the debate. Silvia Salvatici presented her work on the Archives of Memory of Kosovo, giving a fascinating comparative approach, and made clear the importance of maintaining a plurality of voices when reconstructing a national history of an event, or period. Gabi Piterberg from UCLA gave useful theoretical and methodological underpinnings to the use of texts as oral history. Susan Slyomovics and Ted Swedenberg presented the importance and difficulties with materials, looking at, respectively, photographs of life before 1948, and of memory after it. May Seikaly, Mahmoud Issa, and Salman Abu Sitta all showed a little of their extensive work on the oral history of (respectively), one village, several villages, and the whole of Palestine. Rosemary Sayigh introduced the next day's work with a measured overview on the current state of play in the oral history of Palestine overall. Marilyn Deegan of The Refugee Studies Centre at Oxford University demonstrated the possibilities of a virtual database and internet based research, with a presentation of their Online programme. There were two presentations by community based organisations currently working in refugee camps. The first was given by Terry Rempel representing Badil, and

explored the potentials for connecting oral history with current projects underway and anticipated. The importance of the involvement of the refugee communities with oral historians and Palestinian institutions was reconfirmed. The second presentation was of the work by ARCPA (the Arab Resource Centre for Popular Arts) and their pathbreaking work in the gathering of family oral testimonies of the *Nakba* undertaken by the children in the camps of Lebanon.

The final session explored the possible ways forward, and established certain common ground for the enterprise. First and foremost amongst them was the understanding amongst all participants of the importance of relocating the refugee question back to the heart of the peace agenda. Further, all agreed this should be part of a redress and restitution campaign, and that Palestinian civil society in the refugee camps who are playing an active role in this endeavour must be supported by scholarship on the oral history of the expulsion. It was suggested that facing the past as way of constructing the future was the clear way forward, in association with the community organisations, intellectuals, institutions, political activists, civil society, and youth. The bi-national element of this project was emphasised, as well as the education and reconciliation aspects of the work.

Second was the new intellectual framework that needed to be mapped out for establishing the paradigms under which to conduct study on the catastrophic events of 1948. The use of the concept of ethnic cleansing clearly provides the most substantial advance in illuminating the study of what happened during the expulsions of 1947-49. It was understood that there should be a continual assessment of the history of the *Nakba* with other cases of ethnic cleansing, in order to both compare and contrast theoretical, methodological, and empirical similarities and differences, and open new approaches.

Finally, the type of institutional apparatuses and databases that will be necessary to encourage and further the work already undertaken on the experience of expulsion was debated and discussed at great length. The need to link already existing activities was reinforced. The relative strengths of the idea of a network centre, or a more formal

documentation centre, or simply a hub that coordinates between different parts of an internationally scattered intellectual and activist community, were all raised and explored. The enthusiastic participation from all those who had attended the sessions, as well as the contributions from other participants drawn from the broader community, made this session of the workshop particularly useful for the convenors - who now have the delicate task of absorbing, assessing, synthesising, and transforming the wealth of input into the first draft of a future collective agenda. *Dr Karma Nabulsi, Nuffield College.*

20th Anniversary of the Sabra and Shatila Massacre: September 2002 marked the 20th anniversary of the massacre of Palestinian refugees in the Beirut camps of Sabra and Shatila. Events commemorating the massacre and the ongoing war crimes against Palestinians were held around the world, including events in the Middle East, Europe and in North America. In Beirut, European and Japanese delegations visited Shatila camp to express



Shatila refugee camp, September 1982. (UNRWA)

sorrow at the continuing suffering faced by Palestinian refugees. The delegation met with refugees in the camp and visited the martyr's cemetery.

In the West Bank, Archmandrite Dr. Atallah Hanna of the Orthodox Church organised a memorial rite in the Church of the Holy Sepulchre in the Old City of Jerusalem. Hanna described his feelings upon visiting Sabra and Shatila camps for the first time and told worshippers that the massacre would not be forgotten. He also spoke about the massacre in the context of Israel's continued military assault on the Palestinian population in the occupied territories, particularly in Jenin and Nablus. In Jericho, a

memorial was organized by the Palestinian Authority Ministry of Tourism. Organizers screened two films about Israel's military invasion of Jenin and Bethlehem in April 2002 invasion. Inside Israel, the Coalition for Women for a Just Peace issued a public letter to the Palestinian community in Lebanon recognising the forced expulsion of Palestinians in 1948 and condemning those responsible for the 1982 massacre, including Ariel Sharon. "We condemn the brutal murderers of your loved ones and we condemn the leaders who must be held accountable for these war crimes, Ariel Sharon above all."

WWW

See, <http://www.coalitionofwomen4peace.org>

In Abu Dhabi the Zayed Center hosted a presentation by Chibli Mallat, one of the lawyers representing the plaintiffs in the case against Sharon currently in the Belgian courts, and Sanaa Sarsawi, an eyewitness of the massacre. Mallat requested Arab diplomats to support the appeal against Sharon and other war criminals. The Centre also organised a photo exhibition of the massacre and the victims.

In London, the Palestinian Return Centre (PRC) organised a public seminar on the massacre at the School of Oriental and African Studies (SOAS), University of London. The seminar examined the possibilities of pressing legal charges in a British court against Ariel Sharon and other political and military officials involved in the 1982 massacres and more recent war crimes in the occupied territories. Speakers at the seminar included Dr. Swee Chai Ang, a British surgeon who worked in Gaza Hospital during the time of the Sabra and Shatila massacres; Lloyd Quinan of the Scottish Parliament, one of the first British and European officials to visit the Jenin refugee camp in April 2002 after Israel's military assault on the camp; Belgian lawyer Michael Verstraeten, who participated in the case brought against Sharon in Belgium; and, Owen Davies of the British Queen's Council who participated in several high profile international cases, including the case against former Chilean dictator Augusto Pinochet.

WWW

For more information on the seminar, see the PRC website: <http://www.prc.org.uk>

In North America, the commemoration of the 20th anniversary of the Sabra and Shatila massacre was incorporated into the annual Right of Return rally held this year in Chicago. (*See above*)

British Jews Renounce Citizenship

As the Israeli government embarked on a new policy of stripping Palestinian citizens of their Israeli citizenship based on grounds of 'violating state security and breach of trust' a group of 46 British Jews published an open letter in the British daily, *The Guardian* (8 July 2002), renouncing their right of residency and citizenship in Israel as set forth in Israel's 1950 Law of Return in protest of the discriminatory nature of the law and against Israeli policy in the occupied Palestinian territories. The letter is reprinted below.

"We Renounce Israel Rights"

We are Jews, born and raised outside Israel, who, under Israel's "law of return", have a legal right to Israeli residence and citizenship. We wish to renounce this unsought "right" because:

- 1) We regard it as morally wrong that this legal entitlement should be bestowed on us while the very people who should have most right to a genuine "return", having been forced or terrorised into fleeing, are excluded.
- 2) Israel's policies towards the Palestinians are barbaric - we do not wish to identify ourselves in any way with what Israel is doing.
- 3) We disagree with the notion that Zionist emigration to Israel is any kind of "solution" for diaspora Jews, anti-semitism or racism - no matter to what extent Jews have been or are victims of racism, they have no right to make anyone else victims.
- 4) We wish to express our solidarity with all those who are working for a time when Israel, the West Bank and Gaza Strip can be lived in by people without any restrictions based on so-called racial, cultural, or ethnic origins.

We look forward to the day when all the peoples of the area are enabled to live in peace with each other on this basis of non-discrimination and mutual respect. Perhaps some of us would even wish to live there, but only if the rights of the Palestinians are respected. To those who consider Israel a "safe haven" for Jews in the face of anti-semitism, we say that there can be no safety in taking on the role of occupier and oppressor. We hope that the people of Israel and their leaders will come to realise this soon.

www

The full list of names is available at: <http://www.redmagic.co.uk/return>

Boycott/Sanctions Campaign

Palestinian Civil Society Organisations Call for

Israel Boycott: One year after some 3,000 civil society organisations from around the world approved their NGO Declaration and Program of Action at the third World Conference Against Racism in Durban, South Africa, Palestinian civil society organizations in the occupied territories issued a joint call to strengthen and broaden the Israel boycott campaign until Israel complies with international law. (*The full statement is reprinted in al-Majdal Documents, page 39*)

Boycott campaigns have also targeted US companies with business ties to Israel, including Starbucks Coffee, Caterpillar, Intel Corporation, and Coca Cola. In September, for example, activists from SUSTAIN (Stop US tax-funded Aid to Israel Now!) served an arrest warrant to Caterpillar officials in their Washington, DC office, accusing the company of knowingly selling equipment to the Israeli Defense Forces with the knowledge that the equipment would be used for demolishing Palestinian homes and committing other war crimes and crimes against humanity, and for refusing to cease such sales when illegal uses were documented. Students on various university campuses across the United States and Europe have also organised divestment campaigns to pressure universities to divest from Israel.

www

For more information on product boycotts, campaigns, events and news, see the following websites:

<http://www.boycottisraeligoods.org>

<http://www.bigcampaign.org>

<http://www.sustaincampaign.org>

<http://al-awda.org>

The boycott was one of several recommendations included in the NGO Declaration and Program of Action.

www

The Declaration and Program of Action are available on the BADIL website, <http://www.badil.org/Resources/WCAR/WCAR2001.htm>



Belgian Action Platform on Palestine

War Crimes

Update on the Case Against Sharon: On June 26 a Belgian Appeals Court ruled on narrow procedural grounds that Belgium did not have jurisdiction to prosecute Ariel Sharon on charges of genocide, war crimes, and crimes against humanity for the 1982 massacre at Sabra and Shatila based on the fact that Sharon was not on Belgian soil. On July 3, lawyers representing 23 survivors of the massacre lodged an appeal on the grounds that the condition on which the case was rejected (i.e., presence of the accused on Belgian soil) was not entailed or foreseen by Belgium's 1993 law on universal jurisdiction.

On 17 July an agreement was reached between major Belgian political parties to safeguard the essence and guiding principles of Belgium's law on universal jurisdiction. The agreement confirms the will, already expressed by the legislature in 1993, that complaints against presumed perpetrators of crimes against humanity, war crimes and genocide are admissible, even if the accused parties are not on Belgian territory. The agreement, however, limits victims' invocation of universal jurisdiction to particular cases. The Federal Prosecutor will be competent to initiate proceedings only in cases in which the alleged crimes have not been committed on Belgian territory and the plaintiffs are neither Belgian nor resident on Belgian territory for one year or more and the accused is not on Belgian territory. These conditions are not applicable to crimes committed before the entry into force of the Statute of the new International Criminal Court (ICC) (1 July 2002). They also do not apply to crimes committed after 1 July 2002 on the territory of a state not party to the statute of the ICC or by the national of a non-party state, or if the Security Council has referred the crimes to the ICC.

The proposed law provides for the immunity of state officials from application of the 1993 universal jurisdiction law within the limits established by international law. Thus, the legislature has decided to grant Belgian courts the power to interpret any questions linked to immunities. Under Article 27 of the Statute of the ICC there is no criminal immunity for the most serious crimes, i.e., genocide. The agreement will be followed by a proposal for an

interpretative law to enable the pursuit of pending cases and investigations.

www

For more details on the Sharon case see, the website of the International Campaign for Justice for the Victims of Sabra and Shatila at <http://www.indictsharon.net>



Solidarity march, France. (WCAR NGO Forum)

In July the Israeli High Court rejected a petition asking for public disclosure of classified information in the government's investigative report into the Sabra and Shatila massacre. The petition was filed by parents of an Israeli soldier killed during Israel's invasion of Lebanon. The family argued that publication of the report 18 years after it was written would not endanger state security and that the public's right to know is more important than Ariel Sharon's "right to maintain his reputation." The High Court, which relied on the conclusions of a team comprised of representatives of military intelligence, Shin Beit and the Mossad, refused to accept the petitioner's arguments based on security stating that it was up to the government to decide what constituted a matter of state security. The investigative team concluded that the release of the report would aggravate the current conflict with the Palestinians, would burden security forces fighting terror, and would adversely affect Israel's foreign relations. (*Ha'aretz*, 15 July 2002)

War Crimes and Impunity in the OPT: The agreement in Belgium concerning universal jurisdiction and the case against Ariel Sharon (See above) came only days prior to Israel's decision to drop a one-ton bomb from a US-made F-16 fighter jet on a crowded residential area in the heart of the Gaza Strip. The extra-judicial execution of political activist Salah Shehada also killed 15 Palestinian

Civilian
destruction as
a result of the
extra-judicial
killing of
 Hamas activist
 Salah
 Shehadeh in
 Gaza, July
 2002



(electronicintifada)

civilians, including 9 children, and wounded some 140 others. The following day the US House of Representatives allocated an additional US\$ 200 million in aid to Israel as part of a larger US\$ 28.9 billion "anti-terror package."

Israeli Prime Minister Ariel Sharon labelled the execution as a great success. Israeli Chief of Staff Moshe Ya'alon acknowledged to the Israeli parliamentary committee on foreign and security affairs that he gave orders to assassinate Shehadeh on 22 July although he knew that Shehadeh's wife and daughter were accompanying him. (PCHR, 12 September 2002) According to the 1998 Statute of the International Criminal Court, which came into being on 1 July, war crimes include: intentionally launching an attack in the knowledge that such an attack will cause incidental loss of life or injury to civilians or damage to civilian objects or widespread, long-term and severe damage to the natural environment, which would be clearly excessive in relation to the concrete and direct overall military advantage anticipated. "An attack that killed thirteen civilians and injured scores was clearly not carried out in a manner that minimized casualties. It should never have gone ahead," said Joe Stork, Washington director of the Middle East and North Africa division of Human Rights Watch. "In such a crowded civilian

area, these deaths and injuries were absolutely foreseeable." (HRW, 23 July 2002) Under US law, wherever it is demonstrated that a state receiving U.S. foreign aid is responsible for "a consistent pattern of gross violations of internationally recognised human rights," the Foreign Assistance Act of 1961 requires that all military and economic aid be immediately and automatically terminated.

