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BADIL Resource Center for Palestinian Residency & Refugee Rights

Gaza 1954

Naqab 2003

ONGOING NAKBA

Naksa 1967

Nakba 1948

West Bank 2006

1948

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The Ongoing Nakba; International Complicity



Palestinians protest against building the Wall on their land, Bil'in Village\Ramallah, 2005. © Anne Paq.

The *Nakba* (catastrophe) stands for the destruction of the economic, social, political and cultural fabric of Palestinian society in 1948, when the western powers of the time permitted and encouraged, in violation of international law, the replacement of Palestine by a colonial settler state, i.e. the state of Israel. 58 years later, in May 2006, while Israel and the international community are again set to destroy Palestinian society, Palestinians commemorate the *Nakba* of the past and the *Nakba* of the present.

The international community created the Palestinian Authority as a step towards the self-determination of the Palestinian people. Today, however, it is on the verge of causing a humanitarian crisis and destroying the embryonic state institutions it created in order to impose a vision of Palestine that disregards international law and the fundamental rights of the Palestinian people. Canada, the United States, the European Union, the Quartet and Norway decided to sanction the democratically elected Palestinian government in order to induce Hamas' acceptance of the principle of nonviolence, recognition of Israel, and acceptance of previous agreements and obligations, including the Road Map, i.e. conditions that most Israeli political parties have failed to meet. (*See article by Nabih Bashir; Israeli political parties' ideological projects and inclinations towards the conflict*).

A quarter of the Palestinians in the occupied West Bank and Gaza Strip rely on salaries from the Palestinian Authority. Failure to pay the necessary funds will cause more poverty and is likely to lead to the collapse of public institutions and services. The World Bank has revised its projections and now believes that 2006 could be "the worst year in the West Bank and Gaza's dismal recent economic history" with poverty levels reaching 67 percent by the end of the year.⁽¹⁾ (*See commentary by Terry Rempel, Donor Aid, UNRWA, and the End of a Two-State Solution?*).

In light of the impending internationally-created humanitarian and political crisis in the occupied

Palestinian territories, the Quartet expressed its willingness to endorse a "temporary international mechanism that is limited in scope and duration, operates with full transparency and accountability, and ensures direct delivery of any assistance to the Palestinian people."⁽²⁾ The European Union is responsible for developing such mechanism, however this new by-pass may not be ready before months and still contributes to marginalizing the Palestinian Authority.

The sanctions against the democratically elected Palestinian Authority further undermine the credibility of major international powers as peace-makers in the Middle East. The financial and diplomatic blackmailing, aimed at achieving Palestinian submission to the will of the West, exposes the motive and agenda of western financial support to the Palestinian Authority: shaping Palestine through economic dependency. Strangled, Palestinians can only be outraged at the role of the international powers; their lack of political will and capacity to respect democracy and international law.

Israel's raid of the Jericho prison in March is certainly another proof of the unwillingness of Britain and the United States to uphold international treaties and respect international law. In a coordinated operation, the international observers evacuated the Jericho jail to allow Israeli forces to launch a massive attack and arrest all political prisoners, including the head of the Popular Front for the Liberation of Palestine (PFLP) and the elected Palestinian Legislative Council (PLC) member, Ahmad Sa'adat, whom Israel accused of being responsible for the murder of Rehavam Ze'evi, head of the racist Moledet Party and Minister of Tourism in 2001. The fact that Israel's Ministry of Justice has meanwhile admitted that it lacks the necessary evidence to trial Ahmad Sa'adat has gone largely unnoticed by the western media, and no public effort has been made by the international community to rectify, yet another humiliation of the Palestinian people.

On 22-23 May, Israeli Prime Minister Ehud Olmert met with U.S. President Bush to discuss the current humanitarian situation in the occupied Palestinian territories and its unilateral disengagement (or newly coined convergence) plan. Although the politically weakened U.S. President was unable, at this point, to deliver the public endorsement Olmert and his Kadima Party had hoped for and rather emphasized his preference for a mutually agreed final settlement, he was ready to say that in the event an agreement with the Palestinians becomes impossible, "... the prime minister's ideas could be an important step toward the peace we both support." ⁽³⁾ Olmert and his government have interpreted this as a green light for proceeding with the plan to expand Israel's sovereignty into the occupied West Bank and to unilaterally define Israel's borders.

As Israel proceeds with its plan and the international community fails to uphold international law, memories of the Palestinian *Nakba* of 1948 blend with the destruction, dispossession and displacement of today. The *Nakba* has thus become an experience shared by old and young Palestinian generations. Collective commemorations of the *Nakba* bind together Palestinians in Israel, the occupied Palestinian territories and in forced exile and serve to strengthen the collective consciousness and political will of a people determined and able to continue the struggle from generation to generation. (See article by Karma Nabulsi, *From Generation to Generation*).

Endnotes

(1) World Bank, The Impending Palestinian Fiscal Crisis, 7 May, 2006, p.1-2.

(2) Quartet Statement, 9 May 2006.

(3) Aluf Benn and Schmuël Rosner, Bush: Israel and PA must agree on final status deal, *Ha'aretz*, 24 May 2006.

Donor Aid, UNRWA, and the End of a Two-State Solution?

by Terry Rempel*

Humanitarianism has been transformed into the primary manifestation of international political will as donor states condition additional aid (beyond that required to keep Palestinians alive) on Palestinian acquiescence to conditions that Israel itself has yet to fully accept.



UNRWA car pass children in Deheishe camp. © Nathalie Bardou\BADIL.

Humanitarianism has often been a surrogate for effective international action to end the Israeli-Palestinian conflict.⁽¹⁾ Political intervention to ensure the voluntary return of Palestinian refugees after the 1948 war, for example, eventually gave way to a program of long term assistance. More recently, emergency relief programs in the West Bank and Gaza Strip have all but superseded efforts to end Israel's protracted military occupation.

With the political and economic isolation of the Palestinian Authority (PA) following the January 2006 elections in the 1967 occupied Palestinian territories (OPTs), however, humanitarianism has been transformed into the primary manifestation of international political will as donor states condition additional aid (beyond that required to keep Palestinians alive) on Palestinian acquiescence to conditions that Israel itself has yet to fully accept.

"It's like an appointment with a dietitian," says Dov Weissglass, an adviser to former Israeli Prime Minister Ariel Sharon. "The Palestinians will get a lot thinner, but won't die."⁽²⁾ "The most important point," writes David Makovsky from the pro-Israel Washington Institute for Near East Policy, "is to show Palestinians that their economy will suffer as a result of choosing a leadership that rejects the very premises of peacemaking."⁽³⁾

This article briefly explores potential implications for Palestinian refugees and a negotiated solution to the Israeli-Palestinian conflict.

A temporary reprieve for UNRWA

The decision by Israel, the US, Canada, the EU and Norway to sever political and financial relations with the Palestinian Authority first appeared to offer a temporary reprieve in the campaign to dissolve UNRWA and transfer responsibility for Palestinian refugees to the PA. "We were aiming at diminishing UNRWA's infrastructure," says Ronni Leshno-Yaar of Israel's Foreign Ministry "but what happened with Hamas has now disrupted our plans and has created a dilemma with which we are trying to cope."⁽⁴⁾

Recent efforts to shut down UNRWA ignited during the second Palestinian *intifada*. (See "UNRWA – Under Attack and Underfunded," *Majdal*, Issue 19). Campaigners have denounced the Agency for aiding and abetting Palestinian refugee demands to return home. "Were it not for the unrelenting message delivered by UNRWA to the refugees that their rightful place is back in Israel," writes one critic, "the refugees might have been predisposed to settling where they were, or in a third locale, and to getting on with their lives."⁽⁵⁾

The premise of this campaign, which has been supported by a number of well-placed members of the US Congress (many of whom, incidentally, were some of the top financial beneficiaries of the pro-Israel lobby in the last congressional election cycle)⁽⁶⁾ and conservative American think-tanks like the American Enterprise Institute for Public Policy Research and the Heritage Foundation⁽⁷⁾ can be neatly summed up by a slogan coined by senior Israeli Foreign Ministry officials in the 1950s: "If you can't solve it, dissolve it."⁽⁸⁾

One of the most potent tactics has been to implicate UNRWA in the US-led war on terrorism. Critics accuse the Agency of turning a blind eye to the presence of armed combatants in refugee camps and the use of UNRWA facilities by terrorists, retaining members of organizations on the US terrorist list, including Hamas, on its payroll, registration of refugees with terrorist links, and, accepting funds from organizations with terrorist links.

This led to a 2003 investigation by the US General Accounting Office (GAO). The GAO report identified a number of gaps and recommended several changes in Agency policies and practices, but failed to turn up evidence of wrongdoing.⁽⁹⁾ Campaigners nevertheless used the GAO report to back up their claims against UNRWA. In addition to allegations of links to terrorism, attacks on UNRWA have been characterized by factual errors, distortions, and sloppy research.⁽¹⁰⁾

The initial reprieve in attacks following the January PA election underlines the political rather than principled nature of the campaign. While the government of Israel and its supporters have not retracted allegations against UNRWA – among others, links to terrorism – "one of [the alternatives to funding the PA] that's now being discussed," according to Israeli Foreign Ministry spokesman Mark Regev, "is UNRWA, which has an infrastructure in place to deliver aid."⁽¹¹⁾

But warnings of a humanitarian crisis

Despite donor pledges of increased financial support for international agencies like UNRWA (as well as NGOs) in lieu of aid to the PA, international agencies warn that cutting aid

In addition to allegations of links to terrorism, attacks on UNRWA have been characterized by factual errors, distortions, and sloppy research.

While donors are looking towards agencies like UNRWA, OCHA and WHO to deliver aid cut from the PA, the latter emphasize that they cannot be, in the words of Médecins sans Frontières, a “social palliative” of retaliatory donor measures or stand in the shoes of the PA and its 150,000 plus employees.



UNRWA car crashed by Israeli tanks, Jenin camp, 2002. © UNRWA Archives.

to the Palestinian government will exacerbate the humanitarian crisis in the 1967 OPTs. “We are already in a bad situation,” says UNRWA head Karen Koning Abu Zayd, “if the situation is made worse whatever assurances they are giving for refugees that is not enough, we have to have assurances for other things, for non-refugees.”⁽¹²⁾

The UN Office for the Coordination of Humanitarian Affairs (OCHA) has warned of a humanitarian crisis in Gaza on the scale of Kosovo if there is no significant change.⁽¹³⁾ According to the World Health Organization (WHO) the public health system “faces a rapid decline towards possible collapse.”⁽¹⁴⁾ The World Bank estimates that the cut in tax transfers and donor aid could result in nearly half the working age population being unemployed and nearly three-quarters of Palestinians below the poverty line by 2008.⁽¹⁵⁾

International agencies agree on two other basic points. First, the primary party responsible for the civilian population in the occupied West Bank and Gaza Strip under international humanitarian law is the occupying power – Israel. Second, while donors are looking towards agencies like UNRWA, OCHA and WHO to deliver aid cut from the PA, the latter emphasize that they cannot be, in the words of Médecins sans Frontières, a “social palliative” of retaliatory donor measures or stand in the shoes of the PA and its 150,000 plus employees.⁽¹⁶⁾

Under the Fourth Geneva Conventions, Israel as the occupying power bears the responsibility for the welfare of the Palestinian population. In recent years, international donors and the Palestinian Authority have in practical terms taken on this role. If the PA is unable to provide basic services to the Palestinian population and donors withhold assistance, the emphasis will shift back to Israel to resume its legal obligation.

United Nations, Assessment of the future humanitarian risks in the occupied Palestinian territory, 11 April 2006

“Humanitarian organizations simply cannot replace the range of services that a public administration has to deal with,” says ICRC director of operations Pierre Kraehenbuehl.⁽¹⁷⁾ OCHA head David Shearer concurs. “We can do food aid. We can do job creation, but taking over a health ministry is not something that we’re equipped to do.”⁽¹⁸⁾ As the largest UN agency in the occupied territories, UNRWA says it will have a hard time coping with even the most basic needs of refugees if PA workers stop receiving their salaries.⁽¹⁹⁾

While international agencies may receive a large part of redirected donor aid, local NGOs may also receive a greater share of international assistance to Palestinians. This introduces a number of additional problems, including oversight over an expanded number of delivery portals (NGOs have not been immune to allegations of corruption) and refusal by a considerable number of international and local NGOs to accept US government assistance due to conditions attached to such aid.⁽²⁰⁾

Nor do donor promises of increased assistance necessarily elicit confidence that the international community will meet its financial pledges. UNRWA already lacks nearly US\$ 120 million of the \$457.9 million it needs to fund basic needs.⁽²¹⁾ To date international agencies have only received 8 per cent of funds for the 2006 Consolidated Appeal to meet emergency needs in the 1967 OPTs.⁽²²⁾ States that have promised to continue funding the new Palestinian government, meanwhile, are facing difficulties in getting the money to the PA.

Dissolving UNRWA or dissolving Palestine?

While UNRWA's opponents face an uphill battle, members of Congress continue to press for more stringent control over the Agency.⁽²²⁾ For most donors, however, UNRWA will continue to be an effective surrogate for international action to find solutions for Palestinian refugees as long as donors shy away from putting the same kind of economic pressure on Israel as has been placed on the PA. The Agency enjoys strong support in the UN General Assembly and if the warnings of a humanitarian crisis in the 1967 OPTs come to pass even UNRWA's opponents will be hard pressed to ignore the important role played by the Agency.

But UNRWA's opponents appear to have a wider objective. Members of the US Congress who support the dissolution of UNRWA are also behind a bill (UN Reform Act) that includes a call to purge all UN resolutions and bodies pertaining to the question of Palestine.⁽²³⁾ While the United States has been unable to enlist political support for implementing such reforms in the UN General Assembly it has attempted to pressure the UN to defund bodies like the Committee on the Inalienable Rights of the Palestinian People, a measure which Naseer Aruri, professor emeritus at the University of Massachusetts, says is part of a campaign to dismantle international jurisprudence on the question of Palestine.⁽²⁴⁾

What's really on the table is the dissolution of the question of Palestine. Economic sanctions against the PA may well contribute to this campaign to the extent that they put peacemaking efforts on hold. Israeli settlements, land confiscation and the Wall have already dealt a severe blow to the territorial aspirations of Palestinians for a state. Starving the PA could well finish off the nascent institutions of a Palestinian state.⁽²⁵⁾ The demands raised by the Quartet – an end to violence, respect for self-determination of states, and recognition of existing agreements⁽²⁶⁾ – are not unreasonable. The problem, however, is that these demands are only being asked of one party to the conflict.

Since the beginning of the Israeli-Palestinian conflict, donor assistance has helped to feed, clothe and shelter Palestinians. Through donor-assisted programs, Palestinians have become one of the most highly educated peoples in the Arab world. And donor funds have financed the infrastructure of a future Palestinian state to the tune of more than USD 7 billion. Palestinians



Israeli soldier checking traveling permits of UNRWA staff, Tulkarem 2004. © UNRWA Archives.

What's really on the table is the dissolution of the question of Palestine.



UNRWA food distribution center damaged by Israeli shelling, Jenin camp, 2002. © UNRWA Archives.

would likely be materially far worse off without any donor assistance. Humanitarianism alone, as the UN Secretary General Dag Hammarskjöld keenly observed in 1959, however, will not bring about a solution for refugees or to the conflict itself.

POSTSCRIPT: In early May the World Bank released an update (*The Impending Palestinian Fiscal Crisis*, 7 May 2006) on the economic situation in the 1967 OPTs warning that earlier assessments had been “too rosy”. Based on the government of Israel and donor policies, the Bank again warned of an impending humanitarian crisis, rising insecurity and the possible dissolution of PA institutions. On the 9 May the Quartet agreed to set up a temporary international mechanism to deliver humanitarian assistance directly to Palestinians, however, the establishment of such an institution could take several weeks to several months. This will likely mean a further delay in the payment of salaries to public sector employees. Meanwhile, hospitals in the West Bank and Gaza Strip are experiencing shortages of medicine leading to cutbacks in elective surgery, dialysis and cancer treatments. Physicians for Human Rights – Israel reports that at least four patients have died to the lack of funding.

The decision by donors, including the US, the EU, Canada, and Norway, to cut all political and economic ties to the Palestinian Authority raises several important questions about the efficacy of international peacemaking efforts in the Israeli-Palestinian conflict:

First, while donors repeatedly emphasize the fact that economic sanctions are not meant to harm the Palestinian people, information available to American, European, Canadian and Norwegian policy makers prior to their decision to use economic leverage against the PA clearly laid out the humanitarian consequences of such measures. The decision to cut foreign aid thus reflects at best a knee-jerk political reaction to the January legislative elections with little attention given to the short and long-term humanitarian and political consequences or at worst a cynical attempt to use the ‘calibrated’ suffering of the Palestinian people as a political wedge against the democratically elected Palestinian government.

Efforts by the Palestinian government to address the three conditions set by the Quartet for the resumption of political and economic relations, and the Bush administration's resistance to European and UN proposals to fund PA salaries gives credence to both explanations. While the Palestinian government is unable or unwilling to issue a public statement unilaterally endorsing the Quartet demands, it has, in varying degrees, offered to meet those conditions in practice over time, including, for example, a unilateral cessation of violence. The Quartet's position is not unlike the unilateral conditions once placed upon the PLO, which, in hindsight, arguably set back the search for a two state solution, first accepted by Palestinians in 1974, by decades.