The Israeli organisation Gush Shalom, meanwhile, announced that it has begun to collect evidence concerning alleged war crimes committed by Israeli soldiers in the occupied territories. The purpose is to warn officers and soldiers alike that certain actions could lead, at some future date, to their indictment before an Israeli court and the International Court of Justice in The Hague, on suspicion of war crimes. The Israeli Attorney General initially threatened to open an investigation into the organisation but later decided not to pursue the issue at the present time. Gush Shalom produced a pocket guide for soldiers detailing the actions that constitute war crimes. It also produced a radio broadcast, which the Broadcasting Authority refused to release even as a paid ad.



For more details, see,
<http://www.gush-shalom.org>

Refugee Protection



International protection involves the direct protection of refugees' human rights on a day-to-day basis, and the search for and implementation of durable solutions.

Durable solutions include repatriation, host country integration, and third country resettlement. Housing and property restitution is among the rights associated with refugee repatriation. The primary principle governing each of the three solutions is voluntariness or refugee choice. Among the three solutions, only repatriation or return is a recognised right under international law.

**In an effort to raise greater awareness about protection issues in all areas of exile, *al-Majdal* will begin to expand coverage of protection issues outside of the 1967 occupied Palestinian territories. Readers interested in knowing more about the basic rights of refugees in host countries, pending implementation of durable solutions, including the right of return, should refer to the 1951 *Convention Relating to the Status of Refugees* and the 1965 *Casablanca Protocol* adopted by the League of Arab States. It should be noted that most Arab states are not signatories to the 1951 Convention while implementation of the Casablanca Protocol is often dictated by domestic political concerns of individual state signatories.

Lebanon: Refugees in Lebanon continue to face some of the most severe restrictions on basic rights, including access to employment, housing rights, and health. Lebanon imposes severe restrictions on new construction as well as expansion of existing shelters in refugee camps. In some camps, it is forbidden to import building materials. Combined with the massive destruction of refugee shelters during the 1980s in the context of Israel's invasion and the civil war, the severe restrictions on housing mean that many refugees live in shelters that do not meet universal standards for *adequate housing*. In July a young Palestinian refugee tried to 'smuggle' some small building material into Buss camp on the back of a motorcycle. Lebanese security forces opened fire on the youth resulting in the death of an innocent bystander.

Adequate *health care* remains an ongoing concern. Over the last decade the situation has been compounded by the relocation of some services

provided by the PLO to the occupied territories and by UNRWA's chronic budget problems. The situation for non-registered refugees is particularly severe. In its July newsletter (Hakouk, Issue 3), the Palestinian Human Rights Organisation (PHRO), a non-government organisation based in Beirut, relates the story of a recent case illustrating the problem faced by this group of Palestinian refugees in Lebanon. In late June 2002 Nasser Muhammad, a registered Palestinian resident of Lebanon, and his wife, a 'non-registered' (NR) Palestinian refugee, gave birth to a 'non-ID' baby. Non-ID refugees do not possess any form of valid ID and are registered neither by UNRWA nor by Lebanese authorities (versus non-registered refugees who are not registered by UNRWA but are issued an ID by Lebanese authorities). Due to the fact that the mother is a non-registered refugee she was denied the necessary medical services standard during pregnancy; she was also unable to receive a referral from UNRWA in order to deliver her baby in a hospital. The baby was born at home and suffered from respiratory distress upon birth. She died three days later.

The story also highlights the importance of a *comprehensive registration system* that covers all Palestinian refugees without distinction as to period of displacement, gender, place of exile, etc. In 1982 the UN General Assembly instructed the Secretary General, in co-operation with UNRWA, to issue ID cards to all Palestine refugees and their descendents, irrespective of whether they were recipients or not of services from the Agency, as well as to all displaced persons and to those who have been prevented from returning to their homes as a result of the 1967 war (including their



Housing in Shatila refugee camp (foreground), Lebanon. (Gerhard Pulfar)

descendants). The initiative failed, however, due to lack of co-operation of host states.

As in the 1967 occupied territories, *physical security* continues to be a major issue of concern for Palestinian refugees in Lebanon. During August clashes over the detention of a Lebanese fugitive who had fled to Ein al-Hilweh camp earlier in the summer following the killing of three men from the Lebanese military resulted in two deaths and 9 injuries. In early September, the Lebanese army broke an understanding between Lebanese officials and Palestinian refugees - whereby popular committees in the Palestinian refugee camps in Lebanon are called upon to handle suspected security breaches - when it entered al-Jalil refugee camp in Baalbeck in search of weapons allegedly

belonging to Fatah's Revolutionary Council. In protest, refugees in the camp blocked the road, giving rise to clashes and consequent injuries. Three Palestinian refugees were killed, 15 wounded, three seriously, and one Lebanese soldier shot dead. Human rights organisations have raised concerns that Lebanese forces may apply the same tactic on a larger scale or to a larger camp where the repercussions will be even greater. PHRO further noted (Hokouk, July 2002) that there is a consensus among Palestinian refugees that the Lebanese official forces cannot subjugate camps to Lebanese security while at the same time refusing to offer basic services such as the (re)building of infrastructure, development, social services, etc.

Iraq: As the US gears up for a potential war on Iraq concerns are being raised about new mass flows of refugees in the region. This includes the roughly 90,000 Palestinian refugees living in Iraq. Approximately 5,000 Palestinians took refuge in Iraq in the aftermath of the 1948 war in Palestine. Generally, Palestinian refugees who sought refuge in Iraq in 1948 are treated on par with Iraqi nationals with the exception of political rights. During the 1991 Gulf War thousands of Palestinians who were living and employed in Kuwait were unable to return to their country of first asylum due to the lack of travel documents and ended up in Iraq as the only place of refuge.

Jordan: Concerns about the mass displacement or expulsion of Palestinians from the West Bank into Jordan in the context of Israel's military operations in the 1967 occupied territories and an impending US-led war on Iraq have led to severe restrictions on the freedom of movement of Palestinians, including refugees, at border crossings into Jordan. During the summer months thousands of Palestinians were stuck at the Jordan bridge in harsh conditions and high temperatures for weeks. In mid-July news reports indicated that any West Bank Palestinian intending to visit Jordan would need to provide personal guarantees supplied by a Jordanian

citizen before being allowed entry into the country. (Jerusalem Times, 18 July 2002) This was a retraction of an earlier demand that Palestinians entering the kingdom would have to provide bank guarantees ranging from 2-5,000 JD (US\$ 2,800-7,000). While fears of 'low-intensity' or mass transfer may be real, the restrictions are not consistent with obligations of Arab host states set forth in the 1965 Casablanca Protocol. Severe restrictions on movement, moreover, should not be used as a substitute for effective regional and international intervention to end Israel's military assault on the West Bank and Gaza Strip and the 35-year illegal occupation there

Israel: Palestinians residing inside Israel continue to face new forms of displacement through the denial of family reunification, revocation of citizenship, land confiscation and house demolition. In late August, Adalah, the Center for Arab Minority Rights in Israel, submitted 12 individual petitions to Israel's Supreme Court on the Israeli government's interim policy cancelling all pending *family reunifications* if the non-citizen spouse is Palestinian. (*See al-Majdal 14*) The interim policy specifically states that applications from others will be considered in light of their national origin. The petitions will be heard following the submission of the State's response, which is due in mid-October. The Court also granted Adalah's request for a temporary injunction, prohibiting the deportation of the petitioners until a final decision has been made. The Court further stipulated that the prohibition would continue until the Israeli Ministry of the Interior enacts its new procedure for family reunification. (Adalah Press Release, 29 August 2002)

After months of threatening to *revoke the citizenship* of Palestinian citizens accused of 'breaching state security' the Israeli Minister of the Interior signed a special decree in early September unilaterally revoking the citizenship of Mr. Nihad Abu Kishik, a Palestinian citizen of Israel. Article 11(b) of Israel's 1952 Nationality Law grants the Minister of Interior discretion to revoke the citizenship of an Israeli citizen for "breach of allegiance to the State of Israel." Under international law, however, states are prohibited from making their own citizens stateless. In its 1998 report to the UN Human Rights Committee, the Government of Israel

wrote that "as a practical matter," revocation of citizenship for "breach of allegiance" is never invoked. The right to citizenship was upheld by the former Israeli Minister of the Interior and by the Supreme Court in *Hilla Alrai v. the Minister of the Interior*, in which the Ministry was asked by a third party to strip the citizenship of Yigal Amir, the Israeli citizen who assassinated former Prime Minister Yitzhak Rabin. In this case, the then Minister of the Interior declined to revoke Amir's citizenship, noting that although the law granted him the authority to revoke citizenship of individuals suspected of breach of trust such an action would be extreme and drastic. (Adalah Press Releases, 8 August and 10 September 2002)

Over the summer months Arabic language newspapers in Israel revealed plans by the Israel Lands Administration (ILA), which controls most of the land inside Israel, to expropriate the remaining lands of Palestinian Bedouins in the Naqab within the coming three years. The plan was approved on 25 June with the consent of Israeli Prime Minister Ariel Sharon. The plan involves restarting the land settlement process that was suspended in 1976. For the Bedouin community, the legal process appears to be a no-win situation; no Bedouin has ever won a land claim to any of the more than 3,000 lawsuits filed over the past several decades. The Israeli government also announced plans to establish 14 new Jewish settlements upon the lands of the unrecognized Palestinian villages. Plans for the concentration of all the Bedouin in the Naqab into 16 villages continue.

As in the 1967 occupied territories, Israel authorities continue to demolish Palestinian homes built without a permit, which are difficult and sometimes impossible to obtain. During the first week in July Israel demolished four homes in the Naqab that belong to the Zanoun tribe and the al-Azazmi tribe. (*Kul al-Arab*, 5 July 2002, ArabHRA). Israeli bulldozers accompanied by 500 policemen and a helicopter levelled the four houses leaving 13 children and their families without shelter. The houses were later rebuilt. According to the Israeli Ministry of Interior, there are 30,000 unlicensed buildings, which belong to Bedouin citizens in the Naqab. During the second week of July Israel demolished a home in the unrecognized village of al-Qaren in the Naqab under the pretext that it was built without a permit

on 'state land.' (*Panorama*, 12 July 2002, ArabHRA) In late July Israeli forces demolished 35 homes in the unrecognized village of al-Araqib. (*al-Ahali*, 1 August 2002, ArabHRA)

Occupied West Bank and Gaza Strip: The situation in the West Bank and Gaza Strip continued to deteriorate over the past three months affecting the entire panoply of basic human rights of the Palestinian population, including the more than 1.5 million refugees who comprise over half the population of the occupied territories. The underlying cause of the humanitarian crisis is Israel's current military and economic siege and illegal military occupation and the absence of effective international political intervention.

Since the beginning of Palestinian uprising in September 2000 the Palestinian economy has lost the equivalent of over half of its annual gross domestic product, unemployment has increased threefold, and poverty has risen substantially, with more than two-thirds of Palestinian households living below the poverty line. The situation is generally even more severe for Palestinian refugees. As noted by the findings of the December 2001 report of the Geneva-based Graduate Institute of Development Studies, there is a statistically significant relationship between loss of job, poverty status, and refugee camp status.

According to the UN Conference on Trade and Development (UNCTAD), the Palestinian economy is now set on a path of "de-development." (26 July 2002) *De-development* is characterised by the "deliberate, systematic deconstruction of an indigenous economy by a dominant power." "De-development is an economic policy designed to ensure that there will be no economic base, even one that is malformed, to support an independent indigenous existence." (Sara Roy, *The Gaza Strip, The Political Economy of De-Development*, Washington, DC: Institute for Palestine Studies, 1995, p. 4) According to the Office of the UN Special Coordinator for the Occupied Territories (June 2002), the "[Palestinian] economy can no longer 'bounce back', even if closures were lifted and conditions returned to pre-intifada levels." "Total economic breakdown is prevented only with continued injections of budgetary support from international donors, the release of a small

percentage of PA revenues withheld by Israel, and humanitarian aid."

Over the past three months studies by various UN and international agencies have found conclusive evidence that the severe damage inflicted by Israeli military forces on the social and commercial infrastructure in the occupied territories, damage to water supplies, problems with waste disposal, and a reduction in retailing, have had a serious impact on the *health status* of the Palestinian population, not to mention the ongoing physical and mental suffering of the population. Particularly vulnerable sectors of Palestinian society, include refugees, women, children and the elderly. Reports suggest that immunization coverage in 2002 has been much lower, especially in remote areas. Almost half of young children (6-59 months) and women of child-bearing age are anaemic. Surveys also reveal the existence of childhood malnutrition and an overall deterioration in the nutritional status of the entire child population when compared with the results of surveys undertaken by UNWRA before the current crisis. The destruction of both the water network and sewage pipelines in Balata and Askar refugee camps resulted in sewage flowing into the water pipeline.

Recent surveys by CARE, PCBS and the PA Ministry of Health also point to *shortages of high protein foods* such as fish, chicken and dairy products among wholesalers and retailers in the West Bank and Gaza Strip due to external and internal military closure and curfews. Prices for these products meanwhile are rising even as household income continues to decline. In one survey more than half the Palestinian population reported having to decrease food consumption; the primary reasons cited were lack of money (65 percent) and curfews (33 percent). Fifty-three percent of households said they had to borrow money to purchase food, with Bethlehem, North Gaza, Jericho and Gaza City containing the most households in this category. Roughly seventeen percent of households had to sell assets to buy food, with rates highest in Gaza City and Khan Younis. The World Food Programme (WFP) says that it will soon deliver food assistance to more than half a million beneficiaries in addition to the roughly 1 million beneficiaries of UNRWA food assistance.



Refugee shelter destruction in Balata camp, July, 2002. (electronicintifada)

Israel's policies and practices in the occupied territories continue to result in an increasing number of 'new refugees' as Palestinians are displaced due to deportation, house demolition and land confiscation. In July 2002 the Israeli authorities announced their intention to forcibly transfer from the West Bank to the Gaza Strip relatives of people known or suspected of having organized or participated in attacks against Israelis. On 1 August the IDF West Bank Commander signed an amendment to Military Order 378 (of 1970, concerning security regulations), allowing for the forcible transfer of Palestinians from the West Bank to the Gaza Strip. On 3 September the Israeli High Court of Justice issued a ruling allowing the forcible transfer of two Palestinians from their home town of Nablus to the Gaza Strip on the grounds that they allegedly assisted their brother to commit attacks against Israelis. The two Palestinians, Intisar and Kifah 'Ajuri, had been in detention since 4 June and 18 July, respectively, but had never been charged and no proceedings have been initiated to bring them to trial.

On internal displacement in the 1967 occupied territories, see, Global IDP Database, Profile of Internal Displacement: Palestinian Territories. Compilation of the information available in the Global IDP Database of the Norwegian Refugee Council.

Available at, <http://www.idproject.org>

www

Deaths and Injuries

During the last month 150 Palestinians were killed by Israeli forces (PRCS). Palestinian children continue to be particularly vulnerable to Israel's military campaign to suppress the *al-Aqsa intifada*. According to Defense for Children International-Palestine, during the first seven months of 2002, 105 Palestinian children were killed by Israeli forces in the West Bank and Gaza Strip. This number exceeds the total number of children killed in the entire year (98) of 2001, and is equal to the number of children killed in the year 2000. Every year since 1990, Palestinian children have made up over 20% of total conflict-related Palestinian deaths in the West Bank and Gaza Strip. Palestinian refugees continue to comprise a significant proportion of Palestinians killed by Israeli forces. It is estimated that refugees continue to comprise the majority (60 percent) of Palestinian fatalities. Camp refugees continue to be particularly vulnerable.

Examination of statistics on children killed over the last three years reveals two further alarming trends:

1) Israeli forces are killing significantly younger children. In the first seven months of the year 2002, 48% of Palestinian children killed were aged 12 years and under. This number exceeds the proportion in the year 2001, both relatively (48% compared to 34%) and also in quantitative terms (50 children compared to 33 children). It should be stressed that the figures for the year 2002 cover the first seven months of the year while those for 2001 include the whole 12-month period.

2) Israeli forces are killing Palestinian children using an increasing level of force. In 2002, nearly one half of the children killed sustained multiple fatal injuries to more than one part of the body (47%) as compared to one-third of children in 2001. In other words, the level of deadly force used by Israeli soldiers in 2002 has increased dramatically.

The circumstances surrounding the deaths of Palestinian children indicate that these deaths are overwhelmingly a result of indiscriminate measures of collective punishment including the arbitrary use of heavy fire-power against the civilian population. Almost every Palestinian child killed in the year 2002 died in circumstances where there was no exchange of fire. The majority of children were killed when Israeli forces randomly opened fire or shelled civilian neighborhoods in Palestinian towns and villages. In addition, six children died when they were denied medical treatment due to the closure imposed on Palestinian areas. Other leading causes of death include landmines and unexploded ordinances (11 child deaths) or deaths during extra-judicial killings (6 child deaths).

WWW

(DCI-Palestine, <http://www.dci-palestine.org>)

Unemployment

UNSCO (June 2002) estimates that the overall adjusted unemployment rate for the West Bank and Gaza Strip during the second quarter of 2002 increased from roughly 36 percent to approximately 50 percent. Unemployment rates among refugees in camps is likely to be even higher. In December 2001, for example, unemployment rates in Gaza Strip refugee camps were already closing in on 50 percent. Almost twice as many refugees in camps reported loss of job compared to Palestinians living outside camps. (IUED III, December 2001) Unemployment fluctuates greatly according to the extent of curfews. Refugees, camp refugees in particular, moreover, have experienced even greater problems in mobility since the beginning of the uprising. UNSCO estimates that on curfew days involving approximately 600,000 people, the non-Jerusalem West Bank unemployment rises as high as 63.3 percent. Emergency temporary job creation programs cannot cope with employment needs as long as Israel's military closure, further entrenched through the imposition of a new permit system and the construction of fences and barriers around Palestinian towns and cities, and re-occupation of Palestinian population centers remains in place.

Poverty Levels

According to UNSCO (June 2002) the estimated poverty rate - based on two dollars or less consumption per day - is 70 percent in Gaza and 55 percent in the West Bank. These rates exceed earlier forecasts by the World Bank for the end of 2002. Again it is likely that rates are higher in refugee camps, especially in the Gaza Strip. Throughout the West Bank and Gaza Strip, Palestinians have run out of money and are unable to work to earn it. They increasingly must rely on handouts, sale of personal items, credit, etc.. Widespread damage, injuries and deaths in the refugee community have reduced even further what little material capital and savings refugees have to rely on during periods of economic instability and political crisis.

Damage and Confiscation of Property

Similar to the situation inside Israel, Israeli authorities continue to demolish Palestinian homes for both 'administrative' (lack of a building permit) and punitive reasons (collective punishment). On 6 August the Israeli High Court ruled that Palestinian homes belonging to families of persons who are

believed to have carried out attacks against Israelis could be demolished without the right to judicial review. According to B'tselem, the Israeli Center for Human Rights in the Occupied Territories, Israeli authorities demolished 36 homes, not including refugee shelters, between July and September 2002. Since the beginning of the *al-Aqsa intifada* in September 2000, 1,046 Palestinian homes have been demolished, leaving 7,844 people homeless. (LAW, 25 September 2002) Israeli military incursions in the West Bank in July and August resulted in damage to 1,887 dwellings in refugee camps alone. In the Gaza Strip as of the end of August 2002, 542 shelters accommodating 758 families (4,232 persons) had been destroyed or damaged beyond repair as a result of Israeli military activity. A further 417 dwellings, home to 509 families (3,419 persons), had sustained varying degrees of repairable damage.

On 17 July the Israeli military issued an order seizing 60 dunums of land located east of the Israeli colony of Netzarim and south of Gaza city under the pretext of 'military necessity.' The order is to remain in force until 17 July 2007. (PCHR, 20 July 2002) On 11 September, the Israeli military issued a confiscation order for 10 dunums of land located alongside a peripheral road to the north east of Ramallah district (one dunum is 1,000 square meters). The land was seized on the basis of "military necessity" without further explanation. The order is to remain in place until 31 August 2003. (ARIJ, 11 September 2002)

Shelter destruction in Khan Younis refugee camp (PCHR)



UN and International Protection

During the past several months no major initiatives have been undertaken by the international community to rectify the protection gap facing Palestinian refugees in the occupied territories and elsewhere apart from continued assessment studies of humanitarian conditions. Humanitarian relief has become a substitute for effective international political intervention.

PLO Report on Double Standards: The degree to which the international community has adopted a double standard with regard to the implementation of international law as a foundation for resolving the Israeli-Palestinian conflict was clearly documented in a report prepared by the PLO Negotiations Affairs Department in late September. The report, entitled, *Double Standards, How the International Community has Taught Israel that it is Above the Law*, documents the record of the international community dealing with the implementation of UN resolutions around the world concerning grave human rights violations and violations of humanitarian law; colonies and demographic manipulation; the right to return of refugees and displaced persons; and the obligation to withdraw from territories subjected to armed occupation. The report provides a series of recommendations to ensure Israel's compliance with UN resolutions

and international law, including, the deployment of international monitors, the disengagement of Israeli occupying forces under international supervision, stabilization of the autonomous Palestinian government, insistence that a final and comprehensive agreement cannot derogate from principles held to be non-negotiable in all other instances, including the right of refugees and displaced to return to their homes, the use of international sanctions for non-compliance, and the establishment of accountability at the international level for unacceptable practices.



The report is available at:
<http://www.nad-plo.org>

Double Standards, How the International Community has Taught Israel that it is Above the Law (*excerpts*)

PLO Negotiations Affairs Department (24 September 2002)

3. The Right to Return of Refugees and Displaced Persons

As was noted in the previous section, the practice of demographic manipulation through colonies and through the disenfranchisement and partial displacement of the original Palestinian population, has been internationally resisted in all cases other than Israel. In fact, in all of the cases mentioned above, the right to return of the displaced populations lay at the core of international demands. In most of these cases, this demand has been enforced through military action, followed by an international security presence to safeguard the process of refugee returns.

The right of refugees or the displaced to return lies at the very heart of all of these international operations, and it is a key component of all peace-settlements that have been adopted. The right to return is a crucial element of the Dayton accords. While this has proved difficult in practice, tremendous international resources have been invested in the attempt to enable those who were subjected to displacement by design to return to their homes.

Throughout 1998, the return of the displaced and of refugees to Kosovo was also a key demand of the Security Council acting under Chapter VII. This demand was followed up in September/October of that year with a threat to use of force. This ultimately led to the Holbrooke agreement that foresaw an organized return of the displaced and refugees. Similarly, this was a non-negotiable condition in the Rambouillet talks on Kosovo. The use of force by NATO in relation to the Federal Republic of Yugoslavia was only suspended once it had been established that there would be no barriers to returns. When large parts of the ethnic Serb population left the territory in the wake of the success of the NATO campaign, their return became one of the highest priorities of the newly installed UN interim authority in Kosovo.

Other cases of the demand for return concern Tutsis from Rwanda who had been moved into Zaire. The Security Council authorized the deployment of an international coalition force led by Canada (ultimately not deployed) to achieve this aim. Similarly, the return of Eastern Timorese who were moved across the boundary into Indonesia has been a mandatory demand of the Security Council.

This pattern of the demand for the safe and secure return of the displaced and refugees to their homes is unbroken, also in other parts of the world. Other examples of such demands include the conflicts in the Caucasus, to which reference was made above, and displacement and refugee crises in Africa, from Nigeria and the Western Sahara, to the southern tip of the continent - where the right of return was realized for those who had sought shelter in the front-line states during the campaign against *apartheid* in Namibia and South Africa.

The right of Palestinian refugees to return home to mainland Israel or to the occupied territories has been a key demand of the Palestinians since 1948. As can be seen, in 1948 and 1968, Israel faced demands from the international community to ensure the right of return for refugees whose movements stemmed from those particular conflicts. However subsequently these international demands have diminished and there have been attempts to declare this as a non-negotiable issue in Israel-Palestine peace negotiations. Such a practice would, however, fly in the face of all other precedents.

Secretary General Report on Jenin: In July the UN Secretary General released his report mandated under UN General Assembly 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 General Assembly requested the Secretary General to prepare the report following Israeli non-compliance with and collapse of a Security Council sponsored investigation earlier in the year. The Secretary General's report was heavily criticized by local and international human rights organizations. Human Rights Watch called the UN Jenin report 'flawed.' "The report doesn't move us forward in terms of establishing the truth," said Hanny Megally, executive director of the Middle East and North Africa Division of Human Rights Watch. While the report describes some general allegations that have been made about the conduct of the Israeli and Palestinian sides during the Israeli operation, it draws almost no conclusions on the merits of those claims. It makes only limited reference to the obligations of the parties under international law, makes few clear conclusions about violations of that law, and does not raise the issue of accountability for serious violations that may have been committed, some of which rise to the level of war crimes. "Even with what they had, they could have done more," Megally said. Examples of the report's failings include the following: It refers to the fact that civilians died in the operation, without examining the circumstances of their deaths. The U.N. report mentions that missiles were "at times" fired from helicopters, minimizing evidence suggesting that their use was intense and indiscriminate in Jenin camp, particularly on April 6 when missiles caught many sleeping civilians. It does not discuss what, if any, steps the parties have taken to investigate credible allegations of violations of international humanitarian law raised in the report - such investigations are vital for ensuring accountability and discouraging future violations. (Human Rights Watch, 2 August 2002)

UNCCP 56th Annual Report: On the eve of the second anniversary of the Palestinian uprising the UN Conciliation Commission for Palestine (UNCCP), the UN body established under UN General Assembly Resolution 194 and mandated to provide international protection for Palestinian refugees released its 56th Annual Report. The report

covers the period from 1 September 2001 to 31 August 2002. In the interests of advancing discussion on resolving the protection gap for Palestinian refugees the FULL UNCCP report is reprinted below.

FULL TEXT of the Fifty-sixth REPORT of the United Nations Conciliation Commission for Palestine (UNCCP)

"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 2002 (A/56/290) and observes that it has nothing new to report since its submission."

UNHCR and Refugee Protection (BADIL Brief No. 7): Between 1948 and 1949 the United Nations General Assembly accorded mandates to two separate UN agencies to provide international *protection* (including *durable solutions*) and *assistance* to Palestinian refugees. This unique regime is comprised of the UN Conciliation Commission for Palestine (UNCCP), and the UN Relief and Works Agency for Palestine Refugees (UNRWA). Palestinian refugees also have a unique and complex relationship to a third UN agency - the Office of the UN High Commissioner for Refugees (UNHCR). Over the past two years, BADIL has examined the pros and cons of UNHCR stepping in to fill the protection gap for Palestinian refugees. The initial findings are presented in BADIL Information and Discussion Brief No. 7 published in August. The following article provides a short summary of the Brief.

Generally, UNHCR has a mandate to provide international protection and search for durable solutions for refugees world-wide, including persons defined as 'Convention refugees' under the *1951 Convention Relating to the Status of Refugees* (Refugee Convention). According to special provisions set forth in Article 1D of the 1951 Refugee Convention, Palestinian refugees are entitled to the benefits of the Convention (i.e., considered as 'Convention Refugees') when protection or assistance from other organs or agencies of the United Nations has ceased for

any reason, without the position of the refugees being definitively settled in accordance with relevant resolutions of the UN General Assembly.

The collapse of UNCCP protection in the mid-1950s, limited intervention by the UNHCR, and lack of an explicit UNRWA protection mandate, has resulted in severe gaps in international protection for Palestinian refugees. No international agency is currently recognized by the international community as having an explicit mandate to systematically work for the realization of the basic human rights of all Palestinian refugees and search for and implement durable solutions consistent with international law as affirmed in UN General Assembly Resolution 194(III). Practically this anomaly means that most of the more than five million Palestinian refugees, or nearly one-third of the world's total refugee population, do not have systematic access to international protection. Palestinian refugees face varying degrees of arbitrary restrictions on the realization of basic human rights, including, for example, freedom of movement, the right to the highest attainable standard of physical and mental health, the right to education, the right to an adequate standard of living, and the right to work, as well as access to durable solutions.