Second, the decision to cut political and financial ties belies any claim by the Quartet that it is an honest broker in the search for peace. All parties, not just the PA, should be required to end violence, recognize the right to self-determination, and respect the rule of law, including existing agreements. While the US, EU, Canada and Norway attempt to ensure that the new Palestinian government respects certain principles, they have decided to abstain from using similar economic measures to ensure that the government of Israel ends the occupation and its related practices, including settlement expansion,

land confiscation, house demolition and the construction of the Wall. Nevertheless, despite the inherent imbalance of this approach (not to mention ethical questions raised by the humanitarian consequences in the OPTs), the international community has, in effect, endorsed the principle that economic leverage is a legitimate tool in the search for a durable solution to the conflict.

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Endnotes

- (1) The term 'humanitarianism' has not been defined in international law. "It's extendibility," observes international law professor B.S. Chimni, "[thus] facilitates ambiguous and manipulative uses and allows the practices thus justified to escape critique through shifting the ground of justification from legal rules to the logic of situations." B.S. Chimni, "Globalization, Humanitarianism, and the Erosion of Refugee Protection," 13 *Journal of Refugee Studies* 3 (September 2000), p. 244.
- (2) Quoted in Gideon Levy, "As the Hamas Team Laughs," *Ha'Aretz*, 19 February 2006. Also see Israeli journalist and military analyst Ze'ev Schiff stating that "Israel must exhibit unflinching determination when it comes to existential affairs even if the harm done to Palestinians runs deep." Ze'ev Schiff, "Does Israel Have a Strategy?" *Ha'Aretz*, 10 February 2006.
- (3) David Makovsky, Michael Herzog and Elizabeth Young, "Where to draw the lines on international assistance to Palestinians?", PolicyWatch No. 1083, Washington Institute for Near East Policy, 1 March 2006.
- (4) Ori Nir, "Israel Drops Bid to Curb Palestinian Refugee Body," *The Forward*, 24 March 2006.
- (5) Arlene Kushner, *UNRWA, A Hard Look at an Agency in Trouble*. Brookline, MA: Center for Near East Policy Research, September 2005, p. 20. For similar views see reports cited *infra* note 11.
- (6) This includes Eric Cantor (Chair of the Congressional Taskforce on Terrorism and Unconventional Warfare), Tom Lantos (House Committee on International Relations), Ileana Ros-Lehtinen (Chair of the House Subcommittee on the Middle East and Central Asia), Joe Knollenberg (House Appropriations Subcommittee on Foreign Operations), and Eliot Engel (House Committee on International Relations). Ros-Lehtinen, Lantos and Cantor were among the top ten recipients of pro-Israel PAC money in the 2004 congressional election cycle. Engel and Lantos are among the top ten career recipients. See, http://www.washington-report.org/archives/July_Aug_2004/0407027.html.
- (7) See, Nile Gardiner and James Phillips, *Congress Should Withhold Funds from the UN Relief and Works Agency for Palestine Refugees (UNRWA)*, WebMemo #097, Heritage Foundation, 6 February 2006; and, David Frum, "Why are we subsidizing Palestinian extremism?" *National Post*, 14 March 2006. Frum is a resident fellow at the American Enterprise Institute.
- (8) Cited in Nur Masalha, *The Politics of Denial, Israel and the Palestinian Refugee Problem*. London: Pluto Press, 2003, p. 69.
- (9) General Accounting Office, *Department of State and United Nations Relief and Works Agency Actions to Implement Article 301(c) of the Foreign Assistance Act of 1961*. GAO-04-276R, 6 November 2003.
- (10) This includes, among many others, factual errors in comparing UNRWA to UNHCR, misinterpretation of international refugee law concerning the status of Palestinian refugees under the 1951 Convention relating the Status of Refugees, selective use of UNHCR statistics to suggest that the primary solution in principle and practice is resettlement, using unrelated evidence about the lack of durable solutions for Palestinian refugees to substantiate claims that UNRWA has failed in its mandate (i.e. the Agency does not have a mandate to seek durable solutions for Palestinian refugees), and, using unrelated evidence about refugee registration for assistance (e.g., registration by village of origin) to claim that UNRWA promotes the right of return. See the following reports: Avi Beker, *UNRWA, Terror and the Refugee Conundrum*

The international community has, in effect, endorsed the principle that economic leverage is a legitimate tool in the search for a durable solution to the conflict.

- *Perpetuating the Misery*. Jerusalem: Institute of the World Jewish Congress, 2003; Arlene Kushner, *Inside UNRWA: Special Investigative Report*, March 2003, *Supplemental Report: A Rigorous Review of UNRWA Practices*, June 2004, *UNRWA: Links to Terror*, October 2004, and *UNRWA: A Hard Look at an Agency in Trouble*, September 2005, all published by the Center for Near East Policy Research; Emmanuel Marx and Nitza Nachmias, "Dilemmas of Prolonged Humanitarian Aid Operations: The Case of UNRWA (The UN Relief and Works Agency for Palestinian Refugees)," *Journal of Humanitarian Assistance*, June 2004; and, Maxine Kaye and Zev Nagel, *A Diminished World Body, An Overview of the UN and Israel*. New York: American Jewish Committee, February 2006.
- (11) Quoted in a Reuters report reprinted in *Ha'Aretz*, "Israel asks UNRWA to expand its humanitarian program," 1 April 2006. International consensus holds Israel responsible for the welfare of the civilian population in the 1967 OPTs. UNRWA provides a convenient venue to redirect donor aid and allows Israel to avoid assuming fiscal responsibility for the welfare of the Palestinian population in the West Bank and Gaza Strip.
 - (12) Nidal al-Mughrabi, "UN agency says won't scale back Hamas gov't contacts," *Reuters*, 12 April 2006. For a detailed assessment see, United Nations, *Assessment of the future humanitarian risks in the occupied Palestinian territories*, 11 April 2006.
 - (13) Akiva Eldar, "UN aid workers: Gaza on verge of disaster," *Ha'Aretz*, 4 April 2006.
 - (14) United Nations News Service, "UN agency paints grim health scenario of possible cut-off of funds to Palestinians," 7 April 2006.
 - (15) The World Bank Group, *West Bank and Gaza Update*, April 2006, p. 6.
 - (16) Medecins Sans Frontieres, "MSF refuses to be 'social palliative' of EU & US policies," 13 April 2006.
 - (17) "ICRC concerned over deteriorating situation," International Committee of the Red Cross, 10 April 2006.
 - (18) Adam Entous, "Israel warms to UN body it long scorned," *Reuters*, 31 March 2006.
 - (19) *Supra* note 13. Also see Special Coordinator for Middle East Peace Alvaro de Soto stating to the UN Security Council that "More activity by the Organization [UN] and by non-governmental organizations could not, however, replace the services now provided by the Palestinian Authority, to which many major donors would no longer transfer financial assistance, and which provided the bulk of irreplaceable funding." UN Doc. SC/8697, 24 April 2006.
 - (20) This includes a requirement that USAID recipients sign an "Anti-terrorism Certification." For a discussion of NGO concerns and USAID responses see, e.g., "Minutes, Joint NGO/Donor Workshop and Discussion Session," Ramallah, 22 September 2004, available at, http://www.pngo.net/activities/Minutes_donors_meeting_22_09_04_final.pdf.
 - (21) *Supra* note 13. The Agency has received barely 10 per cent of the \$150 million needed for projects, such as building schools to address longstanding problems such as overcrowding.
 - (22) As this article was going to print the Jewish Telegraphic Agency reported that Rep. Tom Lantos, ranking Democrat on the International Relations Committee, and Rep. Mark Kirk, a member of the House appropriations subcommittee, had submitted a bill that would require the American president to subject UNRWA to comprehensive, independent audits and certify that the Agency "does not knowingly provide employment, refuge, assistance or support of any kind to members of foreign terrorist organizations." The press report also quotes UNRWA stating that the Agency is already undergoing an independent audit by the Government of South Africa. "UNRWA Bill Introduced in House," *Jewish Telegraphic Agency*, 4 May 2006.
 - (23) This includes: the Division for Palestinian Rights, the Committee on the Inalienable Rights of the Palestinian People, the Special Committee Investigating Israeli Practices Affecting the Human Rights of the Palestinian People, the Special Rapporteur on the Situation of Human Rights in the Palestinian Territories since 1967, and the NGO Network on Palestine. What is really on the table is a dissolution of the question of Palestine. The UN Reform Act was adopted by the House of Representatives in 2005. Other reforms include greater financial transparency, independent oversight and the creation of a new human rights body. President Bush and the Senate, however, opposed measures stipulating an automatic

cutoff in US dues in 2008 if the UN failed to implement reforms set out in the bill. Under a revised bill the final decision to cut funding lies with the US Secretary of State.

(24) See, Thalif Deen, “Moves to shrink Palestinian programmes spurs protest,” Inter Press News Service Agency, 30 November 2005.

(25) *Supra* note 12, p. 1.

(26) Despite repeated affirmation of a commitment to a two-state solution donors are cutting assistance programs that are part and parcel of building a Palestinian state. These include infrastructure projects; private enterprise development, financial market reform, and trade programs; electoral, political party, local government and legislative support programs; and rule of law and judicial programs. United States Department of State, “Factsheet: Palestinian assistance – Humanitarian assistance and democracy building,” 7 April 2006.

"From Generation to Generation"

by Karma Nabulsi*



Palestinian Displacement (Nakba), 1948. © UNRWA Archives.

In the last week of April 1948, combined Irgun-Haganah forces launched an offensive to drive the Palestinian people out of the beautiful port city of Jaffa, forcing the remaining inhabitants to flee by sea to Gaza or Lebanon; many drowned in the process. My Aunt Rose, a teenager at that time, survived the trip to begin her life in exile on the shores of the Lebanese coast. Each Palestinian refugee family grows up hearing again and again the stories of those final moments in Palestine, the decisions, the panic, as we live in the midst of their

terrible consequences. Throughout 1948 Jewish forces expelled many thousands of Palestinians from their villages, towns and cities into Gaza, Lebanon, the West Bank, Syria, Jordan, Egypt, and Iraq. Hundreds of thousands of others fled in fear. The purpose was to create a pure Jewish state ethnically cleansed of the original inhabitants who had lived there for centuries. This single historical event of the late 1940s - the mass forced expulsion of a people, the more than 50 massacres carried out over the summer of 1948 by various armed Jewish forces as a means to drive out others who were determined to stay, the physical demolition of the villages after the expulsions occurred to ensure the refugees could not return, all this is summed up in a single word for Palestinians - Nakba, the catastrophe.

"We must do everything to ensure they (the Palestinians) never do return.... The old will die and the young will forget" said David Ben Gurion, the founder of Israel, in 1949. But the young have not forgotten. In popular celebrations, rallies, marches, rites of return and commemoration young Palestinians all over the world are marking 58th Nakba Week to remember the catastrophe of 1948, the moment that represents the destruction of Palestine, and the violent dispossession and dispersal of her people. In refugee camps and university campuses inside and outside of occupied Palestine this week vigils, filmed testimonies, lectures, exhibitions, the recitation of the names of more than 400 destroyed villages in local churches, candlelit poetry readings, organized trips to the ruins of those villages by Palestinians who still live in what became the state of Israel in May 1948 have been organized. Over the last two weeks Israeli citizens - both Jewish and Palestinian - joined together in almost daily marches, rallies and excursion trips to demolished villages on Zochrot's Bus 194 (named after the UN Resolution of 1948 calling for the return of the expelled Palestinians to their homes). At a rally on the site of Umm al Zinnat, Salim Fahmawi, now 65, a primary school student when the soldiers entered the village 56 years ago to expel them, told an Israeli reporter: "The presence of so many young people, many of whom are third and fourth generation post-1948, gives me a sense of relief - because I know the torch has not been extinguished and is passing from generation to generation."

Unlike official ceremonies aimed at reinforcing national identity these Nakba moments have a uniquely dynamic character as the events play a far different role in the lives of Palestinians today. It is not simply the absence of a sovereign state to perform official rites that makes it so (although

Annual Return March to Umm al-Zinat, a 1948 depopulated village on Mount Carmel, Haifa (3 May 2006)

Over 2,500 participated in the 2006 return march of the internally displaced Palestinians organized annually by the Association for the Defense of the Rights of Internally Displaced Persons in Israel (ADRID) to mark the Palestinian Nakba on Israel's independence day. The march was broadcast live on Arab satellite TV.



Annual Return March to the Palestinian depopulated village of Umm az-Zeinat, March 2006. © ADRID.

Salim Fahmawi, 65, a first-grader when Israeli soldiers removed him from Umm al-Zinat, told *Ha'aretz*: "I am standing on the soil of the village, but I understand that according to Israeli law, I have no rights to this land. The presence of so many young people, many of whom are third- and fourth-generation [post 1948], gives me a sense of relief, because I know the torch has not been extinguished and is passing from generation to generation."

Dr. Ilan Pappé, a senior lecturer at the University of Haifa who has participated in all nine Nakba marches told *Ha'aretz* that more Jews participate each year, reflecting "a clear trend in Israeli civil society, which, unlike the establishment and successive Israeli governments throughout the decades, does not deny the Nakba." (Jack Khourly, *Ha'aretz*, 4 May 2006; see also: ynet.news.com, 3 May 2006). Bus No. 194 of Zochrot brought Jewish Israeli activists from Tel Aviv to the destroyed Palestinian villages of Miska and Umm al-Zinat where they joined internally displaced Palestinians in this year's memorial events.

Because of the relentless and dynamic nature of the Catastrophe - because it is an ongoing daily Palestinian experience - the current attempts to destroy the Palestinian collectivity today bind this generation directly to that older one, and bind the exile to the core of the Palestinian body politic.

this is part of the story). Nor does its unique nature lie in the fact that this engine of identity is emerging entirely from the grassroots and driven by the young generation of Palestinian activists (although it is quite remarkable in this respect). Both of these factors point to its unifying feature: unlike other cultural and social manifestations of national identity, this particular affirmation, and the way it is being engaged upon, is profoundly political.

The main ceremony took place against the beautiful background of the village, next to the village well. Adult residents of the village shared their memories, while the young enjoyed a bath in their well or gathered in small groups to prepare drawings of their grandparents' homes to take back to the camp. Raneen Geries of Zochrot sang a Fairouz' Ya Oud", and before leaving, old and young joined in a thorough cleaning of the village area from the garbage left behind by indifferent or ignorant visitors. The event was covered by Yediot Aharonot, Ha'aretz, Al-Jazeera, Associated Press, the Palestinian MA'AN TV and Spanish TV. (See also: www.zochrot.org) The return march to Lifta was followed by a public meeting held on 14 May in Amsterdam, Netherlands, entitled, "Lifta, a case for international planning and architecture", and organized by Foundation for Achieving Seamless Territory (FAST) (www.seamless-israel.org)

Why is this newly emerging *Nakba* commemoration so essentially political in its character? It is so because the work it is performing is intimately tied up with the actuality of resistance rather than seeking to enshrine past memories of victimhood. The specific project against the

Palestinians begun at the start of the last century had a dual purpose: first to deny the very concept of Palestine and destroy its political and social institutions, and second to annihilate the spirit of the Palestinians as a people, so that they would forget their collective identity once scattered far from Palestine. Nakba commemoration is not an attempt to institutionalize a historical national trauma or from the fear that this memory will fade when that generation dies. Instead, because of the relentless and dynamic nature of the Catastrophe - because it is an ongoing daily Palestinian experience - the current attempts to destroy the Palestinian collectivity today bind this generation directly to that older one, and bind the exile to the core of the Palestinian body politic. Indeed the last few years have witnessed a phase of violent acceleration in this process of attempted destruction - hence the title of this year's event: 'The Nakba continues'.

The Nakba can be seen again today in the brutal thrust of the current policies of the Israeli state. More than 15,000 Palestinian refugees have been created by the construction of the concrete separation Wall, condemned by the International Court of Justice (ICJ) as illegal but that nonetheless,

Return to Lifta, depopulated village in 1948

About 150 people, Palestinians, Jews and internationals, including girls and boys, participated in a march to Lifta on 13 May. The symbolic return to Lifta began in Shu'fat refugee camp. That morning, residents of the camp grieved the loss of Omar Abu Kamel who died because Israeli soldiers at the entrance to the camp refused to let him pass the checkpoint for emergency treatment. Torn between the Nakba of the past and the Nakba of the present, some camp residents, including a group of boys, were able to start the march to Lifta. They were joined by Jewish participants on the other side of the checkpoint and more families of Lifta refugees. Together, the group embarked on busses in the direction of the empty houses of Lifta.



Return March to the Palestinian depopulated village of Lifta\Jerusalem, May 2006. © Anne Paq.



Return March to the Palestinian depopulated village of Lifta\Jerusalem, May 2006. © Anne Paq.

has expropriated huge new tracts of occupied land. This Wall has turned cities like Qalqilya in the West Bank into ghost towns, and thousands of refugees have been created for the third and fourth time in the refugee camps in Gaza over the last five years. Yet it is not simply in the building of the walls and checkpoints by Israeli occupying forces or the different roads created for Jews and Arabs on Arab land, or the use of specially constructed bulldozers that rip up Palestinian orchards and olive groves on a daily basis and demolish hundreds of homes, or the imprisoning of thousands of political prisoners, or the daily murder of Palestinian civilians which demonstrates the relentless consistency, but in the way the total Israeli military and political machinery is dedicated to destroy Palestinian resistance to their project.

Palestinians' notion of steadfastness - summoud - stands for those still on the land itself as perseverance, and in the refusal to abandon the struggle to return for those living outside of it, has re-emerged as forcefully as ever.

This resistance operates on two levels, for the *Nakba* operated - and operates today - on both. The first is the Palestinians' physical effort to resist Israeli attempts to dispossess, disinherit, and physically control their land, to get rid of its people and to militarily control and legally disenfranchise those they cannot. The second lies in the Palestinians' existential affirmation of their identity in the face of a systematic Israeli effort to fragment and destroy it, so that Palestinians will surrender, submit, forget. What is so interesting is that no matter how violently the first method is used by Israel, the second has been a complete failure: Palestinian identity is stronger than ever in 2006.

The denial of the Palestinian's right to resist this project can be assessed at length in the last few weeks over the astonishing spectacle of the truly criminal international policy of imposing sanctions as a form of collective punishment on an occupied people, rather than their occupier, who is maintaining that occupation through brute violence. The sanctions are for resisting, and for electing representatives that campaigned on a platform promising to hold fast for them against this destruction. The most malicious aspect of this policy is the fact that the money being withheld is only needed in the first place because the occupation policies of curfews, closures and checkpoints have destroyed the Palestinian economy. The financial catastrophe before us is entirely created by the Israeli occupation, as World Bank and British Select Committee reports have pointed out. The punishment of starving the Palestinians is quite blatant: to force the Palestinians on their knees and make them repudiate their elected representatives whom they have asked to stand up for them. Even more absurdly, Israel has not accepted any of these conditions themselves: an end to violence, the acceptance of the Oslo agreements, or the recognition of a Palestinian state in the territories occupied by Israel in 1967: the West Bank, including East Jerusalem and the Gaza Strip. Instead, they build and expand settlements, denounce the Oslo accords, and use indiscriminate violence.

The denial of Palestinians very worth is demonstrated again in the west by the truly shocking practice of ignoring Palestinians' daily suffering in the media as if it is of no value. In the months of April and May, over 40 Palestinians have been killed by the army, most of them civilians, with barely a mention in the press. Schoolchildren blown to bits while playing in Beit Lahia, like Mamdouh Obeid; Eitan Youssef, a 41-year-old mother from Tulkarm, shot in front of her children because troops "thought they saw a suspicious movement"; an old man, Musa Sawarkah, herding his flock in Gaza, gunned down; a taxi-driver, Zakariya Daraghme, "accidentally" shot in the back in Nablus. Each one a story unheard, untold.

Yet Palestinians' notion of steadfastness - summoud - stands for those still on the land itself as perseverance, and in the refusal to abandon the struggle to return for those living outside of it, has re-emerged as forcefully as ever. The inhuman conditions of Al-Shatat - the Palestinian dispersal - which was aimed at the atomization of collective experience into individualized experiences - is showing itself to have fortified rather than weakened this collective consciousness. A remarkable regeneration has been occurring on a broad scale. The early steps have been taken in forging a new common platform that can unite Palestinians, in response to the fragmentation of the previous decade during the disconnection of those inside from the outside. The common quest forged by the liberation movement in the 1960s and 70s was also intimately connected with exile and refugees. The national liberation movement launched its platform from exile upon principles of return and liberation, and had a sense of the Palestinian people both inside and outside of Palestine as one.

The predicament of military occupation is more starkly recognized, but the predicament of exile has its own merciless characteristics, and continues to create its own bitter experience for Palestinians. Most young Palestinians today live not under military occupation in the West Bank or Gaza, but in the immediate region outside of historic Palestine in the Arab world: stateless, ID-less, jobless, without the international legal protections of other refugees from other countries. Palestinians in the Arab world live in extremely difficult and complex circumstances. Most difficult for collective organization is the inability to communicate openly and legally with each other, both within the host countries and across them, to associate collectively and publicly (a particular difficulty for a people with a history of democratic practices); most difficult on a more basic level is the relentless struggle to live any kind of life at all - to find permission to work, travel, register children in local schools, obtain basic health services, a burial permit, a birth certificate, to marry. Millions of Palestinian refugees and exiles also now live in exile in Europe, Canada, and the United States. This younger generation, wherever they are, possess a common character created through these harsh conditions of exile, and passed on through the overcrowded manifestations of a memory inundated with place names, old liberation songs, photographs of eternally absent relatives, intimate domestic connections and objects - above all the rusted key to the front door of the lost house, never seen. As the French philosopher and sociologist Maurice Halbwachs first noted, human memory can only function within a collective context. In *La Mémoire Collective*, published as *Mémoire et Société* in 1949 four years after he was executed at Buchenwald, Halbwachs was the first to recognize that memory itself is never individual, but always an entirely collective engagement.

Throughout 2005, young Palestinian activists helped to organise over 100 civic meetings in Palestinian refugee camps and exile communities in over 28 countries in order to bring Palestinians together to discuss the things that Palestinians want to do next. The most promising thing I witnessed at

15 May: Central 2006 *Nakba* Memorial Rally organized by the National Committee for the Commemoration of the 58th Anniversary of the *Nakba*, Palestine



Nakba commemoration, Ramallah, May 2006. © Marie-Eve Leduc.

Despite Israeli military checkpoints which prevented access to Ramallah from the northern West Bank on Nakba Day, thousands joined the central memorial rally on Manara Square, Ramallah. Tens of thousands joined a parallel rally in Gaza as well as local memorial events organized in numerous towns and refugee camps.



Nakba commemoration, San Diego, May 2006. © al-Awda U.S.

Speeches and slogans, including a widely broadcast *Nakba* memorial speech of P.A. President Mahmoud Abbas, highlighted the importance of Palestinian unity in commemorating the *Nakba* of 1948, in challenging the ongoing *Nakba*, and in the struggle for recognition and implementation of the right of return. Exiled Palestinians and international friends of the Palestinian people held *Nakba* memorial events in all Arab host countries; Vancouver and Toronto; Canada; New York; Australia; and, London and Oxford, U.K. (See also: www.al-awda.org). A special fundraising auction for Palestinian refugee children of the London-based Hoping Foundation raised some Lb 200,000 to support community-based organizations in Palestinian refugee camps.

By some miracle of the general will, every Palestinian has somehow, through all of the different journeys, arrived together at the same place.



Nakba commemoration, Ramallah, May 2006. © Anne Paq.

them was watching this generation replicate something they have no first hand acquaintance with themselves, for it is never talked about and is as yet unwritten: the secret history of the underground organizational actions of the previous generation of Palestinian resistants. Their current endeavours echo the same practices, the same spirit, and the same inner direction. And in today's reclamation project of the Palestinian past of the Nakba, the younger generation retrieve at the same time another history which is also theirs: the still uncollected stories of the previous generations of fighters who also worked in associations, parties, and groups in a similar collective spirit and with an equal passion. Although these huge meetings held last year were all organized locally, the transcripts of meetings from places as distant from each other as Australia, Iraq, Egypt, Sweden, Lebanon, Canada, Saudi Arabia and Greece showed that a shared conversation is taking place. By some miracle of the general will, every Palestinian has somehow, through all of the different journeys, arrived together at the same place.

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Beautiful Resistance, Revolting Memory

By Abdelfattah Abusrour*

I was born Palestinian and I don't want to do anything to change this.

I was born in a refugee camp, in my own country, and there is nothing I can do about it.

I was born under occupation, and I will do everything possible or impossible to change this.



al-Rowwad toured the U.S and stayed at the UrbanSpirit, promoting a community festival, 2005. © UrbanSpirit.org.

The culture and history of nations is probably measured through what they show and what they are able to communicate to the rest of the world. Throughout history people have tried to communicate their life, culture and environment through oral tradition, writing, drawing or painting on stones, leather or paper, or by the creation of sculpture and monuments. In modern times, multimedia and the internet have changed the form of expression and the capacity of that expression to reach the maximum number of people with little delay.

Palestinians are no different from other people in their desire to share with the world their history and culture. They also are like many other people in that they intend through their expressions to counter the images constructed of themselves, their culture, and their history. Zionist propaganda has promulgated numerous fictions and stereotypes about Palestinians and their history, such as the famous Zionist slogan, “a land without people for a people without land.”

Poets have written poems, painters have painted, storytellers have told stories, fathers have narrated to their children and grand-children, novelists have written novels, playwrights have created plays, singers have stirred emotions with their songs, and film-makers have made films. The right of return of Palestinian refugees to their original villages from which they were uprooted in 1948 or after has been the blood and pulse of the nation, transmitted through the past 58 years, consistently, by all means and media, without giving up.

Art as a means of expression and resistance

Art, theater, and education are some of the most amazing tools to reach and influence people. They are also very powerful vehicles of self-expression for children and adults.

Alrowwad theater in Aida refugee camp has created a space for children to express themselves in peaceful and nonviolent Beautiful Resistance through theater and art works which challenge the negative image of Palestinians propagated by the media.



al-Rowwad participating in a community festival, 2005. © UrbanSpirit.org.

Starting from this concept, *Alrowwad* began its beautiful resistance against the ugly Israeli occupation and its devastating effects on the Palestinian population, especially its children. Art provided a “safe” medium of expression and a beautiful alternative to the images continuously disseminated by the media about Palestinians.

Through the use of art, *Alrowwad* theater in Aida refugee camp has created a space for children to express themselves in peaceful and nonviolent *Beautiful Resistance* through theater and art works which challenge the negative image of Palestinians propagated by the media. In an effort to provide the children with education and awareness of their own history, the focus of *Alrowwad* is to provide artistic tools for the children to express their national identity and share stories that their families narrated to them about their villages being attacked, populations massacred or chased away and forced to leave. Theater, art, film-making and story-telling are our tools to disseminate information and talk about the 58 years-old ongoing tragedy in occupied Palestine and about the generations of Palestinians born as refugees, sometimes even in their own country.

The biggest production is a play called “*We are the children of the camp*” which retraces the history of Palestine starting with the Balfour Declaration on 2 November 1917. The play includes the 1948 war, the exile of Palestinians into tents, the recollection of demolished villages and the new Hebrew names they were given, the refugee camps and their locations. The play also includes children's impressions of their lives in the camps, the *intifada*, the claims of the Palestinians, the claims of the media, accounts of the checkpoints and the experience of oppression. The play concludes with so-called “Peace negotiations”.

The definition of occupation...

Occupied, terrorized, genocide – while the whole world is hypnotized,
Sixty years, incessant tears – no day passes by without countless fears,
For our lives, our wives, our children's cries – yet the world turns away, and our spirits die,
For my land, I do stand – but I remain hopeless without a helping hand,
Oppression, suppression, depression – every aspect of my life, you've taken possession,
Our weapons are stones, to protect our homes – but your bulldozers win and terror roams,
Yours are tanks, helicopters, and military jeeps – to kill the young man, as his mother weeps,
You control our electricity, you control our seas – you control our streets, and uproot our trees,
You close our schools, our children can't learn – you deny the refugees their right to return,
Suffering orphans, under your persecution – when they rise up, they face execution,
Families are separated, and farmers recall – the land they lost, by your Apartheid Wall,
Through your 'diplomacy', and your foreign relations – you attempt to justify and give credence to your occupation,
Palestine is my land, and I won't let you take it – and while you put the world to sleep, I try to wake it.

Abdelnasser Rashid
11th Grade
April 15, 2006

This play has been performed in Sweden, Denmark, Egypt, France, Belgium and the United States of America. The impact on the audience was great, and because of its educational and awareness-raising value, the play is requested again and again. Born under occupation, Palestinian children are involved at a very young age in the political debate, are eager to talk about their case and their cause and demonstrate a rejection of all forms of occupation. Art is one medium in which Palestinian children are able to do so. Art keeps the flame of memory and history alive. It shouts loud and clear: “We have rights that were violated... we do not forget, we will not forget, we will never forget. And guess what, we shall always remind you, so that you can never forget. This is our beautiful resistance to such a revolting memory.”

* *Abdelfattah Abusrour is the director of Alrowwad Theater and the head of the board of Badil Resource Center.*

Calling a Spade a Spade: The 1948 Ethnic Cleansing of Palestine

by Ilan Pappé*

For many years, the term al Nakba, the catastrophe, seemed a satisfactory term for both the events of 1948 in Palestine and their impact on our lives today. I think, it is time to use a different term, 'The Ethnic Cleansing of Palestine'.



Demonstration Against House Demolition in al-Eisawiyah village\Jerusalem 2005. © Nathalie Bardou\BADIL.

In 1948, the leadership of the Zionist movement, which became the government of Israel, committed a crime against the Palestinian people. The crime was Ethnic Cleansing.

The term *Nakba* does not directly imply any reference to who is behind the catastrophe – anything can cause the destruction of Palestine, even the Palestinians themselves. Not so when the term ethnic cleansing is used. It implies an accusation and reference to the culprits of/for the events that took place not only in the past but happen also in the present. Far more importantly, it connects policies, such as ones used to destroy Palestine in 1948, to an ideology which continues to guide Israel's policies towards the Palestinians: the *Nakba* continues, or more forcefully and accurately, the ethnic cleansing rages on. In this 58th commemoration of the *Nakba*, it is time to use openly and without hesitation the term ethnic cleansing as the best possible term for describing the expulsion of the Palestinians in 1948.

The moral implication is that indeed the Jewish State, like many other states, was born out of sin, but the sin, or the crime, was never admitted.

Ethnic Cleansing is a crime and those who perpetrate it are criminals. In 1948, the leadership of the Zionist movement, which became the government of Israel, committed a crime against the Palestinian people. The crime was Ethnic Cleansing. This is not a casual term but an indictment with far reaching political, legal and moral implications. The meaning of this term was clarified in the aftermath of the 1990s' civil war in the Balkans. Any action by one ethnic group meant to drive out another ethnic group with the purpose of transforming a mixed ethnic region into a pure one is Ethnic Cleansing. An action can become Ethnic Cleansing regardless of the means employed. Every means, from persuasion and threats to expulsions and mass killings, justifies the attribution of the term to such policies. The act itself qualifies the categorization of the act: therefore, certain policies are regarded as Ethnic Cleansing by the international community even when a master plan for their execution is not found or exposed. Consequently, the victims of Ethnic Cleansing are both people who left out of fear and those expelled forcefully as part on an on-going operation. The above definitions and references can be found in the American State Department and United Nations websites. These are the principal definitions that guided the International Court in The Hague when it was set up to try those responsible for planning and executing the Ethnic Cleansing operations as people guilty of perpetrating crimes against humanity.

In Plan Dalet, adopted in March 1948 by the high command of the Hagana (the main Jewish underground in the pre-state days), the Israeli objective of 1948 is clear. The goal was to take over as much as possible of the territory of Mandatory Palestine and remove most of the Palestinian villages and urban neighborhoods from the coveted territory which would constitute the future Jewish State. The execution was even more systematic and comprehensive than the plan anticipated. In a matter of seven months, 531 villages were destroyed and 11 urban neighborhoods emptied. The mass expulsion was accompanied by massacres, rape and imprisonment of men (defined as males above the age of ten) in labor camps for periods over a year. All these characteristics in the year of 2006 can be only attributed to Ethnic Cleansing policy; namely a policy that, according to the UN definition, aims at transforming a mixed ethnic area into a pure ethnic space, where all means are justified. Such a policy is defined

under international law as a crime against humanity which the US State Department believes can only be rectified by the repatriation of all the people who left or were expelled as a result of the ethnic cleansing operations.

Population Transfer in International Law

The UN defines forced population transfer as the "systematic, coercive and deliberate ... movement of population into or out of an area ... with the effect or purpose of altering the *demographic composition* of a territory, particularly when that ideology or policy asserts the dominance of a certain group over another." [Emphasis added].

Unlawful population transfer is a crime against humanity and a war crime according to the Rome Statute of the International Criminal Court (ICC). The Rome Statute defines forcible transfer of population as "forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law." In situation of armed conflict, forcible transfer involves "the transfer, directly or indirectly, by the Occupying Power of parts of its own civilian population into the territory it occupies, or the deportation or transfer of all or parts of the population of the occupied territory within or outside this territory." This practice is also known as ethnic cleansing.

The political implications of such a statement is that Israel is exclusively to blame for the making of the Palestinian refugee problem and bears legal, as well as moral responsibility for the problem. The legal implication is that even if there is obsolesce, after such a long period, for those who committed a deed which is described as a crime against humanity, the deed itself is still a crime for which nobody ever was brought to justice. The moral implication is that indeed the Jewish State, like many other states, was born out of sin, but the sin, or the crime, was never admitted. Worse, among certain circles in Israel it

is acknowledged and in the same breath fully justified: justified in the past and in the future as a future policy against Palestinians wherever they are.