The severe gap in international protection for Palestinian refugees requires urgent legal reappraisal and related institutional remedies. UNHCR may provide an 'address' to fill the gaps in international protection for Palestinian refugees if three primary issues are resolved: clarification of mandate (including UN Resolution 194), identification of the value-added components UNHCR's operational experience would bring to the Palestinian refugee case, and consideration of potential political problems.

UNHCR does not have an explicit *mandate* to provide international protection and seek durable solutions for all Palestinian refugees. The technical aspects of triggering UNHCR intervention, if and when necessary, are least problematic. While Paragraph 7C of the UNHCR Statute does not contain an inclusion clause similar to Article 1D of the 1951 Refugee Convention, both the UN General Assembly and ECOSOC could issue policy directives to the High

Commissioner, as they have done in other cases, that would bring Palestinian refugees within the scope of the UNHCR Statute. More problematic are issues related to inter-agency jurisdiction (i.e., UNRWA) and clarification of the constraints imposed by UN Resolution 194(III) (i.e., criteria for the cessation of refugee status and restrictions on resettlement) on an expanded UNHCR mandate.

UNHCR's *operational experience* in the Palestinian case is limited. At present the Agency only provides services to a fraction of the Palestinian refugee population. Indicators of UNHCR effectiveness in other refugee cases - e.g., knowledge of the people's concerned, strong field presence, ability to mobilize financial resources, and an established working relationship with local NGOs through its field presence - all rank low in the Palestinian refugee case. At the same time, UNHCR does have a long history of providing international protection and facilitating durable solutions, experience which may be useful in the Palestinian case.

Given the lack of specific operational experience vis-à-vis Palestinian refugees, but broad experience with regard to refugees generally, potential expansion of UNHCR's mandate should be considered within the context of a value-added formula. In other words, in what areas can UNHCR's operational experience serve to fill in current protection gaps and/or enhance operational activities of existing agencies (such as UNRWA) involved with Palestinian refugees? The same value-added formula should be applied in relation to the search and implementation of durable solutions.

Finally, careful consideration must be given to the *political environment* in which UNHCR operates. While the issue of mandate and operational experience are technical issues that can be addressed in a relatively straightforward manner, the clearest and most accurate interpretation of mandate and division of roles can go awry due to untoward political influence. What are the potential implications of UNHCR intervention in light of the fact that the UNHCR's largest state donor, the United States, remains opposed to the implementation of those rights



International civilian protection delegation (PCHR)

affirmed in UN Resolution 194(III)? Can UNHCR intervention be effective, moreover, in the absence of sufficient support from Arab states? Would UNHCR intervention engender political pressure to dismantle UNRWA?

The absence of a resolution to any one of these issues could have negative consequences for Palestinian refugees if the UNHCR were to afford systematic protection to them.

Recommendations include:

(1) UNHCR, UNRWA and other UN agencies should establish a coordination mechanism or secretariat for the exchange of documents, information, data and reports regarding their respective policies and operations. Such a mechanism would assist in the identification of specific gaps (short-term and durable solutions) in the international protection regime for

Palestinian refugees. Palestinian institutions - official and civil society - should engage UNHCR and other UN agencies in a meaningful discussion regarding Resolution 194(III) in order to clarify the specific framework for durable solutions applicable to the Palestinian case and the status of Palestinian refugees under the 1951 Refugee Convention.

(2) UNHCR, UNRWA and Arab host states should establish a mechanism for discussion and debate about the pros and cons of expanding UNHCR's mandate in the Palestinian refugee case with the aim of finding comprehensive solutions to the gap in international protection.

A full copy of Brief No. 7 is available by request from BADIL (info@badil.org) or on the BADIL website: <http://www.badil.org/Publications/Briefs/Brief7.pdf>

www

Durable Solutions

Real Property Restitution Update

Under international law as affirmed in UN General Assembly Resolution 194 Palestinian refugees and displaced persons have the right to housing and property restitution. During the last three months, the Israeli government and High Court adopted decisions that have significant implications for Palestinian refugees, displaced persons, as well as Palestinian citizens of Israel.

Israeli Cabinet Recommends Restricting Land

Use in Israel to Jews: On 7 July 2002, the Israeli cabinet, in a vote of 17-2, recommended the adoption of a new bill to restrict access to 'state land' to Jews only. The vast majority of so-called state land was acquired by Israel through the mass expropriation of refugee properties. The proposed bill by MK Haim Druckman (Mafdal) was formulated as a response to a High Court decision on 8 March 2000 (*See al-Majdal, Issue No. 5*), which upheld the right of Adel and Iman Qaadan, a Palestinian couple from Baqa al-Gharbiyya in the Galilee to lease a plot of land and build a home in the nearby Jewish 'lookout' settlement of Katzir. 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. 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.

Many of those Israeli Jewish lawmakers opposed to the proposed bill appeared to be more concerned about the 'esthetics' of the discriminatory language in the bill and its implication for Israel's image abroad, rather than the underlying, historic, and discriminatory nature of Israel's land ownership system. "[The decision] places us in a bad situation," stated minister without portfolio Dan Meridor, "changing our image in our land and in the world. As to the charges that Zionism is racism - what are we ourselves saying here?" (*Ha'aretz*, 8 July 2002) As one Israeli commenator wryly noted, however, in an article entitled, "State Land Bill Sticks to Reality on the Ground": "When the cabinet approved a bill on Sunday 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." (*Ha'aretz*, 9 July 2002) The cabinet subsequently decided to 'bury' the proposal in Knesset committee.

Land Law and Euphemisms for Ethno-National Discrimination

"The outrage of the Druckman Law was attributed to its being the first time that the country's lawbooks would explicitly refer to different laws for Jews and non-Jews, other than the Law of Return. But in the 54 years of the state's existence, an entire lexicon of laundered euphemisms have obviated the need to bluntly define ethno-national discrimination - ranging from "the absentees," to "army veterans" and "those eligible for citizenship according to the Law of Return." Most of the national-ethnic discrimination is carried out by the Zionist institutions - the Jewish National Fund and the Jewish Agency and they were deliberately established so the state would not be accused of deviation from universal norms."

"It requires a large measure of naivete or hypocrisy to take pride in the torpedoing of the Druckman Law. [The law's] intention was only to tell the entire world that [Israel] isn't ashamed of its racism, since the leaders of the national institutions say openly they have no need for the law because there is nothing preventing them from executing a discriminatory policy, dubbed Zionism. So what? After the law was "buried," it's perfectly all right to continue playing with "Zionist" positions, that blindly accept the premise that personal and collective rights for those who belong to the Jewish group take precedence over the civil rights considered common in liberal democracies."

"It's not the Druckman Law and Adel Ka'adan's house that are the test of racism of Israel, but the collective discrimination against sectors that do not belong to the Jewish group - the Bedouin, the internal refugees, "unrecognized villages," cities and towns suffocating because of lack of room to expand, economic discrimination and racial prejudice camouflaged as "concern for security." Those who breathed a sigh of relief at the burial of the Druckman Law are making life easy for themselves." (Meron Benvenisti, "A Family Argument," *Ha'aretz*, 18 July 2002)

Israeli High Court Suspends Privatization of 'State Land' (i.e., Refugee Properties):

(i.e., Refugee Properties): On 29 August the Israeli High Court ruled that the decision by the Israel Lands Administration (ILA) to rezone kibbutz and moshav agricultural land for real estate development - i.e., land expropriated from Palestinian refugees - was null and void on the grounds that it contradicted the principle of equality. In issuing its ruling, however, the High Court did not take into account the fact that the land in question was expropriated from Palestinian refugees. Rather, the Court ruled that the share of the revenues, in the form of compensation, that would accrue to the kibbutzim and moshavim as a result of the construction - on what is 'state-owned' land - was



Palestinian refugees visit the depopulated village of Lifta

excessive. The Court ordered the ILA to review its decision as soon as possible. In the meantime, all deals linked to the freeing up of agricultural land for real estate development are to be frozen.

The debate about privatization of so-called state lands goes back to the early 1990s when Ariel Sharon, then responsible for the ILA replaced the old system of rezoning land for 'public use' with a new system under which kibbutzim and moshavim received 50 percent of the value of the land (based on its new residential or commercial use) along with entrepreneurial rights. Opposition to the changes, primarily from the Sephardi Rainbow Coalition (Keshet Mizrahit) eventually led to a series of reductions in the level of compensation to 15-20 percent for land in the center of the country and 10 percent for land adjacent to residences. The Coalition has argued that the land is a national asset and therefore all sectors of Israeli society should share in the profits accrued from privatization, not only the Ashkenazi elite represented by the Kibbutzim. (*Ha'aretz*, 29 August 2002). Privatization of refugee properties would further complicate Palestinian refugee housing and property claims.

Recent 'Peace Plans' and Refugee Rights

During the past several months several independent initiatives for a framework for an Israeli-Palestinian final status agreement have been put forward by independent actors. These include the International Crisis Group (ICG), Ziyad Abu Ziyad, and a joint proposal by Sari Nusseibeh and Ami Ayalon. A fourth proposal, the Quartet three-phase roadmap for final settlement by 2005 announced on 17 September 2002 does not include any details on final status issues.

The three proposals share several common features, most notably the lack of reference to international law as a framework for negotiations and the consequent lack of a rights-based approach to crafting durable solutions for Palestinian refugees. The proposals ignore international law and practice, as documented in numerous reports by UN agencies and international human rights organizations (as well as the recently published PLO report entitled *Double Standards*, see above) and recommend that Palestinian refugees be resettled in a Palestinian state. Compensation is proposed as a substitute for the right of return. The proposals also ignore the right of refugees and displaced persons to housing and property restitution. The proposals also recommend that a peace agreement include an 'end of claims' clause, ignoring the fact that state parties or other third parties cannot extinguish individual rights by virtue of a bilateral agreement or by any other means. Beyond the obvious legal problems associated with the recommendations provided by the authors of these proposals, the proposals fail to provide political arguments why Palestinian refugees should forego the same basic rights afforded to all other refugees under international law. By recognizing Israel as the state of the Jewish people (and Palestine as the state of the Palestinian people), the proposals fail to consider the role/status and rights of Palestinians currently living inside Israel. Moreover, by failing to adopt a rights-based approach in crafting durable solutions for Palestinian refugees, the proposals underwrite more than 50 years of ethnic cleansing.

The Nusseibeh-Ayalon Agreement was published in *Ha'aretz*, 4 September 2002; the Ziyad Abu Zayad Principles were published in *Ha'aretz*, 23 July 2002; and the ICG proposal is available from the ICG website, <http://www.crisisweb.org>



Commentary: Zionism Facing the Challenges of the *Intifada*

Nihad Boqae. BADIL Staff and member of Shabibeh/Hadash

Sometimes we wonder how Israeli society can remain immune to the daily pictures of destruction, killing and collective punishment in the 1967 occupied Palestinian territories in this *intifada*. We wonder about the mechanisms by means of which Israeli society can perceive itself as the victim of aggression while the arrogance of power is endorsed publicly and widely.

The key to understanding current Israeli attitudes towards the Palestinian *intifada* lies in a propaganda

mechanism which has been employed by the Zionist leadership in times of crises since the early days of the Zionist colonization of Palestine: The Israeli people are told that the "crisis is existential, a question of to be or not to be." The notion of the "existential crisis to Zionism" is shared by part of the Israeli leadership and the mainstream media. Historically, this notion, and the type of slogans, misinformation and demagogy it engenders, has had catastrophic results for Palestinians, individually and collectively.

Today again, Zionism's "existential crisis" gives rise to public talk about a "demographic threat" deriving from the presence and growth of the Palestinian population. Military force, collective punishment, delegitimization and denationalization of Palestinians are seen as justifiable remedies in the short term, while proposals of transfer and ethnic segregation feature high in Israel's public debate over practical long-term solutions.

While the notion of the existential threat to Israel must be seen in part as a reflection of wide-spread

Israeli confusion and frustration, it is important to understand its impact on, and its explicit and implicit aims with regard to the Palestinian *intifada*.

The Demographic Threat Discourse: A Prelude to Palestinian Expulsion and Segregation

"Jewish immigration," "Jewish settlement," and "Jewish labor" have constituted the key elements of Zionist colonisation of Palestine since the late 19th century. Demography and geography of the

land were to be transformed by these means from an Arab land part of the Turkish empire into a "homeland" of the Jewish people, and they gave rise to expulsion ("transfer") plans already in the early stages of Zionist presence in Palestine.

In 1948 the Zionist movement succeeded to build the "Jewish national state" by virtue of the expulsion of more than 800,000 Palestinians from their homes and the total

destruction of more than 500 Palestinian localities in Palestine.

The "demographic threat" discourse remained on the Zionist agenda also after the establishment of the state. It has been employed regularly in order to encounter phenomena, which were perceived as an existential threat to Zionist control, not only in the 1967 occupied Palestinian territories, but also against Palestinian citizens of Israel. In this context, the creation of a Palestinian minority in Israel is seen as an unfortunate result of the fact that the Zionist agenda could "not be completed" in 1948. Palestinian citizens of Israel are perceived as a

"We must expel Arabs and take their places [...] and if we have to use force, then we have force at our disposal - not in order to dispossess the Arabs of the Negev and Transjordan, but in order to guarantee our own right to settle in those places."

David Ben-Gurion: A letter to his son Amos, 5 October 1937. Shabtai Teveth, *Ben-Gurion and the Palestinian Arabs*.

"The Hebrew State will discuss with the neighboring Arab states the matter of voluntarily transferring Arab tenant farmers, workers and fellahin from the Jewish State to neighboring states. For that purpose, the Jewish state, or a special company [...] will purchase lands in neighboring states for the resettlement of all those workers and fellahin."

David Ben-Gurion, Protocol of the Jewish Executive meeting of 7 June 1938, Jerusalem, confidential; vol. 28, no. 51, Central Zionist Archives, Jerusalem.

"I also would want the Arabs out of the country and my conscience would be absolutely clear."

Golda Meir, at that time leader of the Histadrut, in a debate at the World Convention of Ihud Po'alei Zion I August 1937.