But all these implications were totally ignored by the Israeli political elite and instead a very different lesson was derived from the events of 1948. The lesson: you can, as a state, expel half of Palestine's population, destroy half of its villages and get away with it without a scratch or criticism. The consequences of such a lesson were inevitable: the continuation of the Ethnic Cleansing policies by other means. There are well-known landmarks in this process, for instance, the expulsion of tens of villages between 1948 and 1956 from Israel proper, the forced transfer of 300,000 Palestinians from the West Bank and the Gaza Strip and a very measured, but constant, cleansing from the Greater Jerusalem area.

As long as the political lesson is not learned, there will be no solution for the Israeli-Palestinian conflict. The issue of the refugees will repeatedly fail any attempt, successful as it may be in any other parameters, to reconcile the two conflicting parties. This is why it is so important to recognize the 1948 events as an Ethnic Cleansing operation, so as to ensure that a political solution will not evade the root of the conflict, namely, the expulsion of the Palestinians. Such evasions in the past are the main reasons for the collapse of all the previous peace accords.

As long as the legal lesson is not learned – there will always remain retributive impulses and revengeful emotions on the Palestinian side. The legal recognition of the 1948 Nakba as an act of ethnic cleansing would enable a restitutive justice. This is the process that has taken place recently in South Africa. The acknowledgement of past evils is not done in order to bring criminals to justice, but rather in order to bring the crime itself to public attention and trial. The final ruling there will not be retributive, there will be no punishment, but rather restitutive, the victims will be compensated. The most reasonable compensation for the particular case of the Palestinian refugees was stated clearly already in December 1948 by the UN General Assembly in its resolution 194: the unconditional return of the refugees and their families to their homeland (and homes where possible).

**"I almost forgot that it was the Day of the Palestinian Nakba..."
Tel Aviv bus-stop billboards, Israel's Independence Day, 2-3
May 2006**



"I almost forgot that the Palestinian refugees have not always lived in refugee camps"



"I almost forgot that today is the Day of the Palestinian Nakba"



"I almost forgot that the University was built on top of the village of Sheikh Muwannis"

As long as the moral lesson is not learned the state of Israel will continue to exist as a hostile enclave in the heart of the Arab world. It will remain the last reminder of the colonialist past that complicates not only Israeli relationships with Palestinians, but with the Arab world as a whole. And, because the moral lesson is not fully comprehended, there exists in Israel justifications for Ethnic Cleansing both in 1948 and its current forms.

When and how can we hope for these lessons to be learned and influence the effort to bring peace and reconciliation in Palestine? First, of course, not much can be expected to happen as long as the present brutal phase of the occupation of the West Bank and the Gaza Strip continues. And the effort to locate the 1948 ethnic cleansing at the center of the world's attention and consciousness must continue, alongside the struggle against the occupation, including tactic of BDS (Boycott, Divestment and Sanctions) being adopted as the main strategy by civil society in the Occupied Territories and by the international solidarity movement. This effort can not be limited to one place. The place where the Ethnic Cleansing of 1948 occurred, Israel of today, is totally excluded from this enterprise. The work to raise attention and consciousness inside the land of the Nakba should continue and be coordinated with Palestinians and those who support them. With the help of Badil and other organizations, the Palestinian refugees in Israel, Internally Displaced Persons, and other leading Palestinian NGOs in Israel, cooperated with a group of Jewish activists to initiate a serious attempt to bring Ethnic Cleansing to the attention of the public and argue forcefully and without any hesitation for the implementation of the Palestinian right of return.

In two conferences supporting the right of return, Palestinian and Jewish researchers and activists publicly aired their findings about the ethnic cleansing from 1948 until today and presented their ideas on how best to move forward in educating public opinion about the disastrous implications – for Palestinians and Jews alike, indeed for the world at large – of the continued denial of the 1948 Ethnic Cleansing and the refusal to accept the internationally recognized Right of Return.

On the 58th anniversary and in preparation for the 60th anniversary we – Palestinians, Israelis and whoever cares for this land – should demand that the 1948 crime against humanity be included in everyone's history books so as to stop the present crimes from continuing before it is too late.

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1948

in Palestine and South Africa

By Salim Vally*

1948 remains the most important year for South Africans and Palestinians. For both peoples, British colonialism created the conditions for the racist entitlement by others of the land of indigenous people. The year 1948 saw the birth of Apartheid South Africa and the creation of Apartheid Israel.



World Social Forum, Durban, South Africa, August 2001. © BADIL

In both situations the National Party (consisting of largely Afrikaners, white descendents of the Dutch who defeated the party of Jan Smuts supported by the British) and the Zionist movement saw themselves as the 'Herrenvolk' - literally, 'God's people' or the 'chosen race'. These groups employed and abused biblical notions that the land was their right and both believed that these lands were 'a land without a people for a people without land'.

Yet we know that Apartheid Israel was created through a series of massacres and assaults on Palestinian villages such as Tantura and Deir Yassin and the destruction of 470 Palestinian towns and villages. Over 750 000 Palestinians were violently expelled from their homes and villages in order to create the demographic conditions for the establishment of an exclusively Jewish state by the Zionist movement. Those who remained were largely denuded of land, without compensation. Resulting today in over 5 million Palestinian refugees- the biggest and oldest refugee community in modern history.

In Israel, no less than in South Africa, minimum justice requires dismantling the apartheid state and replacing it with a democratic Palestine, where Jews and Arabs, Christians and Muslims, live together with equal rights.

The British and Dutch colonialists conquered the land through force of arms and terror and the provocation of a series of bloody wars of conquest. The Apartheid regime codified this conquest through a number of laws which further dispossessed, segregated and discriminated against the majority of South Africans. These laws included the 'pass system' to control the movement of people and force them to live in the 'homelands' or 'bantustans'. These 'bantustans' or reservations, 13% of the land, were considered the land of the indigenous people. Laws ensuring the division of people along ethnic lines and unequal resource allocation by the state in every area of life was harshly implemented.

In Apartheid Israel and the 'occupied territories' we see a combination of Apartheid-like laws and a brutal military dictatorship. Blockades, closures, the Apartheid Wall, settlements, settler only roads, identification documents, color coded number plates and permits are overt signs of Apartheid so is the 'third class citizenship' of Palestinians living within the 48 borders. We note laws such as the 'Law for Acquisition of land', the 'Law of Entry', 'Military Service Law' and legally sanctioned discriminatory rabbinical rulings. We note how the Israeli state rests on overt repression, a system of structural violence and institutionalized discrimination. Apartheid Israel has developed an elaborate system of discrimination, embedded in its legal system-even surpassing Apartheid South Africa's laws.

"Sabra, until '48 there was a village here"

All of us know the beautiful Arab houses of Talbiya and Baqaa – but we do not know the families who lived in them 58 years ago and were forced to leave.

Do you remember the ruins next to your home? The house you enjoyed playing in when you were a child? These 'ruins' were houses of Palestinian villages that were destroyed.

Do you remember the cactuses that you saw on your trips? They were the fences around Palestinian villages.

This year we will hold events to remember and remind what was next to and underneath our house until 1948. Without intentions to start packing suitcases, or point at the accused, or throw somebody into the sea, we will tell about what really was there in Jerusalem until 1948, in Lifta, Baqaa, Talbiya and Ein Karim.

See: <http://www.newprofile.org>
www.batshalom.org

(See also: Neta Alexander, Ha'aretz, 15 May 2006)



The leaders of our resistance movements were promised freedom if they renounced violence and accepted the 'bantustan' system. They rejected this mockery of self-determination and demanded nothing less than a unitary state with basic democratic rights for all-black and white. The peoples of the world declared apartheid in South Africa a crime against humanity and embarked on a comprehensive boycott of the Apartheid state. Of course, pariah states like Israel, Pinochet's Chile, and the governments of most Western states happily cemented trade, cultural, military and nuclear links with Apartheid South Africa.

The US hegemon and the EU are today proposing a Bantustan, a 'state' with a dependent economy, no contiguous territory and no substantial power, where Palestinians can be exploited, controlled, restricted and confined in reservations. A dependent Bantustan alongside an apartheid state is a mockery of self-determination-as it existed in apartheid South Africa and now in apartheid Israel. Above all, they want the world to forget about the millions of Palestinian refugees. In Israel, no less than in South Africa, minimum justice requires dismantling the apartheid state and replacing it with a democratic Palestine, where



A Black South African shows his passbook issued by the Government. Blacks were required to carry passes that determined where they could live and work. © UN Archives.

Jews and Arabs, Christians and Muslims, live together with equal rights. Just as importantly, there can be no solution without the right of return of the refugees and their children.

We stand with you as millions around the world commemorate the *Nakba*. We salute the courage, steadfastness and fortitude of Palestinian refugees in far flung parts of the world. We remember the massacres in Sabra and Shatila, in Jordan, and in any other places. The will to survive, to resist, despite the slow genocide is a slap in the face for the tyrants and carriers of misery who want to see you disappear. Palestinians refuse to become the modern day American Indians, decimated by imperialism and those who survived forced into reservations, humiliated every day, and in the words of Emmanuel Ortiz, a South American poet “now reduced to innocuous magnetic poetry on the refrigerator of our consciousness.” For the oppressed and justice loving people of the world your struggles and resistance is an endless source of succor, hope and inspiration. In the face of the hypocrisy of world governments and international agencies, we call on the people of the world to show concrete solidarity, to intensify the isolation of Israel and to raise the banner of the right to return.

** Salim Vally is a member of the Palestine Solidarity Committee in South Africa and a Senior Researcher at School of Education University of the Witwatersrand, South Africa*

The Role of the Church in (de)Constructing Apartheid and Colonization in Palestine

By Alain Epp Weaver

All components of Christian Zionism are informed by a particular theology (termed premillennial dispensationalism) that reads the biblical story as pointing towards an apocalyptic end of history in which the founding of the State of Israel and the in-gathering of the exiled Jewish people plays a decisive role in precipitating the last battle of Armageddon in which the anti-Christ/Satan is decisively defeated.



Church in depopulated Bi'r'im village, Safad, July 2005. © Nathalie Bardou/BADIL.

The editors have asked me to address “the role of the church in constructing and de-constructing colonization/apartheid in Palestine.” I’ll narrow this topic somewhat by focusing on Western Christianity, as it has been most complicit in the colonization of Palestine. I will not discuss, but instead will note upfront, the important role that the Palestinian churches and church-related organizations have played and continue to play in countering the dispossession of the Palestinian people. Most recently, for example, some Palestinian church-related organizations have been active in the Palestinian civil society call for boycott, divestment, and sanctions, or BDS. I will also not examine the complex relationship of Christianity in the global south to Zionism and the anti-colonization struggle in Palestine.

The simple thing to do would be to contrast two phenomena within the

Western Christian world. On the one hand, one has Christian Zionism, with its luminaries (e.g., Jerry Falwell, Tim LaHaye, Pat Robertson), political action committees (such as the recently announced initiative to create a Christian equivalent of AIPAC to lobby the US government), and pop culture (for example, the wildly popular *Left Behind* novels). All components of Christian Zionism are informed by a particular theology (termed premillennial dispensationalism) that reads the biblical story as pointing towards an apocalyptic end of history in which the founding of the State of Israel and the in-gathering of the exiled Jewish people plays a decisive role in precipitating the last battle of Armageddon in which the anti-Christ/Satan is decisively defeated. In such a theological vision, Palestinian aspirations and rights are at best irrelevant and at worst obstacles to apocalyptic triumph, obstacles whose removal would be fortuitous.

To Christian Zionism one could contrast efforts by various Christian bodies (the Presbyterian Church-USA, the Anglican communion, and more) to explore “selective divestment” as a

tool to pressure Israel to end its military occupation. These Western churches have ties to the Palestinian church and have been moved by their Palestinian co-religionists to work for justice. Or could contrast Christian Zionism with the efforts of an ecumenical advocacy organization such as the Churches for Middle East Peace (CMEP) which includes a variety of Protestant, Catholic, and Orthodox organizations. While Christian Zionists insist that all of Palestine is the exclusive patrimony of the Jewish people, CMEP advocates for an end to occupation and a just two-state resolution of the Palestinian-Israeli conflict. Although, CMEP, unlike some of its member churches, has assiduously avoided association with BDS initiatives, perhaps fearing that promotion of such initiatives would harm CMEP's effectiveness in its "inside-the-Beltway" context.

This contrast, however, would fail to get at root questions that Western churches need to address. The lobbying of Christian groups like CMEP for an end to occupation and a two-state solution and the tentative engagement of Christian churches with BDS initiatives, are preferable in comparison to the lurid and arguably heretical theology of Christian Zionism. What is missing from CMEP advocacy work or in the resolutions calling for an exploration of selective divestment, however, is any sustained discussion of Palestinian refugees. One finds precious little mention of Palestinian refugees, let alone refugee rights of return and restitution in CMEP's writings or in the Middle East resolutions of mainline Protestant churches. The reasons for this omission are various, but I would argue that a fundamental reason is that facing the Palestinian refugee issue forces the church to take a position on Zionism and about Israel's character as a Jewish state. Support for a two-state solution is comfortable for many Western churches, because it allows them to say, "We affirm Israel's right to exist, we affirm Israel's legitimacy as a Jewish state, we're simply against the occupation." Calls to end the occupation fit neatly into this framework, whereas advocacy for refugee rights does not. Palestinian refugees and Palestinians living inside Israel thus fade from view.

Two recent statements arising from Christian-Jewish dialogue initiatives exemplify the reticence of Western churches to undertake a thoroughgoing critique of Zionism. One comes from a Catholic-Jewish conference held in Buenos Aires in July 2004 and the other is a May 2005 report emerging from a series of Jewish-Protestant conversations at the University of Chicago. Both statements follow the same line of reasoning: to question Israel's military occupation, with its attendant human rights abuses, might be legitimate, but what falls beyond the pale of acceptable criticism are questions concerning the justice of the foundation of the State of Israel or the Zionist project of establishing and maintaining the Jewish character of the state. The Buenos Aires statement declares a "rejection of anti-Semitism in all its forms, including anti-Zionism as a more recent manifestation of anti-Semitism." The report emerging from the conversations at the University of Chicago cautions that "those who criticize Israeli policies should take care to ensure that such criticism not threaten Judaism, the Jewish people, or the legitimacy of the State of Israel." The Christian participants in the Chicago dialogue—whose liberal theological orientation is far removed from the fundamentalist orientation of Christian Zionism proceed to affirm as an "act of justice the establishment of a Jewish state after two thousand years of Jewish exile, wandering, and homelessness." The document thus draws on biblical imagery concerning the pain and anguish of exile, affirming the "Jewish state" as the antidote to homelessness. Such an approach both mirrors the standard Zionist "negation of the diaspora" (*shelilat ha-galut*) and appears to assume without question that the only political alternative to "exile" is exclusivist, nationalist sovereignty.

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CPT delegation holds sign near the Hebron Rehabilitation Center. © Christian Peacemaker Teams (CPT).

Both statements thus warn that critiques of Zionism and of the “legitimacy of the State of Israel” are akin to anti-Semitism. While “anti-Zionism” is left undefined, Zionism is implicitly defined by these statements as the movement to establish “a Jewish state,” so anti-Zionism must therefore be understood to be a theological or political position that at least questions if not opposes the justice of establishing and maintaining a “Jewish state.” From this perspective, recognizing the State of Israel’s “legitimacy” is bound up with recognizing it as a “Jewish state.” A reader of these documents is left with the understanding that Christians, while they might criticize particular Israeli policies or actions, should affirm Zionism and recognize the justice of “the establishment of a Jewish state.”

However, the term “Jewish state” is left undefined. In contemporary Israeli political discourse, the question of the Jewishness of the Israeli state is repeatedly tied to questions of demography. Proponents of the “disengagement” plan and of the Wall argue that “separation”

from Palestinians is required in order to protect Israel’s Jewish majority from the demographic threat represented by Palestinians in the Occupied Territories. Israeli officials, meanwhile, when arguing against Palestinian refugee return, routinely describe calls to allow refugee return as attacks on Israel’s character as a “Jewish state.” In the terms of this political discourse, Israel’s identity as a Jewish state was and continues to be tied to the creation and maintenance of a Jewish demographic majority within particular territorial boundaries.



على مشارف الذكرى الـ 60 للنكبة

Almost 60 since the Nakba

نحو 60 لנكבה

2006 Nakba memorial activities represented the launch of a three-year awareness-raising campaign towards the 60th anniversary of the Palestinian

Nakba in May 2008
(for mor information contact:
info@badil.org)

If the “Jewish state” and Zionism are understood as projects to create and maintain demographic and political hegemony over a particular territory, then the following conclusions would flow from the Chicago and Buenos Aires critiques of anti-Zionism and affirmations of the “justice” of Israel as a “Jewish state.” First, the expulsion of hundreds of thousands of Palestinians (Christians and Muslims) from their homes and villages in 1948 was, if tragic, also necessary. If Zionism meant creating a state with a Jewish majority in historical Palestine, and if one affirms Zionism as a just vision, then one must view some form of “transfer” of Palestinians from their homes as imperative, even just. Second, it follows that any return of these Palestinian refugees that would undermine this Jewish majority must be prevented. The logic of the Chicago and Buenos Aires documents falls in line with the Israeli characterization of calls for refugee return as anti-Semitic threats to Israel’s Jewish identity.

I believe that Western churches need to become much more vocal than they have been regarding support for the rights of Palestinian refugees. Such support will require not being cowed by accusations that one is anti-Semitic for supporting refugee return. Even if the Western churches continue to ignore Palestinian refugees, realities on the ground will make avoiding a critical examination of Zionism progressively more difficult. Israel’s unilateral separation plan writes the epitaph for a two-state solution based on the 1949 armistice lines and shows how the State of Israel has effectively hijacked the rhetoric of the “two-state solution” to create a clear apartheid system in the Occupied Territories. With the demise of the two-state solution, Western churches serious about working for a secure future for Palestinians and Israelis (for a future identified by the prophet Micah as a day when people will live secure under vine and fig tree, with no one to make them afraid) will have to move from advocating for two states to advocating for the dismantling of Israel’s apartheid structures throughout Palestine/Israel. Such advocacy necessarily addresses the dismantling of legal and political structures that prevent Palestinians from returning home.

Western churches serious about working for a secure future for Palestinians and Israelis (for a future identified by the prophet Micah as a day when people will live secure under vine and fig tree, with no one to make them afraid) will have to move from advocating for two states to advocating for the dismantling of Israel’s apartheid structures throughout Palestine/Israel.

Alain Epp Weaver is the Mennonite Central Committee Representative for Palestine, Jordan, and Iraq.

In Search of Protection: Palestinian Refugees Fleeing Iraq

By Sheila Provencher



Palestinian refugees fleeing Iraq stranded in "no man's land" between Iraq and Syria, 2005. © Christian Peacemaker Teams.

"They set him on fire," Musa* said. "The Iraqi Army detained my cousin, and used fire. Do you understand?"

I prayed that I had not understood. "Did they burn his house, or his body?" *Please God let it be just his house, I prayed.*

"His body," said Musa. "He was in the hospital for a week, but he died. He had four children. Do you see what happens to us in Iraq?"

The "us" to whom Musa refers are Palestinian refugees. Numbering about 34,000, many were born in Iraq. But they are not Iraqi citizens. They cannot vote, hold office, own firearms, or buy a house or property. They must apply to renew their residency in Iraq every two months. The countries that border Iraq do not accept their travel documents, and so Palestinians are stuck in Iraq.

Such circumstances are difficult. But in recent months, life for Palestinians in Iraq has descended into the realm of nightmares. The new Iraqi security forces, supposedly the salvation of the country, have a dark side: numerous commando groups, some government-sanctioned, others shadowy and independent. They come to Palestinian neighborhoods in the dead of night, raid homes, terrorize women and children, and sometimes imprison and torture the men.

Last summer, Musa's best friend was detained by Iraqi forces. The friend's dead body turned up later, marked by burns, drill holes, and evidence of electrical torture. Last spring, after a bombing in Baghdad Jadeeda, Iraqi forces raided the Baladiyaat neighborhood of Baghdad and detained three Palestinian brothers and their neighbor. The four young men then appeared, with bruised faces, on a popular Iraqi TV show called "Terrorism in the Grip of Justice." They later told their lawyer that they were innocent and had confessed to the crime because of torture.

Why is this happening? Because Saddam Hussein made a public show of supporting Palestinians in Iraq, claiming on TV that he gave Palestinians free cars and apartments. Even though Palestinians in Iraq insist that most of this was propaganda, Iraqi public opinion turned against them. More than sixty Palestinians have been killed and thousands displaced since the fall of the regime.

In October 2005, a group of courageous Palestinian families – seven children, five women and seven men -- decided to take the huge risk to leave everything behind and flee to Syria. They asked members of Christian Peacemaker Teams (CPT) and Iraqi Muslim Peacemaker Teams (MPT) to help them through the Iraqi military and police checkpoints. Tom Fox, Beth Pyles, our MPT colleague Sa'ad and I accompanied them on the journey.

For weeks in No Man's Land along the dangerous road between Baghdad and Syria and in tents we became one family.

There was Idrees and Bushra and their four children, ages 1, 8, 12, and 13. "We've been harassed in Iraq," Bushra told me. *"One morning at 3am, Iraqi soldiers barged into the house. They dragged my husband half-dressed into the street. They pointed a gun at my daughter's head. This has happened more than three or four times."* Their littlest child, one-year-old Emir, was sick during the trip. I watched as his father mixed together hydration medicine and spooned it gently into his baby son's mouth.

There were also Mustafa and Noor, a young married couple. *"Every time there is a bomb, the authorities blame the Palestinians,"* said Mustafa. *"There are checkpoints, and if I show my Palestinian I.D., they could arrest me. One of my friends was arrested after an explosion. They released him, but he was hurt in detention -- his leg is paralyzed now."*

"I have to renew my residency every two months. It takes all day, and the office is in a dangerous place. If we do not get into Syria, I will stay in no man's land and never go back," he said.

There was Musa, the young man who led the group. *"My one aim and purpose is to save this people,"* he said. *"They are counting on us for a solution."*

Oct. 4: After the first night under the stars, the hard reality of life on the sidewalk of a border crossing hits us. Desert in all directions, by 8:15am we are beginning to bake in the sun. A truck driver notices the women and children, and moves his lorry so that it casts a swath of shade over the sidewalk. The babies gurgle. Trucks roar past, shrieking brakes and horns. The smell of tar and gasoline hangs in the air.

Beth and I interviewed more of our fellow travelers. Abdullah, 44, with prematurely white hair and calm eyes, carried himself like a dignified general despite slight paralysis from an old injury.

For weeks in No Man's Land along the dangerous road between Baghdad and Syria and in tents we became one family.



Belongings of Palestinian refugees fleeing Iraq on the side of the road in "no man's land", 2005. © Christian Peacemaker Teams.

Ongoing Nakba: Fleeing Iraq

Around 34,000 Palestinians live in Iraq; they arrived after the *Nakba* in 1948, *Naksa* in 1967 and the Gulf War in 1991. They live mainly in Baghdad, but also in Mosul and Basra.

Pamphlets distributed in March 2006 in Iraq read "Palestinians are traitors and partisans of Saddam Hussein" ordering Palestinians to leave Baghdad or face death. Palestinians are exposed to attacks, homes are raided by Iraqi police patrols, and, unlike other foreigners, Palestinians have to renew their residency permits every two months. Many Palestinians have not renewed their residency permit for fear of being detained. The UNHCR confirmed incidence of harassment, beating and kidnapping as well as death threat. Many Palestinian families are in a state of shock and panic. The Palestinian representative in Baghdad, Dalil al-Kassus, said 55 Palestinian refugees have died in Iraq since April 2003.

The High Commissioner for Refugees, Antonio Guterres, sent a letter to President Talibani in March asking for increased security and legal protection for refugees in Iraq but no answer has yet been received nor has any meeting with Iraqi officials been scheduled. Appeal for increased protection have also been made by the Palestinian Authority to American occupying forces in Iraq.

In March 2006, Jordan announced it closed its border to Palestinian refugees from Iraq or whoever does not have valid travel document to enter the country for fear of an influx. On 7 April 2006, Human Rights Watch called upon the Jordanian Government to allow the 88 Palestinians who were stranded on the Jordanian-Iraqi border to enter, but to no avail. On 4 April, President Mahmoud Abbas formed a high committee to follow-up the situation of Palestinian refugees in Iraq and coordinate with UNRWA and UNHCR.

On 9 May 2006, Syria allowed 244 Palestinian refugees stranded on the Jordanian border and around 40 who fled directly from Baghdad to enter Syria. According to Human Rights Watch, "some of the refugees had seen their relatives and friends brutalized and murdered in Iraq." UNRWA will assist the newly arrived refugees. On 16 May, UNHCR reported the arrival of another group of 120 Palestinians at Tanef border crossing, including 67 who crossed into "no man's land" in northeastern Syria and over 50, mainly women and babies, stranded on the Iraqi side of the border with Syria. UNHCR and UNRWA are working together to bring food, shelter and medical attention to these newly arrived refugees. There are reports that more Palestinians are on their way to Syria. It is unclear, at this stage, whether Syria will allow more Palestinian refugees to enter. According to the UNHCR, there is currently no other countries that have shown interest in receiving Palestinian refugees from Iraq.

As Sarah Leah Whitson, director of Human Rights Watch Middle East and North Africa division said "these Palestinians are refugees twice over. Israel denies their right to return to their homeland, but Iraq has become a country where they are targeted for violence."

All countries are under an obligation to allow refugees in need of protection to seek asylum within their borders. *Non-refoulement* to the frontiers of territories where one's life or freedom would be threatened on account of race, religion, nationality, or membership of a particular social group or political opinion is the core principle of international refugee

In the Palestinian compound in Baghdad, he had spent the entire past year in fear.

"I have seen the raids, the torture, and the detentions," he said. "I saw one Palestinian man who has psychological problems walking in the compound one day. The Iraqi Army put a bag over his head and beat him for fifteen minutes with their fists, boots, and rifle butts. The people did nothing, because the soldiers have guns and we don't."

Thank God, the Syrian officials do not deport us back to the Iraqi border. Instead they move us into a small stone hut at the border's gate. Its window looks out onto the raw desert.

That is our home for the next two days. The men sleep outside. One morning at 6:00am a truck roars by so close that I fear they have been run over. The constant cacophony of horns, brakes, and swirling dust makes Tom comment, *"I think Hell must sound like a truck stop."*

Oct. 5: A representative from UN High Commission for Human Rights (UNHCR) arrives and is aghast. *"This is unbearable," she says. "We will try to find a solution, but it may take a long time."* She will bring tents, and arrange for two meals per day at the border's cafeteria. Musa tells her about the torture, the killings. She interviews the women and they ask for diapers and diarrhea medicine for the babies.

Oct. 12: Our translator and I start a "tent school" for the five older children. I fumble through English lessons, he teaches art. Little Emir is sick again. Most of the adults are also coughing. It's so cold at night, but at least 95 degrees during the day. The meals the cafeteria serves are not balanced – all rice and vegetables, no fruit and not enough protein.

Omar, who is a barber, cuts the men's hair and gives Tom a shave, the desert sun beating down. Later he gives free haircuts to all the cafeteria workers.

Oct. 15: I am sick now, too. Influenza. The days

blend together. When will it change? When will we get the glorious news that some country in the world will welcome these people?

Oct. 17: Tom and I have to return to our team in Baghdad. The community expresses fear about what might happen to them. Musa reassures them and us, “*We will rely on ourselves now.*” Tom and I promise to do all we can to prevent violence against their Palestinian communities in Baghdad, and to pressure the Iraqi and American governments to change.

I’ve never felt more deeply that I was leaving my own family behind.

In late November 2005, the Palestinians were allowed to go to a refugee camp in northern Syria. However, they are confined to the camp and cannot travel or work. They live in clay houses without running water and without adequate heat. UNHCR provides them with subsistence rations (rice, beans, bread, oil, tea, and a few vegetables) but if they want a balanced diet they have to buy more food themselves. All are poor and the largest family is destitute.

They are still hoping to find refuge in a foreign country, and need all the help they can get in terms of advocacy, material aid, and funding. It will be a long road.

Meanwhile, the situation in Iraq has deteriorated beyond imagination. On March 19, 2006 CPT accompanied another group of eighty-eight Palestinians, forty-two of them children, fleeing Baghdad to Jordan. A week later another thirty-five Palestinians joined them in the desert. They live there today in desperate conditions without enough food, water, medicine, or entry to Jordan. In late March, more than 100 families in Baghdad’s Hurriya district received written death threats from a group calling itself the Brigade of Judgment Day. This led Jennifer Pagonis, spokeswoman for UNHCR, to state that the situation “*has worsened in past weeks and the UNHCR is very concerned.*”

What do you do if the security forces that are supposed to protect people are attacking you? What do you do when the Ministry of Human Rights says that you are no different from Iraqis who suffer insecurity? What do you do when the death threat arrives on your door?

Our Palestinian families in Iraq need our voices and actions, before it is too late.

law. All states must respect the principle of *non-refoulement*, irrespective of whether they are signatories to the *1951 Convention Relating to the Status of Refugees*. The Palestinian Authority has agreed to allow Palestinian refugees to enter the occupied territories but Israel has prevented their entry. Israel has also refused to allow the entry of Palestinian refugee in its territory despite their right of return to their home of origin.

Sources: Nafia Abdul Jabbar and Ahmad Faddam, Scared Palestinians try to flee Iraq, Baghdad: Agence France Presse, 3 April 2006.

Syria Takes Welcome Action on Iraqi Palestinians, Other Governments Should Also Admit Refugees, New York: Human Rights Watch, 13 May 2006.

Palestinians continue to flee Baghdad for Syria -Un refugee agency, Geneva: UN High Commissioner for Refugees, 16 May 2006.

IRAQ, More Palestinians Leave Baghdad for Border, Press Release, Geneva; UN High Commissioner for Refugees, 4 April 2006.

Tom Fox, 54, who lived and worked with the Palestinian refugees described in this story, was kidnapped and murdered in Baghdad this past winter. He shared the lives of Iraqis and Palestinians, and ultimately gave his life away by sharing the same fate that so many of them suffer.

**All Palestinian and Iraqi name have been changed. Sheila Provencher and, worked with Christian Peacemaker Teams (CPT) in Iraq for two years. CPT is a pacifist, nongovernmental, violence-reduction organization. They are not missionaries. Teams of trained peacemakers live in war zones around the world, and work with local peace and human rights groups. Tom Fox, 54, who lived and worked with the Palestinian refugees described in this story, was kidnapped and murdered in Baghdad this past winter. He shared the lives of Iraqis and Palestinians, and ultimately gave his life away by sharing the same fate that so many of them suffer.*

The Naqab (Negev) Under the Microscope: Roots, Reality, Destiny

By Elizabeth Nassar*

These eyes gazing at the Naqab, gazing at home in longing, passion and pain. They are the eyes of the natives, the original people of the home and the land holding tight to its past, present and future. Greedy are the eyes of the authority, desiring to end life in the Naqab, as it is currently lived, to uproot its people and fence them in Ghettos.



Palestinian Naqab family receives a demolition order for their house, October 2005. © akhbarna.org.

The area is restricted under the pretence of development and civilizing the Bedouins. This tragedy is part of the discourse of the ongoing Nakba; they all became refugees and displaced overnight. They are a genuine part of the Palestinian people, but they are the forgotten ones. While the alarm bells ring more loudly today than at any other time in the past, Palestinian citizens from the Galilee and the Naqab (Negev) face one of the hardest and most dangerous times. They are having to confront laws that endanger the Palestinians and their land. With Israel's family reunification law, laws and regulations of construction and home demolitions, and 'voluntary' transfer plans, the situation in the Naqab is serious, dangerous and tragic.

The Naqab (Negev) covers two-thirds of historic Palestine. It stretches over an area of 13 million dunams from Al Faloujah, a village that was sieged, occupied and then totally destroyed by Zionist forces in 1948, in the north to Um Rashrash, now Eilat, on the Gulf of Aqaba in the south. The city of Beer Es-Sabe' (Beer Sheva') witnessed some golden years as a major city of the region that attracted people from the surrounding areas to its markets, shops and mosques before it fell in 1948. With the fall of Beer Es-Sabe', the 110,000 strong Nakab population was expelled. They were scattered and forced to move towards Egypt, Sinai, Jordan, Hebron and Gaza. This is how 90 percent of the Naqab Arabs were displaced. The social structure that existed prior to 1948 collapsed. Like the rest

of the Arab villages and cities, military rule was enforced over them and they were banned from working and learning, which led to their becoming uneducated, poorer and more isolated.

Most of the Bedouin inhabitants were gathered by force into contained, remote and arid areas, so that they would not create any obstacle to the rapidly expanding Jewish settlements in the Nakab. They found themselves in a limited area named "the area of the fence", which is a closed area located in the north eastern part of the Naqab, a triangle limited by Beer es-Sabe', Dimona and Arad. It constitutes only 10 percent of the area owned by the Bedouins prior to 1948. The Naqab Arabs today live on less than 2 percent of their land, although they constitute 27 percent of the population there. In order to control the land, the state of Israel legislated the *Planning and Construction Act* in 1965. The "area of the fence", according to this law, became an agricultural zone where constructions is not allowed, which rendered illegal all the homes and structures existing in the area and unleashed widescale demolition orders.

Plans to settle the Bedouin population

In the late 1960s and early 1970s, the Israeli government revived the idea of resettling the Bedouins and designed new plans for seven towns: Tel al Saba', Rahat, Ararat Al Naqab, Kasifah, Shaqeeb al Salam, Hora and Al-Leqya. The government did so without taking into consideration the Bedouins' traditional lifestyle and without consulting the Bedouin communities. Officially, the government designed these plans to create conditions which provide basic services for the Bedouin population. The underlying reason is for Israel to prevent the Bedouins from living on their land and claiming ownership rights. This resettlement plan deprives the Bedouins from their property and separates them from their land; the source of their livelihood.