"natural" part of the Palestinian people and as "aliens" in the Jewish state, whose citizenship status can be ignored. Efforts to denationalize Palestinians date back to the 1950 Israeli Law of Nationality, they were accompanied by policies aimed at re-shaping their identity. Israel's failure to sever the ties of "its" Palestinians from the larger Palestinian experience and identity and to erase their awareness of basic rights, has triggered a new government-led public campaign aimed at restricting the freedoms of the Palestinian community inside Israel.

The second Palestinian intifada and the related crisis in Jewish-Palestinian relations inside Israel were identified by the Zionist leadership as yet another "existential crisis." Israel's military campaign against the intifada has given rise to a new campaign of de-legitimization of Palestinians inside Israel, mainly based on their alleged links to terrorist operations, while Zionist Israeli society has proven incapable of distinguishing between political solidarity and actual involvement in such

"We have no inclination of dispossessing Arab citizens in the Galilee. But I would advise the Arab citizens in the region not to radicalize their attitudes in order not to bring about another tragedy like the one that befell the Palestinian people in 1948. Even if we do not want it, it may reoccur."

Ariel Sharon, then Minister of Agriculture, at a conference of the Likud's municipal division in Kiryat Gat, December 1980.

"You don't simply bundle people on trucks and drive them away [...] I prefer to advocate a positive policy, like enhancing the level of technical education in the [occupied] areas to create, in effect, a condition that in a positive way will induce people to leave ..."

Ariel Sharon, in an interview in 1988.

operations. Israel's current public discourses about the Palestinian "demographic threat" must therefore be seen as a yet another campaign aimed at preparing the ground for expulsion, segregation and derived measures, such as "land swaps" and administrative transfer directed against the Palestinian people both in the 1967 occupied territories and inside Israel. *Segregation, a "Humane" Alternative*

to Expulsion?

Part of those sharing the notion of the "demographic threat" support separation from the Palestinians as the preferred solution. Most of Israeli society does not reject the establishment of a Palestinian "state", if Israel will continue to control its external borders and maintain its colonies in the 1967 occupied Palestinian territories. This proposal is not guided by the search for real Israeli-Palestinian reconciliation and a durable and just peace, but by the search for continued direct and indirect Israeli control. Segregation is perceived as an effective means for getting rid of the Palestinian

"It is forbidden to have mercy with them [...] Evil ones, damnable ones. May the Holy Name visit retribution on the Arabs' heads and cause their seed to be lost and annihilate them."

Rabbi Ovadia Yosef, Shas movement, 2001.

"Marketing" Population Transfer - I

Gamla, which was founded in 1994 to lobby for continued Israeli occupation of the Golan, West Bank and Gaza Strip, has crafted a framework for the transfer of Palestinians from the occupied territories. The plan appears on the organizations website (<http://www.gamla.org>) Excerpts appear below. "It is possible, for example, to implement a suggestion by Harvard Professor Alan Dershowitz, an American liberal lawyer. Israel issues a warning that, in a response to any terrorist attack, she will immediately completely level an Arab village or settlement, randomly chosen by a computer from a published list. The essence of the idea is to make the Arabs completely responsible for their own fate, and to make it clear that terrorism will not be merely tolerated, but will be harshly punished. The use of a computer to select the place of the Israeli response will put the Arabs and the Jews on a level footing. The Jews do not know where the terrorists will strike, and the Arabs will not know which one of their villages or settlements will be erased in retaliation. The Arabs residing there will be evicted without compensation, all houses and buildings completely demolished, and the settlement itself, with the help of bulldozers and any other necessary equipment, will be leveled into a large field. After the appearance of several such fields the Arabs will lose any desire to commit terrorist attacks and the number of Arabs wanting to leave Eretz Yisrael will certainly increase. Israel will need to develop something like a timetable for the transfer to take place, establishing certain time windows within which various stages of the transfer should be completed. This information should, of course, be shared with the rest of the world. It is most favourable for the entire transfer process to be as quick as possible, hopefully not to exceed a 5 to 8 year time period.

people while maintaining control over the land. The expansion of Israeli colonies throughout the period of the Oslo process, the continuation of land confiscation and the doubling of Israel's settler population in this period must be understood in this context.

Also segregation is a concept applied to both Palestinians in the 1967 occupied territories and to Palestinian citizens of Israel. Restrictions of access of Palestinian citizens to so-called state land, as well as the exclusion of Palestinians from renting and purchasing homes in predominantly Jewish residential areas have served to keep the Palestinian population of Israel within limited and ethnically homogenous geographic areas. Recent legislative initiative, such as MK Haim Druckman's law bill, are rooted in the Zionist ideology of segregation and in policies which have shaped Israel's demography and geography for the past 54 years.

In the meantime: Israel's Demographic Threat Discourse in the Service of Pragmatic Aims

The danger of Israel's current demographic threat discourse and related expulsion and segregation proposals must not be under-estimated. In the meantime, however, the latter must be seen also as serving an immediate and pragmatic aim. The debate about the "demographic threat" to the Jewish state constitutes an effective propaganda tool. It

"Marketing" Population Transfer - II

MK Benny Alon, leader of the right wing Moledet party travelled to the US during the summer to lobby Jewish organizations, US Senators and Congressmen to support the voluntary transfer of Palestinians to the East Bank of the Jordan River. The eight-page glossy seven-part plan calls for the nullification of the Oslo Accords, resettlement of Palestinian refugees in their countries of residence with the help of an international fund, and the establishment of a Jordanian -Palestinian state with Amman as its capital. Under the plan, Palestinians in the West Bank and Gaza would receive Jordanian-Palestinian citizenship and could opt to remain in their homes. Those who violate the terms of the plan "will be expelled to their state on the other side of the Jordan river. The plan was presented to a handful of Congressmen and Senators. (*Jerusalem Post*, 27 June 2002)

has served to define the parameters of public discussion (and political negotiation) about a possible solution to the Palestinian refugee question, and has re-created a broad public Jewish consensus against the return of Palestinian refugees in the context of Israeli-Palestinian peace. If the Jewish state is "threatened" already by those Palestinians present inside Israel and in the West Bank and Gaza Strip, how could anyone expect Israelis to consider recognizing the right of return of five million Palestinian refugees ...?

Also Israel's ethnic segregation policies have served an immediate and pragmatic aim. Applied during

Population Transfer and Human Rights

The term "transfer" implies purpose in the act of moving a population; however, it is not necessary that a destination be predefined. The State's role in population transfer may be active or passive, but nonetheless contributes to the systematic, coercive and deliberate nature of the movement of population into or out of an area. Thus, an element of official force, coercion or malign neglect is present in the State practice or policy. The State's role may involve financial subsidies, planning, public information, military action, recruitment of settlers, legislation or other judicial action, and even the administration of justice.

Population transfer has been conducted with the effect or purpose of altering the demographic composition of a territory in accordance with the policy objectives or prevailing ideology, particularly when that ideology or policy asserts the dominance of a certain group over another. The objective of population transfer can involve the acquisition or control of territory, military conquest or exploitation of an indigenous population or its resources. State action based on such reasons has not only caused suffering to the vulnerable people and communities, but has often proved to be unmanageable in the long run. The consequences of population transfer, particularly involving deepened ethnic conflict, environmental degradation, resistance and even secession, may ultimately affect the very foundation of the state itself.

The Human Rights Dimensions of Population Transfer, including the Implantation of settlers, Preliminary Report prepared by Mr. A.S. Al-Khawasneh and Mr. R. Hatano, Commission on Human Rights, Sub-Commission on Prevention of Discrimination and Protection of Minorities, Forty-fifth Session, 2-27 August 1993. Item 8 of the provisional agenda, E/CN.4/Sub.2/1993/17, 6 July 1993

the current *intifada* they have proven to be an effective mechanism of collective punishment of the Palestinian people in the occupied West Bank and Gaza Strip, where Palestinian villages, town and refugee camps have been transformed into isolated Bantustans.

While the right-wing Zionist leadership is yet waiting to see whether a likely US-led war against Iraq will provide an opportunity for the implementation of a new wave of large-scale Palestinian expulsion and segregation, and while a

solution according to Zionist terms is not yet an immediate option, the Israeli coalition-government plays on winning time in order to affirm, step-by-step, its control over more Palestinian land. The frantic debate about Israel's "existential crisis" and the "demographic threat to the Jewish state" triggers the internal consensus and the international support necessary in order to avoid facing the real challenges of peace, while the demand for Palestinian leadership change serves as the pretext that allows Israel to postpone indefinitely the end of its military campaign.

Israeli Academics Warn of Population Transfer

We, members of Israeli academe, are horrified by US buildup of aggression towards Iraq and by the Israeli political leadership's enthusiastic support for it.

We are deeply worried by indications that the 'fog of war' could be exploited by the Israeli government to commit further crimes against the Palestinian people, up to full-fledged ethnic cleansing.

The Israeli ruling coalition includes parties that promote 'transfer' of the Palestinian population as a solution to what they call "the demographic problem". Politicians are regularly quoted in the media as suggesting forcible expulsion, most recently MKs Michael Kleiner and Benny Elon, as reported on Yediot Ahronot website on September 19, 2002.

In a recent interview in Ha'aretz, Chief of Staff Moshe Ya'alon described the Palestinians as a "cancerous manifestation" and equated the military actions in the Occupied Territories with "chemotherapy", suggesting that more radical "treatment" may be necessary. Prime Minister Sharon has back this "assessment of reality." Escalating racist demogoguery concerning the Palestinian citizens of Israel may indicate the scope of the crimes that are possibly being contemplated.

We call upon the international community to pay close attention to events that unfold within Israel and in the Occupied Territories, to make it absolutely clear that crimes against humanity will not be tolerated, and to take concrete measures to prevent such crimes from taking place.

The Middle East & North Africa Email List, To subscribe to the MENA Info List, please add your email address: <http://hometown.aol.com/menainfo/>

"Marketing" Population Transfer - III



This sticker and website was spotted over the summer pasted on parking meters around western Jerusalem.

In Memoriam

Between 29 September 2001 and 29 September 2002 Israeli military forces and settlers killed 1,094 Palestinians comprising over 60 percent of the total number of Palestinians killed since the beginning of the uprising. Since the beginning of the intifada 1,787 Palestinians have been killed and 20,539 have suffered injuries. Between 1 July 2002 and 30 September 2002 150 Palestinians were killed. (Palestine Red Crescent). As of 25 July the majority of those killed (53 percent) were aged 18-29. (PCBS) Nearly one-fifth (19 percent) were children (aged 18 and below); 7 percent were aged 50 and over.

391 Israeli civilians were killed between 29 September 2000 and 15 September 2002 of whom 72, or about one-fifth, were under the age of 17. 176 members of the Israeli security forces were killed during the same period. (B'tselem).

Names of Palestinians killed by Israeli forces and settlers from 14 June 2002 to 16 September 2002. (LAW)

Muhammad Hamzeh, 21, Kufr Sur
Mahmoud al-'Abed, 23, ash-Sheikh
Radwan quarter, Gaza
Mazen al-Ahmed, 41, Kufr al-Deek
Ibrahim 'Ammur, 20, 'Anza
Walid Sbeih, 28, al-Khader
Yousef Bsharat, 21, Tamoun
Sahar al-Hindi, 26, Qalqilya
Wa'el 'Ajjur, 27, al-Tuffah quarter,
Gaza
Isma'il al-Shrafi, 33, Jabalya
Hatem Nseir, 27, Beit Hanoun
Fares al-Sa'di, 13, Jenin
Abdul Samad Shamlakh, 10, ash-
Sheik 'Ajleen, Gaza
Sujoud Fahmawi, 6, Jenin
Ahmad Ghazawi, 9, Jenin
Othman Shehadeh, 23, Bureen
Hilal Shatta, 52, Jenin
Iyyad Samudi, 28, al-Yamoun
Jamil Ghazawi, 12, Jenin
Islam Irheil, 19, Tulkarem RC
Sa'ed al-'Aqra, 25, Bidya
Yaser Rizeq, 29, Rafah
Bassam Rizeq, 32, Rafah
Yousef Rizeq, 24, Rafah
Ameer Qafa, 28, Rafah
Sami Omar, 29, Rafah
Midhat al-Hurani, 17, Rafah
Muhammad Abu 'Awwad, 23, al-
Samu'
Khaled Tmeizi, 26, Ithna
Ashraf Theeb, 24, Ithna
Ashraf Gharduq, 25, Hebron
Muhammad 'Ayesh, 17, Balata RC
Muhammad Shteivi, 12, al-Fara' RC
Muhannad al-Taher, 26, Nablus
Imad al-Deen Darwazeh, 24, Nablus
Muhammad al-'Atbeh, 18, Deheishe
Muhammad al'Arqawi, 72, Jenin
Jihad al'Amarin, 46, az-Zaytoun,
Gaza
Wa'el al-Namra, 33, Gaza
Randa al-Hindi, 42, Deir al-Balah,
Gaza
Anwar al-Hindi, 2, Deir al-Balah,
Gaza
Jiryis al-Dalu, 72, Ramallah