The seven towns were doomed to fail. The budgets for the townships introduced by the government were and continue to be very scarce. The standard of services provided in these towns is low and unemployment is widespread. Criminality, as a result, is dangerously high. Despite the announced objective, the Bedouin public remains at the bottom of the socio-economic ladder in Israel while the neighboring Jewish towns located on Bedouin land (such as Omer, Mitara and Lahavim) are among the wealthiest in the state.

Despite the services offered in the new permanent towns, such as schools, kindergartens, water networks and clinics, they have failed to attract more than 50 percent of the 160,000 members of the Naqab Bedouin population. More than 86,000 Bedouins chose to live in 45 unrecognized villages which the state deprives from the most basic services, including water, electricity, roads, medical clinics, kindergartens, elementary and secondary schools. The authorities consider illegal all forms of housing other than tents or tin shacks and impose large fines on the owners while starting demolition procedures. Between 1992 and 1998, 1298 buildings were demolished. In the past two years, more than 200 houses were demolished and more than 29,700 dunams of land cultivated with wheat have been sprayed with weed extermination chemicals.

Prof. Isma'il Abu Saa'd, Ben-Gurion University, explains that the education system rests on employing education as a tool to remove people from the unrecognized villages by adopting a "temporary school" model. This involves 19 elementary schools that serve the population of 45 unrecognized villages; they are wood, tin, or concrete structures without appropriate classrooms and facilities. Many unrecognized villages lack schools. 6,000 children have to cover long distances daily: eight and nine year old children



Israeli police demolish the houses of Palestinian Naqab Families, October 2005. © akhbarna.org.

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The poorest seven towns in Israel are the same permanent towns built by Israel to resettle the Bedouins who have been uprooted from their land and lost everything they had. (Prof, Isma'eil Abu Saad, Ben Gurion University).

of the Azazma tribe, for example, have to get up at 5 o'clock in the morning and walk two kilometers from their tin-shack homes to the main street where they catch the bus which takes them on a 100km ride to the school located in the Segev Shalom/Shaqeeb al Salam township. They travel 200 km a day. It gets much harder in winter times. "Mother wakes us up while it is still dark, then we have to walk in the rainy weather using all the energy that we have, and if we are late, we miss the bus."

The poorest seven towns in Israel are the same permanent towns built by Israel to resettle the Bedouins who have been uprooted from their land and lost everything they had. (Prof, Isma'eil Abu Saad, Ben Gurion University).

The State's Solution to the Unrecognized Bedouin Villages in the Naqab: the Abu Basmah Council

Strategic advisors to the Israeli government have repeatedly raised that no comprehensive policies for the Nakab area have been defined since 1990, a fact which has led to an increase number of illegal construction. At the 2006 Herzelyia Conference, for example, it was raised that the state had proven its ability to deal with complex organizational, financial and legal challenges related to the implementation of the Gaza redeployment (i.e. disengagement) plan, and a similar plan was recommended for the Bedouins: to present the scattered communities with specific solutions related to a timeline and a sum of money for a whole group of residents, providing that it is interested in reaching a solution.

Accordingly, the state has proposed to settle the problem of unrecognized Bedouin villages in the Naqab through the establishment of the Abu Basmah Regional Council. Bedouin communities joining the new Council are recognized under the condition that they change their original names. Moreover, according to Atra Abu Frieih, general director of the community-based and independent Regional Council for the Unrecognized Villages in the Naqab: "the land of communities joining the Abu Basmah Council will be declared state land and the communities' historical boundaries will be changed. Land ownership title will be transferred from the current owners to the Israel Land Administration (ILA). Once this is done, people will have to obtain land from the state for housing and construction at outrageous cost." Some 13 new villages are currently in various stages of planning and establishment in the framework of the Abu Basmah Council, most of them are located in remote areas far away from the main roads.

The Regional Council for the Unrecognized Villages in the Naqab: a community-based alternative

The Regional Council for the Unrecognized Villages (RCUV) was established in 1997 as a result of the state's plans and blueprints to confiscate land from its owners.

Said Abu Sumoor, head of the RCUV's Planning Department describes the background and experience of decades of community-based struggle for justice in the Naqab:

When we talk about the Naqab, we must refer to the Naqab prior to the Nakba; its boundaries then stretched from Falouja in the north (northeast of Gaza) to the Gulf of Aqaba in the south. The population of the Naqab was between 90,000 and 110,000. When the war ended, only ten thousand remained on



Israeli police demolish the houses of Palestinian Naqab Families, October 2005. © akhbarna.org.

the land; most were gathered in fenced areas while some displaced groups continued to live on their native land. The first group surrendered to "modernization and settlement solutions" while the other group resisted and stayed on their property. As a result of the peace treaty with Egypt, Israel had to evacuate its airforce bases in the Sinai. They chose the land of Tel Al Milh village in the Naqab as the site for their new military installations. The population of Tel Al Milh was removed and concentrated in the towns of Kasifa and Ararah. They built Nefatim airforce base on the ruins of Tel Al Milh. I consider these villagers Internally Displaced Persons (IDP).

Since the creation of Israel, 80 Jewish agricultural settlements were built on the ruins of the depopulated communities in the northern Naqab. Israel is now talking about establishing 34 new settlements in addition to the some 60 private farms. Palestinians, on the other hand, live in seven concentration cities, and nine additional concentration towns are planned as part of the Abu Basmah Council. The area of jurisdiction of these concentration towns is no more than one percent of the area of Beer Es Sabe'. Israel is afraid of the demographic growth of the Naqab Arabs whose number today is 15 times the number it was 57 years ago.

Israel considers us all nomadic Bedouins, with no relationship to a specific territory, who need to be settled. It is wrong, however, to think that the Naqab Arabs are one homogeneous group: some are urban and lived in the northern Nakab while others are Bedouins, especially those in the south. Even the Al Azasmah tribe, however, who has many Bedouin characteristics, owns water wells and land with ownership certificates. They had livestock and seasonally cultivated land. In order to further the separation of the Arab people from their land, the authorities recorded in the population registry the name of a person's tribe instead of writing the address of the person's village. This has helped erase the identity of the original towns and villages and reinforced tribal belonging. This is how tribal identity was constructed, although tribal considerations were never obvious or used in this manner before.

Israel argues it bases its policies on the Ottoman Wasteland Law. In fact, the state strips the law from its spirit: the Wasteland Law permits the state to consider wasteland as its own if the land is

Since the creation of Israel, 80 Jewish agricultural settlements were built on the ruins of the depopulated communities in the northern Naqab.

It is important that the Council of the Unrecognized Villages demands the recognition of the ownership rights of all Internally Displaced in the Nakab, so that they can relate to their past.



Israeli Police demolish the houses of Palestinian Naqab Families, October 2005. © akhbarna.org.

not cultivated and located at more than two and a half kilometers from the village. The objective of this law is to encourage people to cultivate land and not to merely impose control. If they decided to depend on the rulings of the British mandate for their purposes, the result would be in the favor of the Bedouins, not the state.

In reaction to the Negev (Naqab) Plan 20-20, the Regional Council of the Unrecognized Villages was established. The state has long claimed the absence of a Bedouin leadership and that Bedouins do not know what they really want. Since the creation of the Council in 1997, every village has chosen a local committee that elects one of its members to represent the village at the General Assembly of the Council, which in turn, elects its chairman once every four years. The Council prepared a detailed plan involving the 45 unrecognized villages in which we argue that these villages are qualified for recognition because they meet the Israeli planning requirements. The population in the unrecognized villages ranges from 500 individuals in the smallest to approximately 5,000 in the largest. In addition, they are well known villages and have maintained their historical names. We previously appealed to the court through *The Citizen's Right Society* and demanded our right in various ways, exactly like other Jewish citizens, especially since we are a community with its own culture and lifestyle, but to no avail.

Although not all Internally Displaced in the Nakab (i.e. those who have been moved to concentration points/cities) have a leadership to protect their interests, it is important that the Council of the Unrecognized Villages demands the recognition of the ownership rights of all Internally Displaced in the Nakab, so that they can relate to their past. Today they live in other cities but they are not urban; not in culture nor in spirit. Due to the obvious and the concealed conflicts, they suffer bitterness in the midst of difficult living conditions such as high unemployment rates, poverty, crime and terrible education systems.

** This is a shortened version of an article published in Arabic in Haq al-Awda in May 2006. Elizabeth Nassar is a journalist from Nazareth, she works with a number of Arabic newspapers within 1948 territories and participated in many radio programs.*

Palestinians Exiled in Europe

By Tareq Arar*



Nakba commemoration, Madrid, May 2001. ©Al-Awda/PRRC.

Identifying the Palestinians as refugees is to recognize that there exists a problem requiring a solution. To qualify them as diaspora, is to eliminate the language necessary to change their situation.

Palestinian diaspora or refugees?

Numerous Arab and foreign studies allocate great importance to the situation of Palestinians in host countries, notably in countries neighboring Palestine. This importance may be related to the high number of Palestinians residing in those countries, such as Jordan; the implications of a resolution of the conflict, including the refugee question; and, the role that these countries may play in regional and international fora.

It is noteworthy that Palestinians in Jordan, Syria, Lebanon and Egypt are given more importance in research than those from Iraq, the Gulf States, Libya, North and South America. There are also very few studies on Palestinians in Europe, although a few were recently conducted.

Studies on Palestinians in Europe are related to the popular term "Diaspora". Over the past decade, we passed from studying "refugees" to studying "diasporas". This does not mean that there were no studies of "Palestinian Diaspora" in the past. There was, for instance, a 1986 study by Ilya Harik entitled, "The Palestinians in the Diaspora" and an article, "The Palestinian Diaspora" by Ann Pamela Smith in the *Journal of Palestine Studies*, also from 1986. But it is the work of Bassma Kodmani-Darwish, *La Diaspora Palestinienne*, which undoubtedly created most debate among Arab and Palestinian society over the term to be used, both descriptively and normatively, to qualify the phenomenon of Palestinians' dispersion across the world. Today,

Ongoing Nakba: Colonization in the heart of Bethlehem and Jerusalem

Always part of Bethlehem, Rachel's tomb/the mosque of Bilal Ibn Rabah has been a holy site for local Christian and Muslim communities for a long time and a pilgrimage site for the three monotheistic religions (Islam, Christianity and Judaism). After the 1967 occupation, however, it was transformed into a synagogue and access is currently restricted to Jewish worshippers. The tomb and its surroundings have been turned into a military compound.

On 9 February, 2003, a military order (No.03/14/T Judea & Samaria 2003) was issued to confiscate more land for the construction of the Wall, which will enclose and annex the vicinity of Rachel's Tomb to "Greater Jerusalem."

Since December 2005, and especially since April 2006, there has been further construction around Rachel's tomb. New military towers have been built, one in the middle of the main street and the second next to the Muslim cemetery of Aida camp. The towers are part of a complex of walls that surrounds the new colony, a synagogue. It is feared that settlers will soon move into the fortifications.

The Wall around Rachel's Tomb/Bilal Ibn Rabah Mosque directly affects hundreds of Palestinian refugees. Aida camp is now surrounded and wherever one looks, walls, soldiers and colonies are visible.

The Jerusalem-Hebron road, once a commercial center and the main street linking Bethlehem to Jerusalem, is now deserted. The Palestinian owner of a shop located within the walls of the new colony was speechless: his shop is now totally surrounded by walls. There is little doubt that he, like others living in this area, will have no choice but to leave. Palestinian families that remain live in constant fear. In some cases the new walls have been built just a few meters from their homes.

The situation of the Palestinians living nearby the new Rachel's Tomb colony and military compound is alarming. Alarming is also the silence of the



Palestinian house located a few meters away from the Wall build for the new colony, Bethlehem, May 2006. © Anne Paq.

some prefer to use the term "refugees" to recall the attachment to the right of return. In both the Arab world and elsewhere, there is, in fact, a great debate to define the dispersion of Palestinians. In referring to the displacement of the Palestinians numerous terms are employed (refugees (*laji'oun*), displaced (*nazihoun*), or expelled (*mouhajjaroun*)). The term most used is refugees, no doubt for legal reasons related to Resolution 194 of the United Nations General Assembly pertaining to the right of return of Palestinians to their homes of origin.

The use of the term "Diaspora" does pose a certain number of problems. Some Palestinians and Arab writers, such as Bassma Kodmani-Darwish, find that, "in the past few years, diasporas have become a field of study in itself and the integration of the Palestinians within this field is legitimate from an historical, sociological and economic perspective. But the object of study (diasporas) seems to accept a situation of dispersion and make of its provisional character a subject of investigation and analysis, which implies the abstraction, for the duration of the analysis at least, of the right of return. Identifying the Palestinians as refugees is to recognize that there exists a problem requiring a solution. To qualify them as diaspora, is to eliminate the language necessary to change their situation"⁽¹⁾. Indeed, the use of the term "Diaspora" is very dangerous. Why forego the real description of refugee, recognized by the international community, and replace it by this term, diaspora?

As long as 60 percent of the Palestinian nation is in forced exile because of the 1948 War, it is necessary to maintain the term "refugees" to describe those Palestinians, whether in the Arab world or in other parts of the world, including Europe.

Palestinians in Europe

British Mandate policies, such as confiscation of Palestinian land, privileges given to Jews, and the ease with which the British Mandate facilitated the immigration of Jews from around the world

to Palestine, contributed to the exodus of the Palestinians from their homeland. In addition, thousands of Palestinians who were in the Americas since the beginning of the 20th century tried to return to Palestine but their requests were turned down by the British Mandate Government; only some hundreds were allowed to return to Palestine. Displacement to Europe differs from the migration of Palestinians to Latin America, where currently the most important Palestinian Diaspora reside. Palestinian displacement to Europe is relatively recent and limited.

Palestinian migration to Europe began in the 1940s with a few students. The capacity of students to travel was limited to a few from rich families and the bourgeoisie. Only a few students were able to leave Palestine to study in Europe because of the relatively high cost of living in Europe compared to Palestine. Many students stayed after their studies because of the tense situation in Mandate Palestine and the revolts against the British Mandate. The arrival of Palestinians really started in the second-half of the 20th century, effectively since the 1948 War, when Palestinians were expelled from their land and country.

After the establishment of the state of Israel, the British Government passed a law that eased the process of obtaining British nationality and encouraged the departure of Palestinians to England. This explains the easy and fast nationalization of Palestinians that arrived in Britain in the 1950s compared to other Palestinian exile communities in Europe, although very few Palestinians requested British nationality because they believed they would be able to return to Palestine once the situation had calmed down.

After the 1967 Arab-Israeli War, the Israeli government prohibited the return of all Palestinians who were outside the West Bank and the Gaza Strip. This affected thousands of people who became refugee *sur place*. Israel's military occupation, the tense political situation, arrests, assassinations and house demolitions triggered more forced displacement of Palestinian communities from the occupied Palestinian territories. Thousands of Palestinian workers



Construction of the Wall and military tower surrounding the new colony, Bethlehem, May 2006. © Anne Paq.

international community, which has been so fast to impose sanctions on the new democratically elected Palestinian government but has totally failed to act against repeated and blatant violations of international law.

Colonization also continues in eastern Jerusalem. In March 2006, two new colonies were created in two highly populated and strategic areas in eastern Jerusalem. In Silwan, settlers evicted five Palestinian families while two families were expelled from a three-story apartment buildings in A-Tur on the Mount of Olives. While media attention has lately focused on the eviction of a few settlers in Hebron and on Olmert's plan to evacuate some colonies from the occupied West Bank, facts on the ground demonstrate the ongoing Israeli colonization and annexation of Palestinian lands in strategic areas.



Wall surrounds the new colony next to Aida camp cemetery, Bethlehem, May 2006. © Anne Paq.



Vienna conference of Palestinian communities in Europe, May 2005. © prc.org.

left to work in Europe with contracts offered in cooperation with the governments of Jordan and Germany, or through a Swedish-supported assistance program to Palestinian refugees. A large portion of these workers remained in Europe.

The formation of a Palestinian resistance movement created tensions with Arab governments in the Middle East, such as Jordan in 1970 and Lebanon in the 1980s. These governments perceived the Palestinian resistance as a threat to national security and the stability of their regimes, and as a result, the PLO was evicted from Jordan to Lebanon, and to thin Tunisia. The politically charged atmosphere dominated the politics of some Arab states, especially Jordan and Lebanon; freedom of movement and civil rights of Palestinians were severely restricted, leading to difficult socio-economic living conditions, particularly in the refugee camps in Lebanon. Approximately 80% of Palestinians in Europe are Palestinian refugees from Lebanon.

Relocation of Palestinians to Europe was not geared towards one particular country. Palestinians rather chose countries which would fulfill the rights they had been deprived from: residency, civil, security and freedom. Gradually, more Palestinians went to East Germany and then to West Germany, because asylum was more easily granted than in other countries and because work opportunities were available. In the 1980s Germany closed its frontiers to Palestinians and became a stop-over for Palestinians heading to Scandinavian countries. The majority of the Palestinians in Denmark and Sweden today passed through Germany in the 1980s. The number of Palestinians in Germany today is estimated to be between 30,000 (Mohammad Kamel Dori) and 80,000 (Abbas Shablak), and they represent the most substantial Palestinian community in Europe.