Shukri Daoud, 8, Qalqilya
Mu'ammam Daraghme, 28, Tubas
Mahmoud Basheer, 72, Jabal al-
Muakabber Rami Qatash, 19, Askar
RC
Khaled al-Khatib, 22, Deir al-Balah
Mu'een al-'Udayni, 18, Deir al-Balah
Mahmoud Shushah, 35, Husan
Imad Abu Zahra, 30, Jenin
Jamal Odeh, 35, Kufur Thulth
Ghazi Abu 'Ibayya, 24, Balata RC
Mahmoud Hilal, 22, Qalqilya
Bashar Hantuli, 18, Silt al-Thaher
Amer Hantuli, 26, Silt al-Thaher
Fadi al-'Ijel, 18 al-Am'ari RC
Ahmad Abu Radaha, 7, al-Am'ari RC
Salah Shihadeh, 49, Gaza
Laila Safeera, 45, Gaza
Iman Shehadeh, 15, Gaza
Zaher Nassar, 37, Gaza
Iman Matar, 27, Gaza
Ayman Matar, 18, Gaza
Muhammad Matar, 4, Gaza
Dalia Matar, 5, Gaza
Muna al-Huweiti, 30, Gaza
Subhi al-Huweita, 4, Gaza
Muhammad al-Huweiti, 6, Gaza
Yousef al-Shawwa, 40, Gaza
Diana Matar, 2 months, Gaza
Ala' Matar, 11, Gaza
Hussein Sweidan, 55, Azoon
Ma'moun al-Zaban, 18, al-Mazra'a al-
Sharqiyyeh
Ziyad Hasan, 29, Qalqilya
Nivin Jamjoun, 14, Hebron
Ata Nimer, 68, al-Khalayleh
Isra' Ahmad, 9, Khan Younis
Fatmeh Abu-Thaher, 80, Khan
Younis
Ali al-'Ajuri, 23, Askar RC
Murad Marshoud, 21, Balata RC
Ahmad Abdul Aziz, 18, Rafah
Amjad Jabbour, 35, Salem
Ra'ed al-'Amad, 28, Nablus
Nu'man Zaloum, 40, Nablus
Asma' Ahmad, 9, Khan Younis
Fatmeh Abu Thaher, 85, Wadi al-
Saqqa, Gaza

Abdul Rahim al-Taweel, 42, Hebron
Khaled Seif, 41, Burqa
Muhammad Far'oniyeh, 38, Burqa
Hamzeh Dweikat, 13, Balata village
Muhammad al-Jakhbeer, 29, Beit
Lahia, Gaza
Ziyad Da'as, 26, Tulkarem
Muhammad Sa'adeh, 18, Tulkarem
Maher Jazmawi, 17, Tulkarem
Husam Hamdan, 26, Khan Younis
Marwan Khayyal, 69, Gaza
Ghazal Freihat, 21, al-Yamoun
Hasan al'Asi, 24, Beit Lahia, Gaza
Ahmad Qreini, 54, Askar RC
Khader al-S'eidi, 67, al-Daraj
neighborhood, Gaza
Hasan al-Dmeiri, 40, Tulkarem
Ayman Abu Mgheiseb, 12, Deir al-
Balah
Adel Ghaban, 26, Beit Lahia, Gaza
Naser Jarrar, 44, Burqeen
Nidal Abu Mheisen, 19, Tubas
Muhammad Abu Odeh, 14, Jenin
Issam Qa'dan, 28, Tulkarem
Muhammad Sa'adat Yousef Abdul
Rasul, 22, al-Bireh
Ayman Fares, 6, Khan Younis
Ayman Za'rab, 15, Khan Younis
Adnan Breis, 26, Khan Younis
Muhammad al-'At, 26
Jihad al-'Athra, 6, Yatta
Muhammad Barakeh, 24, Deir al-
Balah, Gaza
Ashraf al-Hajeen, 23, Jabalya
Nihad al-Hajeen, 17, Jabalya
Muhammad al-Hajeen, 18,
Jabalya
Muhammad 'Ammuri, 33, Jenin RC
Ra'fat Daraghme, 29, Tubas
Sari Sbeih, 17, Tayaseer, Tubas
Yazid Abdul Razeq, 16, Tayaseer,
Tubas
Usama Abu al-Zeit, 14, Tubas
Baheera Abu al-Zeit, 7, Tubas
Husam Halayqa, 30 Bani Na'im
Hisham Halayqa, 30, Bani Na'im
Ala' 'Ayaydeh, 23, Bani Na'im
Atiyeh Halayqa, 24, Bani Na'im

Refugee Assistance

International assistance involves a range of activities that meet the basic needs of refugees including food, shelter, health and education. Certain assistance activities may also be considered to have protection functions.



Funding

In late September 2002, UNRWA informed donor governments that the Agency faced a budget deficit of \$17 million for 2002. The deficit comes as the Agency tries to cope with the worst humanitarian crisis in the West Bank and Gaza Strip since 1948 stemming from Israel's military campaign to crush the Palestinian uprising. In response to growing concerns about the impact of austerity measures on Agency services, refugees in Lebanon in the camps of Nahr al-Barid and Badawi staged a strike in Tripoli in front of the UNRWA offices in late August to protest against the reduction of services in the two camps. Refugees from Ein al-Hilweh also staged a strike against the reduction of services.

UNRWA Individual Contributions

For individual contributions to UNRWA's emergency programs in the occupied territories, visit the UNRWA website: <http://www.un.org/unrwa/emergency/donation/index.html>

WWW

Adopt a Family in Palestine Project - Al-Awda UK

Al-Awda UK has established a family adoption project in the occupied West Bank and Gaza Strip in co-operation with the Palestine Working Women Society and the Union of Health Work Committees to provide emergency assistance to families that are suffering significantly due to Israel's ongoing military assault on Palestinian population centers in the occupied territories. Families are selected by local partners in the West Bank and Gaza Strip based on geographical location, families whose main providers are women, families who have lost their source of income because of the death, unemployment, injury or sickness of the primary income earner, large families with little income, and families where one of the children or family members are disabled.

For more information on the project, see the Al-Awda website, <http://www.al-awda.org.uk/campaigns/adopt.htm>

WWW

Top 13 Emergency Donor Contributions as of 31 August 2002, Compared to Top 13 Donors in 2000 Regular Budget. Emergency Funds include 4 October 2000 Flash Appeal, 8 November Emergency Appeal, February 2001 Emergency Appeal, June 2001 Emergency Appeal, and 2002 Emergency Appeal

| Donor Country | Received (US\$) | Outstanding (31-8-02) | 2000 Regular Budget (US\$) |
|---------------|-----------------|-----------------------|----------------------------|
| US | 59,302,259 | 7,000,000 | 89,299,900 |
| UK | 28,508,812 | 282,152 | 27,549,362 |
| Netherlands | 20,632,375 | 0 | 22,221,793 |
| Denmark | 5,200,099 | 282,152 | 8,479,288 |
| France | 5,127,935 | 282,152 | 5,296,399 |
| Sweden | 4,589,546 | 1,345,982 | 10,754,233 |
| Ireland | 4,455,235 | 282,152 | 839,801 |
| Italy | 4,135,289 | 3,332,094 | 4,809,559 |
| Finland | 4,093,860 | 282,152 | 1,807,007 |
| Germany | 3,801,291 | 2,250,656 | 5,513,931 |
| Norway | 3,573,534 | 0 | 2,731,278 |
| Belgium | 3,460,779 | 1,266,404 | 2,177,951 |
| Switzerland | 3,320,324 | 0 | 12,371,278 |

* US contributions include USAID. EU members include share of EU (ECHO) contributions.

In addition, fully half of UNRWA's 2002 Emergency Appeal for the 1967 occupied Palestinian territories remains unfunded. As of 31 August only 48.4 percent of UNRWA's 2002 Emergency Appeal had been pledged with only 56.6 percent of this amount actually received. The amount received therefore is only 27.4 percent of total requirements of the emergency program. Without the requested funds UNRWA will be forced to cut back on food and other emergency aid for Palestinian refugees in Gaza and the West Bank despite recent studies showing growing malnutrition among children (*See, Refugee Protection*)

Emergency Programs in the 1967 Occupied Territories

Employment Assistance

By the end of 2002, UNRWA will have disbursed US\$ 6.7 million in salaries to staff members given temporary employment with the Agency. In the Gaza Strip UNRWA has employed 21,156 refugees, including 3,821 females. Overall 178,509 persons (wage earners plus dependants) have now benefited from the program since it was established in January 2001. As noted above (*See Refugee Protection*), however, the emergency programs are unable to cope with the extent of the unemployment problem in the occupied territories.

Food Assistance

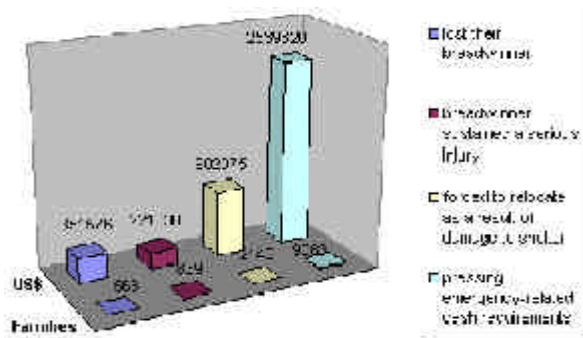
UNRWA continues to provide emergency food assistance to nearly 1 million refugees in the occupied territories. During July UNRWA distributed 19,188 parcels to 6,628 families residing in six refugee camps, two villages and one town in the West Bank and 68,564 parcels to 25,158 families in nine refugee camps, 57 villages and five towns. In the Gaza Strip, a total of 126,682 refugee families received rations during the final round of distributions from the third emergency appeal in July. The first round of distribution under the 2002 Emergency Appeal began on 6 August, with 89,651 parcels issued by the end of the month. Since December 2000, 1,328,950 food parcels have been distributed to 128,536 families in the Gaza Strip, the majority of whom are refugees.



Unloading food aid (UNRWA)

Cash Assistance

Agency emergency programs continue to provide for small cash. While many refugee households are reporting that they have run out of savings, Agency programs are only able to provide for those refugees, and a small number of non-refugee families, most in need. In July, UNRWA extended US\$ 284,554 in cash assistance to 1,723 families in the West Bank, 977 of them residing in refugee camps, 239 in villages and 507 in towns. In August, UNRWA assisted 1,436 families with US\$ 23,289 in cash grants. Of these families, 645 reside in refugee camps, 431 in villages and 360 in towns. By the end of the month, UNRWA had assisted a total of 29,597 families in the West Bank with a total of US\$ 3,276,959 in cash. In the Gaza Strip, US\$ 317,750 was issued to 1,137 families, including cash payments of US\$ 6,100 to 14 non-refugee families in July and August. Since the beginning of the current crisis, a total of US\$ 4,014,901 has been issued to 12,618 families in the occupied territories at an average of US\$ 318 per family, as follows.



A total of 355 non-refugee families have now received US\$ 164,580 (US\$ 464 per family) since the beginning of the current conflict. All refugees are only provided with assistance on the recommendation of Relief and Social Services after an assessment by an UNRWA social worker.

(UNRWA)

Shelter Assistance

The ongoing massive destruction and damage inflicted by Israeli military operations on Palestinian refugee camps and catchment areas continue to place a heavy burden on UNRWA resources. Even without the ongoing damage, the Agency is unable to repair all those shelters that are in need of emergency rehabilitation. The Israeli military is destroying and damaging shelters faster than the Agency can rebuild and repair them, particularly in the context of severe closures and curfews. In July, the Agency assisted 900 families with US\$ 256,473 in cash to enable them to carry out repairs to their homes that had been damaged in fighting. The families reside in nine refugee camps and in Hebron, Bethlehem, Ramallah and Qalqilia. In August, the Agency extended the same assistance to another 987 families residing in nine refugee camps and six towns and villages.

The first 64 housing units in the Tel es-Sultan quarter of Rafah were completed in late July. These will house 396 persons whose homes have been destroyed or rendered uninhabitable by Israeli military action. The second phase, under which an additional 33 units will be built, is also nearing completion. Israeli restrictions on the entry of pipes have continued to delay work. As for the third phase (construction of 141 shelters), UNRWA has been unable to begin work because the Palestinian Ministry of Public Works and Housing has not yet made the land available. Tenders are currently being evaluated for the construction of 18 dwelling units in Deir al-Balah, and another 156 shelters in Khan Younis are under design. Tenders are being accepted for repair work on 26 shelters

damaged in the Daraj quarter of Gaza City following the Israeli air attack on Hamas leader Salah Shehadeh in late July. The project to repair shelters damaged when the Israeli military blew up a tunnel under the Egyptian border earlier this year is continuing. Eighty-two shelters have been repaired; 23 others are to be rebuilt and design work is continuing.

Rebuilding Jenin Camp

UNRWA has undertaken to rebuild Jenin refugee camp over the course of the next two years in three phases. In phase one, which is planned to take nine months, the Agency will complete its work assessing the damage and the needs of the refugees, demolishing structures, preparing designs and removing rubble and any remaining unexploded ordnance. Phase one will include minor repairs to the refugee shelters that need them. The Agency will begin to rehabilitate buildings with major structural. Phase one will also involve the rehabilitation of around 70 homes belonging to the camp's most impoverished residents that are badly in need of improvement. In phase two, which should take 19 months, UNRWA will completely reconstruct 400 shelters and rebuild the camp's water supply, sewage, electricity, roads, pathways and public areas. In phase three, planned to take 15 months, repair and reconstruction work will be done to communal facilities such as schools, health centres and mosques. All three phases are designed to overlap to allow UNRWA to meet its two-year deadline. The project will be implemented in coordination with the refugees themselves, the Municipality of Jenin and the Palestinian Authority. During the building works UNRWA will make use of local Palestinian contractors, workers and suppliers to the maximum extent possible. The Agency has now completed an analysis of the data relating to the demolished dwellings and presented the findings to the Ministry of Public Works and Housing to highlight the need for additional land on which to reconstruct housing. The structures demolished in the central part of the camp represented 33,225m² of built-up space, while the land they had occupied is only 26,207m². Without additional land, the residents of the camp would have to be re-housed in multiple-storey buildings, and there would be only limited access to the area and no space for communal facilities or recreation areas. The Minister of Public Works and Housing has confirmed that land adjacent to the camp could be made available and that the owner has already been approached about the possibility of its purchase. The project is being funded by the United Arab Emirates at a cost of US\$ 27 million.

www

For more on developments in Jenin refugee camp, see, <http://www.jenincamp.ps>

Health Assistance

The reoccupation of the seven largest towns in the West Bank, prolonged curfews and the strict regime of closure severely hampered UNRWA's health services in July and August. Restrictions on movement prevented staff members and the sick alike from reaching health facilities. There were 1,875 absences among staff members in July and 971 in August. The slight improvement in attendance resulted primarily because several staff members were issued permits to enter Jerusalem. Curfew and restrictions on movement frequently prevent patients from reaching the hospitals in the West Bank where UNRWA contracts services on their behalf. For this reason, UNRWA approached additional hospitals in Jenin, Ramallah and Nablus to provide medical and surgical services, and in one location, cardiac care as well. UNRWA will soon award contracts to Al-Razi Hospital in Jenin, the Red Crescent Hospital in Ramallah and the Nablus Specialist Hospital in this regard.