Relocation, displacement and migration of Palestinians are usually related to conflict in the

countries where they live. The major waves of Palestinian movement to Europe came after the 1967 War, after the 1970 Black September massacre in Jordan, and from Lebanon where civil war started in 1975 and was followed by the Israeli invasion and the massacres of Sabra and Shatila in 1982 and the subsequent "war of the camps". The 1991 Ta'ef Agreement, which ended the civil war in Lebanon, resulted in further deterioration of the economic and political situation of Palestinian refugees due to discrimination in Lebanon's reconstruction policies.

Following the signing of the 1993 Oslo Accords between Israel and the PLO, Palestinians in Lebanon felt even more ignored and marginalized, because they did not see their plight and rights addressed. Due to Israel's refusal, the question of the return of Palestinian refugees was delayed and was not even discussed.

All of the above represent factors which have pushed Palestinian refugees to move on to Europe in search of a more stable legal status. Currently, the number of Palestinians in Europe is estimated to be between 200,000 - 300,000, mainly in Germany, Great Britain, Denmark and Sweden. Although efforts have been made to organize their work and to build a solid mechanism to pressure and lobby in support of Palestine, they have remained without much influence on the Middle East policies of their host countries.

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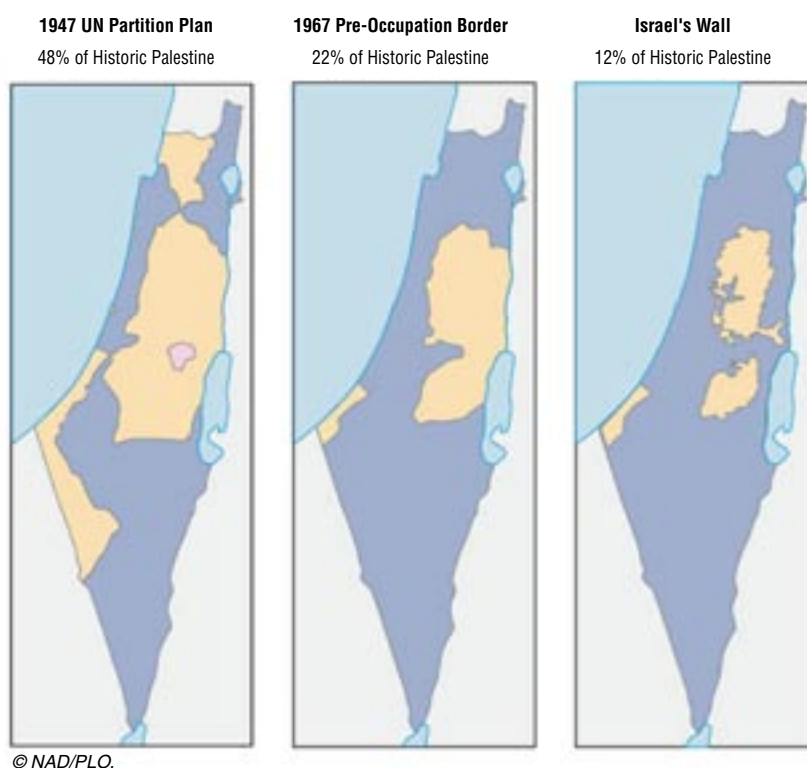
Endnotes

- (1) Unofficial Badil translation from French *«les diasporas sont devenues en quelques années un champ d'étude en soi et l'intégration des Palestiniens dans ce champ est légitime d'un point de vue historique, sociologique et économique. Mais la définition même de l'objet d'étude semble entériner une situation de dispersion et faire de son caractère provisoire un sujet d'investigation et d'analyse, ce que implique de faire abstraction, le temps de l'analyse au moins, de l'objet entretenu du retour. Identifier les Palestiniens comme des réfugiés, c'est reconnaître qu'il existe un problème appelant une solution. Les qualifier de diaspora, c'est éliminé par le langage la nécessité de changer leur situation.»*

Israeli political parties' ideological projects and inclinations towards the conflict

By Nabih Bashir*

There is no difference between Israeli parties, other than minor tactical differences to achieving a Jewish and democratic state.



Israeli political parties, despite their various shades and colors, all possess ideology rooted in Zionist ideological thought; a thought that pre-exists the state of Israel. This ideology is the main window from which reality, history and future is conceived. Like every other ideology, Zionism is more than an invariable political cultural platform. It is a system of thoughts, which relies and feeds on a continuous interpretation of history, reality, and vision of the future, although the main ideological pillars of Zionism remain unchanged; impermeable.

The Israeli “peace process” exists for two reasons: to separate Palestinians from Jews, because the latter are a threat to the Jewish identity of the state; and, to end the occupation because it has become a burden for Israel instead of being economically and morally profitable as it used to be prior to the first *Intifada* (1987). This rationale applies to all Israeli political parties, ranging from what is viewed as the extreme left to the extreme right. The narrow character of Israel's political spectrum is such that Tom Segev, an Israeli historian, accurately said that the “left (is) behind Sharon” (*Ha'aretz*, 13 Jan. 2006).

Antwan Shalhat, a political and cultural observer in Israel commented,

"Now at the eve of the Israeli elections it is not an exaggeration to say: there is a Zionist consensus that fits with the main principals of Sharon: more land and fewer Arabs. Such consensus forms the fundamentals of all the election programs of all the Israeli major political parties. They spring from believing that demographic separation from the Palestinians is necessary, apart from the need to achieve a durable and just solution. [...] And naturally such a desired separation should include the Palestinians of Israel. (Shalhat Worgift, 2006)."

A consensus exists among Israeli-Jews and the world; to preserve the Jewish character of Israel and reject the return of refugees to Israeli controlled territories. On 1 January 2002 the Israeli Knesset approved the law of "*Ensuring Rejection of the right of return Law-2001*" which forbids the return of Palestinian refugees to the territories under Israeli control without the approval of an absolute majority of Knesset members, (61 members). 56 Knesset members from of all the Zionist parties voted in favor of this bill (Labor, Likud, Religious parties and the National religious party), 12 members, mostly Arab members, voted against and 3 members abstained.

During the preliminary reading of the bill (17 May 2000) it was said that:

This bill represents a Zionist consensus on forbidding the return of the refugees of 1948 and 1967 inside the sovereign borders of the state of Israel. This bill is above parties. It is Zionist, Jewish, Israeli and historically moral and just. The right of return is the slogan of many Arab Knesset members who wish to eradicate the state of Israel as a democratic Jewish state and to eradicate the Israeli flag, the national anthem and the Jewish nature of the state. Among us there is place for those who desire to live in democracy and equality, while those who desire another national identity can go elsewhere. The Right of Return and the State for its Citizens are synonyms of the desire to destroy Israel.

There is no difference between Israeli parties, other than minor tactical differences to achieving a Jewish and democratic state.

Polls conducted in Israel indicate that the majority of Israelis support the removal of the Palestinian-Arab population outside the borders of Israeli controlled territory or encourage their emigration. Many Israeli parties boldly raise the slogan of transfer as an electoral slogan: among them are Hirit (Kliner), Tsomet, National Jewish Front (Baruch Marzel), National Unity List and "Mavdal" which includes many smaller parties who belong to the national religious current like "Moledet."

Labor Party

The position of Amir Peretz, the present leader of the Labor Party, towards the Palestinian inhabitants of Israel may seem unusually liberal, as there is an inclination to see Palestinian-Israelis as equal in terms of individual legal rights, but not as a group. Indeed, their equality is conditioned to the definition of the state as first and foremost a Jewish state. This definition thus sets limits as to the attainable level of equality.

Many Israeli parties boldly raise the slogan of transfer as an electoral slogan.

Jewish-Israelis Perceptions of Palestinian-Israelis

The Center for the Struggle Against Racism, through Geocartographia, conducted a survey in March which indicated that 68% of Jewish-Israelis would refuse to live in the same building as a Palestinian while 46% would refuse to allow an Arab to visit their home and 50% would welcome it. 63% agree with the statement "Arabs are a security and demographic threat to the state," whereas 31% disagree. 40% of Jewish-Israelis believe "the state needs to support the emigration of Arab [Palestinian] citizens" and 52% disagree. The survey also revealed that 50% of Israeli Jews experience fear and discomfort when hearing Arabic spoken; 18% feel hate.

"the borders we are considering are not the borders within which the state of Israel is located now."

Moreover, the position of the Labor Party and Amir Peretz is characterized by a theoretical orientation partially based in Marxist theory, which argues that improving the material conditions of people reduces the value and status of national and other idealistic disagreements and differences. Obviously these theoretical relationships disappear in reality; what remains are the verbal expressions of an ideal.

Shimon Peres, who has held the position of deputy chairperson of the international socialist forum for 30 years, pointed out that the labor Party never was, and never wanted, at any time, to become a socialist party or a socialist democratic party. He also added, "we have no need for Lenin, Marx or Engels. Our positions are inspired by the Old Testament: the Ten Commandments are the most important in the course of human civilization and it is our moral basis. The book of the prophet Amos is our social scheme, while the book of Isaiah is the basis of our political aspirations."

It is of no surprise, then, that one sees exclusively material considerations in the outline of the Labor Party's electoral program when discussing Israeli Arab citizens. The program of the party says: "The labor party will work to make substantial changes in the government's policies towards the Arab citizens of Israel, by affirming total equality and bridging the gaps between citizens of the state; Arabs and Jews in the fields of education, infrastructure, health care and social welfare."

It is also of no surprise that the first article on the Labor Party's electoral program, spells the title of the state as "a Jewish Democratic state." The third article is reserved for external and security issues, which affirms a need for political settlement with the Palestinians because it is in the "national interest of the state of Israel." While Labor states it will resume political negotiations, it will also work to complete the construction of the "security wall" within one year, deal "seriously and firmly" with "violence and terror", "maintain the superiority of Israel" and, should "political stalemate prevail," take independent steps to "ensure its security and political interests." Any negotiations will be based on principles of "two states for two peoples," Israel's annexation of "major settlement blocks in Judea and Samaria," and Jerusalem as the "eternal capital of the state of Israel."

Kadima Party

Kadima Party started as a one-man party with Ariel Sharon, but now, includes personalities such as Shimon Perez, Ehud Olmert, T'sahi Hanigbi, Shaoul Mofaz, and Avi Dichter. There is little wonder as to what brings them together: extreme rightist security considerations.

Israeli media published Ehud Olmert's intention to ignore the Road Map and implement unilateral withdrawal if he wins the elections (*Ha'aretz & Yediot Ahronot*, 5 March 2006). Olmert declared at the end of February 2006 that he intends to keep occupied Jerusalem, the three major settlement blocks in the occupied West Bank and the Jordan Valley. He also declared that he intends to carry out unilateral withdrawals. In the same context, Shaoul Mofaz, the Israeli security minister, added that Kadima party intends to draw the final border of Israel within two years, with or without the Palestinians.

What does keeping 60% of the West Bank area mean? In Olmert's first TV interview since

taking the position of Prime Minister (Israeli TV channel 2, 7 February 2006) he stated: “we will keep the Jordan Valley because it is not possible to give up control over the eastern border of Israel.” He added “our goal is obvious; we are heading towards disengagement from the Palestinians (of the West Bank) and towards drawing the final borders of the state of Israel.” He said also “the borders we are considering are not the borders within which the state of Israel is located now.”

The outline of Kadima's program reads:

The objectives of the government under the leadership of Kadima party are to guard the existence of the state of Israel as a safe national home for the Jewish nation on the land of Israel and give meaning to the national character of the state of Israel, while granting minorities that live in the state, complete and equal rights so that its value as a Jewish and democratic state remains balanced and interwoven.

Kadima's program, however, does not even mention Palestinian-Arab inhabitants of Israel. It clearly does not attach much importance to the needs of 20 percent of the state's population.

Kadima basic tenets are:

- The people of Israel have historical national rights on the entire land of Israel.
- In order to achieve the ultimate goal of Jewish sovereignty in a democratic state, it is necessary to maintain a Jewish majority in the state of Israel.
- The decisive choice between the desire to enable every Jew to live in any part of the land of Israel or to preserve the existence of the state of Israel as a national home for the Jews requires surrendering a part of the land of Israel.
- Giving up part of the land of Israel does not mean giving up the ideology; it is an act to maintain the existence of a Jewish and democratic state on the land of Israel.
- Drawing the permanent borders of the state of Israel within the framework of a peaceful settlement must guarantee the security and national interests of the state of Israel.

The main principles of any political process are:

- "Two national states": Israel's agreement to establish a Palestinian state is conditional upon



The Wall located in occupied Bethlehem imposes new boundaries between Bethlehem and Jerusalem, 2005. © Anne Paq.

Ongoing Nakba: Displacement and Dispossession

In March 2006, two houses were destroyed in the village of Al-Walaja.



Khader Rabah from Walaja in the tent erected next to the remains of his house destroyed by Israeli forces, 22 March, 2006. © Anne Paq

"I was at work when our home was demolished. Many soldiers stopped us. We are eleven in our family. Now we sleep in different houses. I do not know what will happen to us. Some want to rebuild the house but I do not want. It will be too much stress to live there.", declared the woman of the family of Khader Rabah. She was still shocked and said: *"I cannot manage to think straight."* On 22 March, 2006 an Israeli bulldozer destroyed their house in the village of Al-Walaja. There was no previous warning. They used the usual excuse that they did not have a building permit.

A tent has been set up next to the destroyed house. The head of the family stays and sleeps there. As he spoke to me, he raised his arms in despair and told me that they would rebuild the house located on his grandfather's land while his youngest son sadly steered at the rubble. We took a cup of tea on the roof of a building that was not demolished beside a pile of garbage bags containing the hastily collected content of the house. The Israeli soldiers arrived 20 minutes before the bulldozer. What would you take of your life in 20 minutes?

Since the beginning of the occupation in 1967, more than 12,000 Palestinian houses have been demolished. Palestinians always try to rebuild.

Photos and text by Anne Paq, photographer and legal researcher.

such a state being the permanent solution for Palestinians, including refugees. Therefore, the return of Palestinian refugees to Israel will not be allowed.

- "Living in security and peace": The future Palestinian state must be free of terror and must coexist in peace with Israel. Palestinians must renounce terror completely prior to establishing their state.

Drawing the borders of Israel is based on the following principle:

- Annexing territories required for the security of Israel;
- Annexing Jewish holy sites, particularly united Jerusalem as the capital of Israel;
- Recruiting the maximum number of Jewish settlers and annexing major settlement blocks.

Likud Party

Benjamin Netanyahu took the leadership of Likud after the party was torn apart by Sharon. The article on "rights" on the electoral program of the Likud includes:

"The right of the Jewish people on the land of Israel is an eternal one that cannot be contested. This fundamental right comes among other basic rights; the right of the Jewish people to live in peace and security, the right of the citizens of the state to live freely, under a democratic system that guarantees the protection of human rights and citizens' rights on equal bases, including the rights of the minorities to live according to their cultural heritage, religion, and language under the hospice of the state."

The article on security reads, "the continuity of the existence of the state of Israel as an independent state in the Middle East depends primarily on its ability to maintain military and political superiority." Preserving Israel's security by subduing any enemy and ensuring its capacity to defend itself during times of crisis is thus a vital rule of any political agreement.

Under the title "Minority Rights", the Likud states, "if the voices that claim the presence of discrimination were correct, the discrimination would occur because of two reasons. There is widespread corruption among the Arab local authorities and incompetent administration. The executive authorities in the state do not enforce the rule of law nor take any step to correct mistakes." Finally, the Party writes "it believes it is possible to change the present reality and to reduce the alienation of minorities and integrate them into the society and the state, for the welfare of everyone."

Shas Party

Shas party has undergone deep changes in the past few years. It became a clearly rightist political party after maneuvering between the left-wing and the right-wing for many years. The Party has for the first time published its main electoral program. The introduction states,

"Shas believes that the state of Israel is the state of the Jewish people, and is based on the democratic principles of the Torah of the people of Israel. The party's aspiration is to gather the Jews from everywhere on earth, to build the Jewish home in a big strong Jewish state, on all of the land of Israel."

The party's statements clarify that it respects different groups in the community and encourages tolerance because "peace starts from within, by spreading love among the different groups in the society and through friendly relations with other religious' followers and respecting their rights." The program adds that Shas works for and aspires to live in peace and security with the neighboring Arab states, based on security. Shas encourages the "development" of every part of the land of Israel: Judea, Samaria, Negev, and Galilee.

The rightist influence within Shas party is clear. It asserts that Shas will not recognize the Palestinian people nor their presence in the West Bank and Gaza Strip. It does not recognize the existence of a Palestinian or Arab minority in the state. It sees them as religious minorities towards which they are obliged to be tolerant based on Judaism.

** Excerpts taken from an article published in Arabic Haq a l-Awdain in May 2006. Nabeeh Bashir is a researcher specializing in Israeli affairs. He is the author of several books, among them "About Judaizing the Place", "Back to Holy History – Harodism and Zionism" and "Land day" soon to be published.*

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More 105,000 Bhutanese refugees are becoming stateless after 15 years in Exile

By Ram Lal Acharya

Today more than one-sixth of Bhutanese citizens have been evicted from their country and forced to become refugees. If safeguards are not provided, they will become stateless. Over 105,000 southern Bhutanese citizens live as refugees in camps in eastern Nepal and another 30-35,000 are scattered outside the refugee camps in Nepal and northern India.