Damage to infrastructure and prolonged confinement indoors under curfew is also leading to health problems for refugees. In July, there was an outbreak of diarrhoea among refugees in the

Balata camp. UNRWA doctors treated a total of 604 patients with symptoms including vomiting, abdominal cramps and fever. Laboratory tests revealed Shigellosis. Initially, it was thought that water had been contaminated with sewage, the result of damage by tanks and armoured personnel carriers to sewage and water lines outside the camp. The real cause, however, may have been deteriorating standards of hygiene due to prolonged confinement indoors.

Along with women and children, elderly refugees are also showing signs of vulnerability to Israel's ongoing military siege. In August, medical professionals from UNRWA called on elderly residents and individuals suffering from diabetes and hypertension in their homes in villages near Jerusalem. The residents were unable to reach Agency facilities. UNRWA staff discovered that several patients showed high levels of uncontrolled sugar and high blood pressure, clear signs of the effects on the general health of the population when the sick are unable to reach health care providers.

The psychological support project, which began in May 2002, continued throughout the summer months. Sixty-seven counselors, an UNRWA

Primary health care program, Gaza (UNRWA)



project co-ordinator and a four-person management team have been attached to the Education, Relief and Social Services and Health program departments. The specialists carried out group counseling sessions dealing with fear, aggressive behavior, nocturnal enuresis, hyperactivity, family violence, anxiety and sleep disorder; individual sessions for persons suffering from severe depression, trauma, grief and stress; and home visits to bereaved families and others whose houses had been demolished or who were in severe poverty.

Education Assistance

UNRWA teachers and students returned to the classroom in late August. In the first seven working days, there were 2,691 absences among teachers, the majority (1,702) among teachers assigned to schools in and around Nablus. All but one school, a boys' school in Hebron which the IDF ordered closed, opened on the first day of the new school year. There were a total of 326 supplementary staff members, including 57 teachers, in positions with the Agency's education programme in the West Bank as the school year began. UNRWA continued to provide counselling to West Bank students who have been traumatised by the violence of the 23 months. In July, 33 counsellors met with students in 720 groups and 184 individual sessions. They met with the families of 33 students. In August, they conducted 436 group-counselling sessions and met with students in 109 individual sessions.

Humanitarian Access

Since the Israeli military assault on the West Bank in late June, UNRWA's work has been hampered even more, simply because so many of its employees have again been confined to their homes. In July, for example, 1,453 employees (out of 3,545 regular staff members), residents of 20 cities, villages and refugee camps were under curfew from two to 31 days. At a time when Palestinians are most in need of UNRWA's assistance, the Agency's ability to deliver services has been compromised. The Israeli authorities continued to deny UNRWA distribution teams access to the al-Mawasi area in the Gaza Strip due to its proximity to Jewish settlements. No food has been distributed inside these areas since March and April 2002 respectively. Work on re-housing Rafah's homeless refugees was subject to

long delays because of both the restrictions on movement imposed by the Israeli military within Gaza and the difficulty of importing building materials to the Strip. The Abu Houli-Gush Qatif checkpoint, which controls access to southern Gaza, was either fully or partially closed for 200 days during a 300-day period. The Karni commercial crossing-point into Gaza has been closed completely for weeks on end, while at other times there has been a ban on importing sewage and water pipes.

During the annual donor's meeting in Amman, Jordan, UNRWA was asked by its major donors to detail the funds that are being diverted from its humanitarian aid work because of the Israeli security regime in Gaza and the West Bank. During the meeting, the Agency informed donors that it had paid over US\$ 2.5 million - of what should be a purely humanitarian budget - in additional port and storage charges because of the security regime imposed by the Israeli authorities. Charges imposed by Israel for search procedures come on top of heavy losses caused by the movement restrictions that have stopped staff from reaching their places of work since the start of the *intifada* in September 2000. The Agency has also been forced to spend hundreds of thousands more on repairs to its buildings that have been damaged during military operations. UNRWA recently submitted a claim for US\$ 535,000 in compensation to the Israeli government just to cover the cost of building damage. UNRWA informed donors that it lost 72,000 teacher-work days during the 2001-2002 academic year because of movement restrictions imposed on its staff. Additionally, in the first eight months of this year, the Agency lost 11,000 staff work days at its health clinics. UNRWA has tried to redeploy staff so that they work close to their homes and avoid checkpoints and yet its 34 health clinics in the West Bank cumulatively lost 340 treatment days between January and August 2002.

In the Gaza Strip during July and August, 21 tents, 123 blankets, 123 mattresses, 46 mats and 26 kitchen kits were issued to refugee and non-refugee families whose houses were demolished during the month under review. Since the beginning of the *intifada*, UNRWA has distributed 416 tents, 79,487 blankets, 2,838 mattresses, 806 mats and 439 kitchen kits to families in the Gaza Strip.

Refugee Voices

The following statement was endorsed by 80 Palestinian refugee community organizations and hundreds of individuals in the Middle East and the wider Palestinian exile in October 2002.

Memorandum concerning public opinion about the Nusseibeh-Ayalon position

We Palestinians, the undersigned, reaffirm our right to return to our homes from which we were displaced in 1948, just as we have reaffirmed this right throughout the past 54 years of exile. We reaffirm that the right of return is a basic human right as set forth in international law and UN General Assembly Resolution 194. Inherent in the right of return is the right to housing and property restitution. State succession or occupation does not extinguish these rights.

We reaffirm that the right of return is an individual and collective right. The right of return is non-negotiable. Governments or other second parties cannot waive or extinguish the right of return.

We therefore condemn efforts by Sari Nusseibeh, head of the PLO's Jerusalem portfolio, to cede the right of Palestinian refugees to return to their homes of origin. We also condemn his latest public statement, prepared in concert with Ami Ayalon, the former head of the Israeli intelligence service (Shabak), which unequivocally calls upon Palestinian refugees to waive their right to return to their homes, while recognizing the historical right of the 'Jewish people' in Palestine. Moreover, the public statement attempts to waive Palestinian rights in Jerusalem and calls upon Palestinians to accept a weak state subject to Israeli control, characterized by limited sovereignty within altered 1967 borders.

The Nusseibeh-Ayalon position is dangerous because it grants Israel impunity for war crimes, including mass expulsion and population transfer, as set forth in the Fourth Geneva Convention, and violates basic principles set forth in international law, UN resolutions and decisions adopted by the Palestinian National Council.

We reaffirm our right of return. Those who call upon us to cede our basic rights do not express the legitimate national interests of the Palestinian people; moreover, we do not consider them as belonging to the Palestinian people.

Organizations and Personalities, Signatories of the Memorandum concerning the Nusseibeh-Ayalon "Agreement"

Palestine

Palestinian Prisoner's Society, head office, Bethlehem. Al-Awda Charitable Society for Refugees in the Bethlehem Governorate. Popular Service Committees in the West Bank Refugee Camps. The National Charitable Society-Deheisheh Refugee Camp. Palestinian National and Islamic Emergency Committee-Bethlehem. Palestinian Teachers Movement, Hebron office. High Committee of Palestinian Students, Hebron. Popular Service Committee, Samm'o, Hebron. The Samm'o Municipality, Hebron. Ibn Sina Cultural Center, Samm'o, Hebron. General Union of Palestinian Students. Fatah Movement, Southern West Bank. Popular Service Committee, Doura, Hebron. Samm'o Cultural Center, Hebron. Fatah Movement, Samm'o, Hebron. Samm'o Youth Center, Hebron. Samm'o Agricultural Cooperation Society, Hebron. Shabiba Movement, Hebron University. The Committee for the Twinship of French Cities with Palestinian Refugee Camps. Al-'Arroub Youth Activity Center, Hebron. Fatah Movement, al-'Arroub Refugee Camp, Hebron. Popular Service Committee, al-'Arroub Refugee Camp, Hebron. Charitable Committee, al-'Arroub Refugee Camp, Hebron. The Committee for the Protection of the Environment and the Landscape, al-'Arroub Refugee Camp, Hebron. Fatah Movement, Deir Samet, Nablus. Committee for the Defense of the Palestinian Refugee Rights, Nablus. Yaffa Cultural

Center, Balata Refugee Camp, Nablus. Fatah Movement, Deheisheh Refugee Camp, Bethlehem. IBDA'A Center, Deheisha Refugee Camp, Bethlehem. Lajee Cultural Center, 'Aida Refugee Camp, Bethlehem. Al-Rowwad Theater Group, 'Aida Refugee Camp, Bethlehem. Popular Service Committee, 'Aida Refugee Camp, Bethlehem. BADIL Resource Center for Palestinian Residency and Refugee Rights, Bethlehem. Popular Service Committee, al-'Azza Refugee Camp, Bethlehem. Follow-up Committee for Southern West Bank Camp Affairs. Popular Committee in Support of Prisoners of Freedom, Bethlehem. Society for the Defense of the Internally Displaced in Israel. Executive Office of the Popular Service Committees, Gaza. Union of the Youth Activity Centers-Palestine Refugee Camps, Gaza. Union of the Youth Activity Centers-Palestine Refugee Camps, West Bank. Union of the Women Activity Centers, West Bank. Fatah Movement-Dora, Hebron. Fatah Movement-Sa'eer, Hebron. Palestinian Farmers' Union -Toubass, Nablus. Al-Sourief Municipality, Hebron. Sa'eer Sport's Club, Hebron.

Jordan

Head of Al-Rowwad Club, Hassan Hassanain, Jordan. Members of the High Committee for the Defense of the Palestinian Refugee Right of Return, Jordan. Head and members of Al-Mahatta Youth Club, Jordan. General Assembly of Al Baqa'a Refugee Camp Youth Club, Jordan. Popular Service Committee - Al-Baqa'a Youth Club, Jordan. Head of Karmel Youth Club - Martyr Azmi Refugee Camp, Jordan. Head of Al-Watan Youth Club, Rouseifa, Jordan. Head and members of Popular Committee to Resist Normalization with the Enemy, Zarqa, Jordan. Club of Iraqi University Graduates, Jordan. Head of Al-Awda Youth Club, Zarqa, Jordan. Union Coalition Committee, Irbid, Jordan. Women's Union-Irbid, Jordan. Committee for the Defense of the Right of Return, Jarash, Jordan. Al-Aqsa Youth Club-Souf Refugee Camp, Jordan. Jarash Cultural Forum, Jordan. Women's Union-Zarqa, Jordan. Union of Jordanian Writers, Zarqa, Jordan. Gaza Youth Club, Jarash Refugee Camp, Jordan.

Lebanon

'Aidun Group. Association Najdeh. Arab Resource Center for Popular Arts. Beit Afal al-Sumoud. Children and Youth Center-Shatilla Refugee Camp. Forum of NGOs in Lebanon. Ghassan Kanaafni Cultural Foundation. Inaash-Association for the Development of Palestinian Camps. KG Resource and Training Center. Norwegian Peoples' Aid-Lebanon. Popular Aid for Relief and Development.

Syria

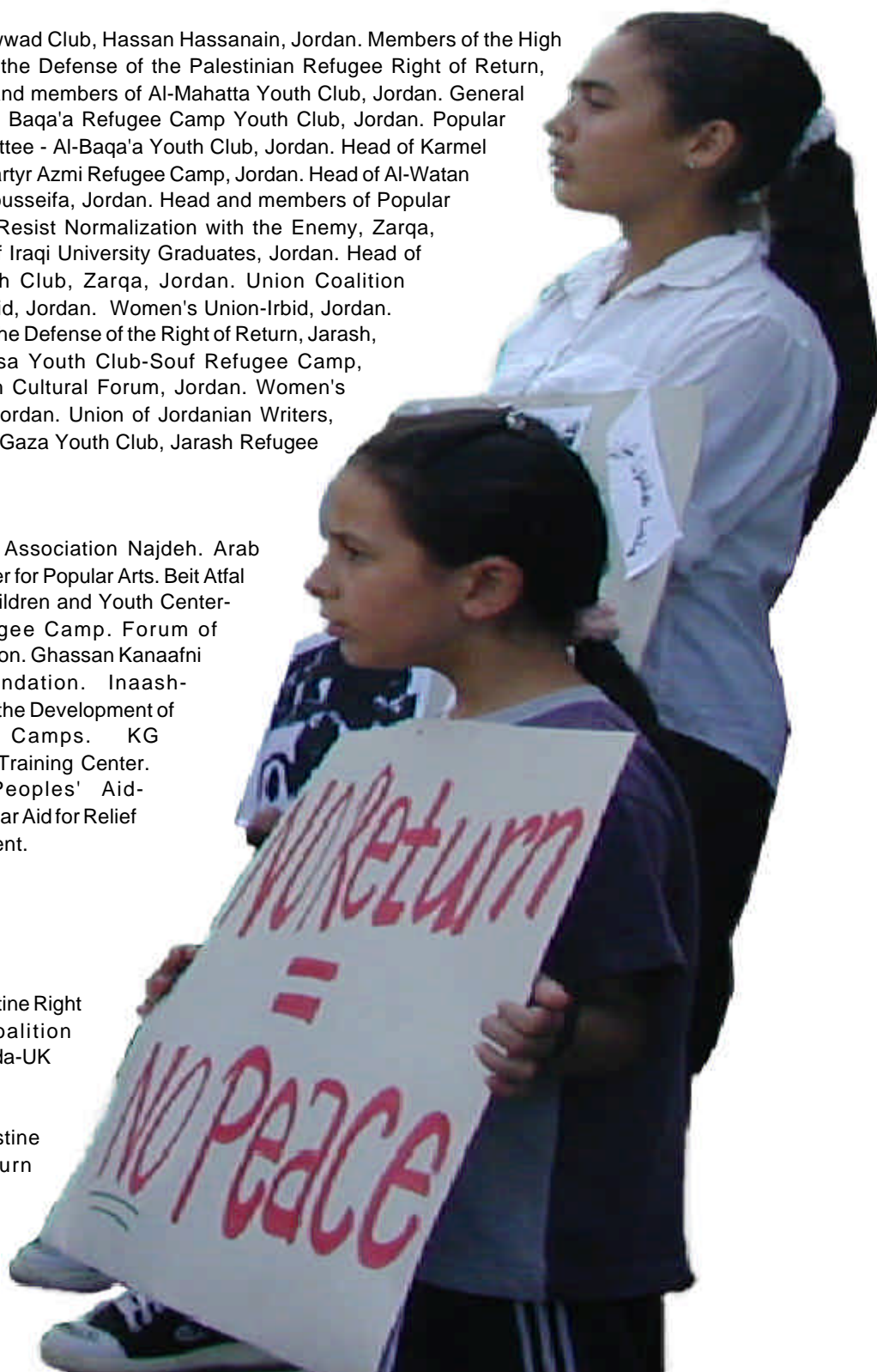
'Aidun Group.

Europe

Al-'Awda-Palestine Right to Return Coalition Europe. Al-'Awda-UK

North America

Al-'Awda-Palestine Right to Return Coalition.



BADIL

Resources

- **BADIL Information Packet** (3rd Edition) - Includes Right of Return, Campaign for the Defense of Palestinian Refugee Rights Brochure, Palestinian Refugees in Exile Country Profiles, and BADIL Information & Discussion Briefs. (*English & Arabic*)
- BADIL 2nd Annual Right of Return Workshop Report (2001), Brussels. Working papers and summary of the annual workshop of refugee rights activists from Palestine, Jordan, Lebanon, Syria, Europe and North America. (*Arabic & English*). 107 pages.
- BADIL Brief No. 7, UNHCR, Palestinian Refugees and a Durable Solution (August 2002). Brief No. 7 provides background information on UNHCR and Palestinian refugees and raises questions about a potential broader role for UNHCR. (*English. Arabic forthcoming*). 24 pages.
- BADIL Annual Report 2001. (*Arabic & English*). Narrative report of BADIL 2001 activities, including 2001 audit. 80 pages.
- Bound Collection, al-Majdal (1999-2001). Limited hardcover bound edition of the first three years of BADIL Foreground's quarterly magazine.
- Jerusalem 1948, The Arab Neighbourhoods of the City and their Fate in the War (2nd Edition English). Revised edition includes chapter updates and a new chapter dedicated to photos of the Palestinian neighborhoods of western Jerusalem. (*English*). 304 pages. Arabic first edition will be available in November 2002.
- Occasional Bulletin No. 11, UN Resolution 194 - The Right of Return
- BADIL Poster - 'Aidoun - We Will Return'

Upcoming publications: BADIL Survey of Palestinian Refugees, Hebrew Information Packet on Palestinian Refugees and the Right of Return, and Video-documentary on BADIL's June 2002 Return and Restitution Trip to Bosnia-Herzegovina.



BADIL Website
www.badil.org

To order BADIL publications, please contact BADIL:
Tel/ Fax. 274- 7346 or email: admin@badil.org

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Videos



Yoom Ilak, Yoom Aleik, Palestinian Refugees from Jerusalem 1948: Heritage, Eviction and Hope (BADIL 1998) US\$ 25



Seeds of War in Jerusalem : The Israeli Settlement Project on Abu Ghnaim Mountain (BADIL/ AIC 1997) US\$ 10



Jerusalem: An Occupation Set in Stone? (PHRM 1995) US\$ 20

For a complete list of BADIL publications and videos, please see the BADIL website. For a list of other websites on Palestinian refugees see the links on the BADIL website:

WWW

www.badil.org/Refugees/links.htm

BADIL Library - Donations



BADIL welcomes donations of books, periodicals, monographs (English & Arabic), as well as photographs, to its library on subjects covering Palestinian history, the conflict, international law, Palestinian-Israeli refugees in general, and Palestinian refugees in particular. The collection is intended as a community resource for information and research on Palestinian refugees.

If you would like to donate materials to the library or make a monetary contribution, please contact Terry Rempel, Coordinator of Research & Information: resource@badil.org.

Due to pressing research and production needs, BADIL is also in need of a volunteer with library skills in order to facilitate organization and cataloguing of our resources. Interested persons should contact the Resource Unit: resource@badil.org

Documents

This section includes recent statements from refugee community organizations, human rights organizations, and other relevant documents related to Palestinian refugee rights.

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1. Statement by Palestinian Civil Society Calling upon Individuals and organizations to Strengthen Global Boycott Campaign
 2. Statement by the PLO Refugee Affairs Department, Re: Sari Nusseibeh and the Right of Return
 3. Statement by the Popular Refugee Committees, Gaza Refugee Camps, Re: Sari Nusseibeh and the Right of Return
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1. Statement by Palestinian Civil Society Calling upon Individuals and Organizations to Strengthen Global Boycott Campaign

In September 2001, one year after all international efforts at halting Israel's violent military repression of the second Palestinian uprising in the occupied West Bank and Gaza Strip had failed, some 3,000 civil society organizations from around the world met at the third World Conference Against Racism in Durban, South Africa and approved their NGO Declaration and Program of Action. These NGO documents address racism and racial discrimination related to the root causes of the Israeli-Palestinian conflict, including military occupation and the denial of the right of return of Palestinian refugees and internally displaced persons to their homes and properties.

Already in Durban, representatives of 3000 civil society organizations from around the world were united in their call for global boycott and sanctions against Israel. Among others, the NGO Program of Action:

- Calls for the launch of an international anti Israeli Apartheid movement as implemented against the South African Apartheid through a global solidarity network of international civil society, UN bodies and agencies, business and communities to end the conspiracy of silence among states, particularly the European Union and the United States (article 424).
- Calls upon the international community to impose a policy of complete and total isolation of Israel as an apartheid state as in the case of South Africa which means the imposition of mandatory and comprehensive sanctions and embargoes, the full cessation of all links (diplomatic, economic, social, aid, military cooperation and training) between all states and Israel. (article 425).

One year after Durban, Israel is engaged in the destruction of Palestinian civil society and its political leadership and the re-establishment of direct military occupation in the West Bank and the Gaza Strip. More than ever, Israel, protected by the United States and tolerated by the European Union, violates international law, human rights and UN resolutions.

Therefore, we as members of Palestinian civil society welcome all recent initiatives to boycott Israel which have been launched in many parts of the world. For the sake of freedom and justice in Palestine and the world, we call upon the solidarity movement, NGOs, academic and cultural institutions, business companies, political parties and unions, as well as concerned individuals to strengthen and broaden the global Israel Boycott Campaign.

Israel Boycotts International Law and Human Rights - We Boycott Israel!

With greetings of solidarity - Applied Research Institute Jerusalem (ARIJ); Arab Center for Agricultural Development (ACAD); BADIL Resource Center for Palestinian Residency and Refugee Rights; General Federation of Trade Unions in Palestine (GFTUP); High Coordination Committee of the Local Committees for the Rehabilitation of the Disabled - West Bank; LAW - The Palestinian Society for the Protection of Human Rights and the Environment; Palestinian Center for Peace and Democracy (PCPD); Palestinian Federation of Women Action Committees (PFWAC), Nablus
PNGO -Palestinian NGO Network; Palestinian Prisoners Society; Popular Committees of the Palestinian Refugees - West Bank and Gaza Strip; Residents of Destroyed Palestinian Cities and Villages in 1948 Palestine, Ramallah; Union of Agricultural Work Committees (UAWC); Union of Health Care Committees; Union of Palestinian Medical Relief Committees (UPMRC); Union of Youth Activity Centers - Palestine Refugee Camps (UYAC)

2. STATEMENT issued by the DEPARTMENT OF REFUGEE AFFAIRS, Palestine Liberation Organization - PLO on 9-10-2002

In light of the controversy over statements by Dr. Sari Nusseibeh about his position on the final status issues, including the refugee issue, under the title of the Nuseibeh-Ayalon position, the Department of Refugee Affairs of the Palestine Liberation Organization would like to clarify to the public and the refugee community in the homeland and in exile the following:

First:

The political leadership of the Palestine Liberation Organization and the Palestinian National Authority is the party authorized to design the solution to the Palestinian-Israeli conflict and ensure implementation of the legitimate national rights of the Palestinian people, including the establishment of the Palestinian state on the 1967 occupied territories with east Jerusalem as the capital of the state, and affirming the rights of the Palestinian refugees as set forth in UN resolutions, especially General Assembly Resolution 194.

Second:

Related to its position on the refugee issue, the Palestine Liberation Organization has continuously affirmed its steadfast commitment to the rights of the Palestinian refugees, and continues to express its clear position internationally that includes: the constant and principal commitment to the right of the refugees to return to their homes as set forth in UN Resolution 194, and, the right to compensation for the damages and losses caused by forced migration.

Third:

The constant and principal commitment to the right of the refugees to return to their homes is a deep-rooted position and is non-negotiable. This right is the legal basis of other rights such as the right to compensation. Any violation of the right of return would lead to a loss and violation of all the refugees' rights.

Fourth:

Finding a durable and comprehensive solution for Palestinian refugees is a basic and necessary condition for implementing a just and comprehensive peace in the region; the just solution for the refugees guaranteed under Security Council Resolution 242 must lead to the implementation of General Assembly Resolution 194.

While the Department of the Refugee Affairs of the Palestine Liberation Organization follows with concern statements recently published by some brothers that do not express the official position of the PLO, especially in these days when the Palestinian people are facing hardships, the Department calls upon everyone to hold fast to the unified national position on the refugee issue, and abstain from all things that may create confusion in Palestinian public opinion and shift attention from the immediate challenges and issues.

3. STATEMENT issued by the POPULAR REFUGEE COMMITTEES - GAZA REFUGEE CAMPS

Our Struggling People

Greetings as you reach the end of the second year of the blessed Intifada, and start the third year with greater steadfastness, confirming to the Zionist enemy and its allies that the Palestinian people are stronger than the machinery of the Zionist military. Greetings as you hold fast to the right to return to the land of our great grandfathers; and, the establishment of a Palestinian state with Jerusalem as its capital, sacrificing lives and resources to reach those goals. All honor to the martyrs, injured, prisoners, handicapped and those who have been harmed by the brutal occupation.

Our Great People

In the wake of this legendary steadfastness in facing Zionism, and after achieving significant popular Islamic and Christian, Arab and Western sympathy; and with the deep conviction of the right of the Palestinian people to live on their land, the right of the refugees to return to their original homes, and the right of the Palestinian people to establish their independent state;

Some internally defeated people insist on transforming all these achievements into a defeat, ignoring all moral values and the entire Palestinian struggle. Those defeated people, headed by Sari Nusseibeh, recently prepared a senseless poll to disseminate among the Palestinian people to canvas them about their internationally legitimized rights. The poll, which was prepared by Sari Nusseibeh after his meeting with 'Ami Ayalon - the previous head of the Israeli intelligence service (Shabak) - suggests that the return of refugees would be to the future Palestinian state in the West Bank and Gaza Strip. The poll also included a demand to improve the living conditions of refugees in exile through contributions by Arab countries, Israel, United States and Europe, in addition to suggestions concerning Jerusalem and the Jewish state.

Our Heroic People

We, the Popular Refugee Committees, declare the following:

1. What Sari Nusseibeh and others are doing is a stab in the heart of the Palestinian leader Yasser 'Arafat, who holds fast to the national consensus, foremost of which is the right of refugees to return in accordance with UN Resolution 194.
2. We, the Palestinian refugees, reaffirm our steadfast commitment to our right to return to our homeland from which we were expelled from in 1948 by the Zionists and their allies.
3. Our right to return is internationally guaranteed by the legitimacy of UN Resolution 194, and we are waiting the implementation of this resolution however long it takes.
4. We, the Palestinian refugees, did not authorize and will never authorize anyone to compromise our rights; it is our right to resist the occupation until it is brought to an end according to internationally legitimate resolutions.
5. We declare to everyone that we will resist all proposals that aim to cancel the right of return as well as the proposals calling for resettlement and an alternative homeland.
6. We call upon all refugees - individuals, committees, organizations and political factions to announce their positions that reject the actions of those who deviate from the national consensus.

Our Heroic People

All greetings as you continue your brave Intifada; all greetings to the souls of the heroic martyrs, healing for the injured, freedom for prisoners, shame and infamy for all the defeated.

WE WILL RETURN!

**Refugee Popular Committees
Gaza-Palestine**

42 September 2002

About the meaning of al- Majdal

Al- Majdal is an Aramaic word meaning fortress. The town was known as Majdal Jad during the Canaanite period to the god of luck. Located in the south of Palestine, al- Majdal had become a thriving Palestinian city with some 11,496 residents on the eve of the 1948 war. Al- Majdal lands consisted of 43,680 dunums producing a wide variety of crops, including oranges, grapes, olives and vegetables. The city itself was built on 1,346 dunums. During Operation Yoav (also known as 10 Plagues) in the fall of 1948, al- Majdal suffered heavy air and sea attacks by Israel which hoped to secure control over the south of Palestine and force out the predominant Palestinian population. By November 1948, more than three quarters of the city's residents of the city's residents, frightened and without protection, had fled to the Gaza Strip. Within a month, Israel had approved the settlement of 3,000 Jews in Palestinian homes in al- Majdal. In late 1949 plans surfaced to expel the remaining Palestinians living in the city along with additional homes for new Jewish immigrants. Using a combination of military force and bureaucratic measures not unlike those used today against the Palestinian population in Jerusalem, the remaining Palestinians were driven out of the city by early 1951. Palestinian refugees from al- Majdal now number over 71,000 persons of whom 52,000 are registered with UNRWA. Like millions of other Palestinian refugees, many of whom live close to their original homes and lands, they are still denied the right to return. Al- Majdal, BADIL's quarterly magazine reports about and promotes initiatives aimed at achieving the Palestinian right of return and restitution of lost property as well as Palestinian national rights in Jerusalem.

BADIL aims to provide a resource pool of alternative, critical and progressive information and analysis on the question of Palestinian refugees in our quest to achieve a just and lasting solution for exiled Palestinians based on the right of return.