People previously recognized as Bhutanese were re-classified as "Illegal Immigrants" under the provisions of the nefarious 1985 Citizenship Act implemented in the 1988 census.



Bhutanese refugees in Nepal holding elections for their camp representatives, 2006. © UNHCR/A.Khatoon.

The history of displacement

Bhutan is a mountainous country surrounded by China to its north and India to its east, west, and south. Bhutan is a multi-racial, multi-cultural and religious country with a population of nearly 700,000. It is comprised of fourteen ethnic groups including three major groups: the Ngalongs, the Sarchops and the ethnic Nepalese or the Lhotsampas. The country is governed by the monarchical system of government and the ethnic Ngalongs' Wangchuk Dynasty since 1907.

In early 1988, the government implemented the new Census policy, which used the Citizenship Act of 1985 to categorize southern Bhutanese into seven types. The aim of this new act and census policy was to deprive the southern Bhutanese (ethnic Nepalese) of their citizenship. People previously recognized as Bhutanese were re-classified as "Illegal Immigrants" under the provisions of the nefarious 1985 Citizenship Act implemented in the 1988 census. As prescribed in the 1985 *Citizenship Act*, the census officials demanded the land tax receipt of 1958 as a proof of Bhutanese citizenship from the illiterate people of southern Bhutan. Most of these individuals could not produce this thirty-year old document and were categorized as non-national. On 9 April 1988, on behalf of the southern Bhutanese people, Mr. T. N. Rizal, Royal advisory Councilor for southern Bhutan, appealed to the King. His appeal met with his arrest and imprisonment for 3 days.

There is growing public unease about the conduct of the census and repressive measures in the south which deprive individuals of their national rights such as the right for cultural participation and expression. For instance, there are measures which forbid the right to wear ones ethnic dress and to speak ones language. Discontentment and frustration among the Bhutanese people, especially among the southern Bhutanese escalated.

T.N. Rizal went into exile in Nepal to work for the human rights of the Bhutanese people and under his leadership, the *People's Forum for Human Rights, Bhutan* was created. Unfortunately, Mr. Rizal along with other activists were abducted from Nepal on 16 November, 1989 and imprisoned. After the incarceration of many human rights activists and other innocent people, human rights violations in Bhutan intensified.

In June 1990, the *Bhutan People Party* (BPP) was formed in exile in India to work for political reforms in Bhutan. At the end of 1990, the BPP organized a mass rally throughout southern Bhutan and some parts of eastern Bhutan. Public demonstrations were held across southern Bhutan and demands for civil and cultural rights were presented to district authorities. The demonstrations were followed by thousands of arbitrary arrests and detentions without trial and extensive ill-treatment and torture.

As people filled the streets to demand human rights and democracy, the Royal Government branded all the activists and supporters of the movement as anti-nationalist and gave the Royal Bhutan Army (RBA) *carte blanche* to crush the movement. The consequences were appalling: arbitrary arrests, torture, rape, threats, harassment, fire, destruction of houses and confiscation of citizenship cards. The majority of schools in southern Bhutan were closed, health services restricted, a ban was placed on the movement of essential commodities, citizenship cards were confiscated, southern Bhutanese government employees were dismissed, homes burned and demolished, southern Bhutanese fled from the country, some due to eviction by government forces, others due to fear of arrest and torture. Most of the citizens were pressurized into leaving "voluntarily" and were forced to sign

Most of the citizens were pressurized into leaving "voluntarily" and were forced to sign a so-called "Voluntary Migration Form" at gun point.



After 15 years in exile, frustrations are growing among 105,000 Bhutanese refugees in seven camps in eastern Nepal. UNHCR is urging them not to go home on their own. © UNHCR/J.Pagonis.

a so-called "Voluntary Migration Form" at gun point. These individuals are considered to have renounced their nationality under the terms of the 1985 Citizenship Act. The exodus of hundreds of thousands of people into Nepal provoked a humanitarian crisis. At the request of the Nepalese Government, the UN High Commissioner for Refugee (UNHCR) established a Bhutanese Refugee Camp in South-east Nepal in 1991.

To increase the numbers of displaced persons, members of the National Assembly of Bhutan resolved in the 1991 National Assembly session to evict any person who participated in the peaceful demonstrations or was in any way related to those who had fled from the country. Again, the so-called Volunteer Migration Forms were used and southern Bhutanese Citizens were pressured to sign this document often under gunpoint and forced out of the country.

In November 1992, Bhutan, Nepal and other relevant actors began negotiations to discuss the return of refugees living in the camps. In May-July 1993 the negotiations resulted in the creation of the Bhutan-Nepal Joint Ministerial Level Committee (JMLC) to resolve the Bhutanese refugee crisis. The negotiations continued in the form of JMLC meetings until 26 March 2001, at which time parties agreed to the categorization of refugees.

In March 2001 a joint verification team comprised of officials from the government of Bhutan and Nepal began interviewing 12,183 Nepali speaking people living in Khudunabari, one of the seven refugee camps run by the UNHCR in eastern Nepal. Among the 12,183 interviewed, 75% were found eligible to return to Bhutan. On 22 December 2003, the Bhutanese leader of the Verification Team spelled out the conditions of return to assembled refugees in Khudunabari camp.

Category 1 (293 People): may return to Bhutan as citizens, but not to their original houses and lands.

Category 2 (8,595 people): will have to reapply for citizenship under the terms of the 1985 Citizenship Act after a probationary period of two years spent in a closed camp.

Category 3 (347 people): includes relatives of those to be charged with criminal acts. They will be detained in a designated camp.

Despite several talks and official visits between 1994 and 2004 no solution has been found to the Bhutanese refugee crisis.

The condition/situation in the camps

The conditions in the Bhutanese Refugee camps are terrible. People are going hungry on a regular basis, children and others are sleeping without blankets in the cold and some of the refugees do not have clothes. Also, they do not have lamplight in the evening which, among other things, means that students do not have light to do their homework at night. The exiled Bhutanese refugees not only lost their homes, but were also dispossessed of their personal belongings.

Since 2001, UNHCR is implementing policies that encourage Bhutanese refugees to leave the camp through reducing day-to-day facilities and services such as provision of kerosene oil, vegetables, clothes, and scholarship. Besides all these policies, UNHCR is also reducing its partners' presence in the camps, such as SCF UK, OXFAM and Nepal Red Cross Society (NRCS). Since 23 December 2005, Bhutanese refugees started the Relay Hunger Strike in Bhutanese refugee camps in an attempt to:



Bhutanese refugee in Khudunabari camp in Jhapa district, eastern Nepal. © UNHCR/J.Pagonis.

1. Bring a fast solution to the Bhutanese refugee crisis (“We do not want to be refugees forever!”);
2. Internationalize the Bhutanese Refugee Problem.

The position of refugees regarding repatriation and resettlement

Bhutanese Refugees have collective and inalienable rights under international law to return to the homes and property from which they have been forcefully removed. There are many examples of refugees who returned to their home land such as Afghan and Bosnian refugees. The same principle, the Right of Return, apply to the Bhutanese Refugees.

Most Bhutanese refugees want to repatriate to their own country with dignity, honor, and with minimum conditions being met, such as preservation of their ethnic identity and culture, land and property, equal and free access to education, health, and government services. They should receive equal treatment with all who are inside the country. They also request the assistance of an international organization, such as the UNHCR to ensure their safety and security during the repatriation process.

In general, Bhutanese refugees want to repatriate back to their own country, Bhutan. Nepal-Bhutan bilateral talks and destructive policies implemented by UNHCR have created this unbearable situation, which has led nearly 40 % of Bhutanese refugees to say they may agree to resettle. However, this does not indicate that resettlement is the best durable solution to the Bhutanese refugee crisis.

While the ethnic Nepalese have a legal right to return to their homes in Bhutan and receive compensation for their losses, it is important that this right be implemented in a way that does not cause additional human rights abuses. The government of Bhutan is currently implementing a policy that resettles northern Bhutanese on lands previously used by Bhutan refugees. The right to retrieve private property must be balanced against any rights these new northern Bhutanese settlers may

Most Bhutanese refugees want to repatriate to their own country with dignity, honor, and with minimum conditions being met, such as preservation of their ethnic identity and culture, land and property.

have in domestic or international law. In other contexts in which refugees have returned home to find others occupying their land, property claims administrators have attempted to resolve disputes in a method that respects the rights of the secondary inhabitant as well as the first owner.

In order to avoid depriving people of their nationality or rendering them stateless, the governments of Bhutan and Nepal should re-open the deadlocked verification process and improve status verification and categorization by inviting the full and equal participation of UNHCR in the JVT and by initiating a fair and independent appeal process.

The strategies developed by the refugees to implement their return

Bhutanese refugees always believed in a peaceful movement to implement their right of return, using actions such as hunger strikes, petitions and forming political organizations.

Appeal Movement Coordination Council (AMCC) created a high-profiled mass-based movement until December 1997 in a peaceful manner. Its first phase was marked by appeal letters, mass meeting and demonstrations in Nepal and India. Its second phase began in January 1996 with a series of Peace March from the refugee camps to Bhutan, this march was met with arrests and detentions. On numerous occasions, marchers tried to enter Bhutan, but were arrested and deported.

A Human Right organization called *Association of Human Rights Activists Bhutan* (AHURA Bhutan) undertook a digitalized documentation of the Bhutanese Refugees in the camp to counter the false claim of the Bhutanese Government and to demonstrate that the majority of the refugees have sufficient and incontrovertible documentary evidences to prove their legal status as Bhutanese. Another Bhutanese Political party, *United Front for Democracy* (UFD), was established in 1997 and demonstrated inside Bhutan and held a refugee march to Bhutan in 1997 and 1998.

A coalition of Bhutanese organizations, under the current leadership of Mr. Tek Nath Rizal will continue to employ peaceful strategies to repatriate the Bhutanese refugees, such as press conferences, workshops and seminars for Bhutanese refugees and petitions to governments and UN bodies. It also plans to undertake a strong international advocacy campaign through a network of international organizations, NGOs and support groups throughout the world.

Though none of these efforts seem to provide immediate relief for the Bhutanese refugee problem, Bhutanese refugees are committed and determined to continue their struggle to achieve their goals. Bhutanese refugees appeal to the readers of this article and the international community to express solidarity with their cause and take steps towards bringing a peaceful and durable solution to their problem and save more than one-sixth of the population of Bhutan from statelessness.

Ram Lal Acharya
Sanischare Bhutanese Refugee Camp
Sector H2-21
Eastern Nepal

BDS Update

Campaigns Launched

The organization **War on Want** has joined the work of supporting and encouraging campaigns to sanction Israel and to boycott CAT corporation.

Flemish Palestine Solidarity Campaign [Belgium] continues its campaign to boycott Israeli goods, including food brands Jaffa, Carmel, Sabra, Tivall, and Yarden. The **Association of Belgo-Palestinienne** is actively pursuing a sanctions campaign against Israel. An association of over **20 Quebec organizations** also continues their boycott campaign by pursuing a boycott campaign against Israeli wines.

UK activists enacted an Agrexo office blockade causing the UK export company which deals with exports from Israel and OPT to incur a loss of 100 000 pounds.

The **Norway Soer-Troendelag** boycott resolution was overturned during an 08 February district council re-vote.

Israeli Apartheid Weeks were launched at various university and college campuses in Europe and North America since January 2005, including University of Toronto and Oxford.

Architects and Planners for Justice in Palestine [APJP], launched a boycott on construction companies involved in building Israel's Wall and settlements in the OPTs and Jerusalem.

Activists worldwide are signing onto a campaign to demand the Federation Internationale Football Association [FIFA] suspend Israel's membership, in response to the 30 March 2006 IDF bombing of the Palestine National Football Stadium. **Queers Undermining Israeli Terrorism** [QUIT, US] initiated a boycott of Estee Lauder Inc., whose subsidiary companies use ingredients from the Dead Sea and whose CEO owns 51% of Delta Three, an Israel R&D corporation. **QUIT** is also organizing a campaign to boycott World Pride Day 2006, to be hosted in Jerusalem this August.

Events receiving attention from BDS supporting organizations

Palestinian artists and their Belgian counterparts asked the Euromed Audiovisual II funding process remove the Ramallah Film Institute from its prospects as the organization was not known to any of the Palestinian artists and is partnered with the New Foundation in Israel, a government-funded organization. They ask that Euromed not alienate a community it targets for funding through formation of a funding partnership with an organization which is couples itself to an Israel government funded organizations.

The **Fifth International Poetry Festival** in Jerusalem, was boycotted by **Aharon Shabati**, Prof of Hebrew Literature, Tel Aviv University. The official magazine of the **Davos World Economic Forum**, published 'Boycott Israel' by **Mazin Qumsiyeh**. After strong objection from Zionist organizations, they re-printed the magazine censoring the article and a massive letter campaign of objecting to this censorship resulted.

Roger Waters of **Pink Floyd** was asked by **PACBI** to cancel his scheduled concert in Tel Aviv. Subsequently, Waters, who has a history of supporting humanitarian causes, boycotted Israel by canceling his Tel Aviv concert.

Arsenal, a UK football club, signed a deal with Israel Ministry of Tourism, which allows Israel tourism to be advertised in their new stadium, whose naming rights were purchased by

UAE's *Emirates Air*. After communication was established between activist organizations, from Palestine and abroad, and Emirates Air, a spokesperson for Emirates Air stated that their permission for this relationship was not sought and that they would attempt to 'persuade Arsenal not to renew its deal with Israel.'

Badia Research and Development Center, located in Amman, Jordan, is associated with the US based International Arid Lands Consortium of which the JNF is a founding and leading member with its representative serving as VP of IALC. The association of an Arab institution with the IALC is highly problematic and activists have initiated pressure for Badia to end this relationship.

Conferences

The *Palestine Solidarity Movement* held its 5th Annual Divestment Conference in February 2006 in Washington D.C. on the campus of Georgetown University. The *American Association of University Professors* [AAUP] was set to hold a conference on the academic boycott of Israel under heavy Zionist pressure.

Resolutions

The *Anglican Church General Synod* resolved to divest from companies whose products are used by Israel in the OPTs.

The *Church of England's General Synod*, including the *Archbishop of Canterbury*, resolved to recommend that the church disinvest funds from companies profiting from Israel's occupation.

Green-Rainbow Party, the Massachusetts state party of the national Green Party United States, resolved, and is moving forward to GPUS, a resolution which calls for implementation of Palestinians' right of return, calls for an end of US aid to Israel, promotes the withdrawal of institutional investments in Israel state bonds and corporations that do business with Israel and calls for academic boycotts against Israel.

Upcoming

National Association of Teachers in Further and Higher Education [NATFHE], will be voting on an academic boycott of Israeli universities at their annual national conference on 27-29 May.

The *Church of Scotland* is set to consider divestment from Israel at its General Assembly meeting in May.

The *Presbyterian Church USA* is hearing a round of petitions regarding their 2004 resolution to divestment from corporations profiting from human rights and international law violations at their upcoming meeting on 15-22 June.

Statement by the Green Party of the United States Commemorating the 58th Anniversary of the Palestinian *Nakba*

The Green Party of the United States joins the peace-seeking community worldwide in commemorating the 58th anniversary of the Palestinian *Nakba*.

We are part of a global Green movement, made up of more than 100 national Green parties throughout the world. Sharing a vision of ecological wisdom, democracy, human rights, and peace/non-violence, Green parties have emerged throughout the Americas, Africa, Asia, Europe, and the Pacific. In 2001, we became signatories to the Global Green Charter, which puts forth a global, holistic, and ecological philosophy, looking outward to the rest of the world. We understand that the most serious crises facing the world's people and natural environments, including the Palestinian-Israeli conflict, are global, and that many of these global problems can be traced to the policies of the United States government.

From this Green perspective, we recognize the catastrophe of ongoing Palestinian dispossession as a catastrophe for us all:

It is a catastrophe for the rule of law over military might.

It is a catastrophe for the self-determination of peoples over colonialism and imperialism.

It is a catastrophe for cultural diversity and equality of different peoples, over tribalism, cultural homogeneity and exclusivity.

It is a catastrophe for the remembrance of human suffering rather than the militarization of that suffering.

It is a catastrophe for the intimate, life-sustaining attachment of human beings to the earth.

Thus, with each year that Israel--with crucial US financial and political support--prevents Palestinian refugees from returning home, a part of each of us remains homeless, in exile.

Clearly, Americans have a special responsibility toward Palestinians, as reflected in our platform on this issue, "*The Green Party of the United States recognizes that our greatest contribution to peace in the Middle East will come through our impact on U.S. policy in the region.*" Moreover, only as we evaluate our government's policies on the Israeli-Palestinian conflict through the lens of our own history, can we encourage Israel, Europe and others to do the same.

Our reading of American history underscores the shameful basis on which the United States was founded and upon which much of its wealth is based: genocide and ethnic cleansing of American native peoples, and racism, including slavery. While the worst of these crimes against humanity were committed in the unapologetic era of Western imperialism and colonialism, their effects are with us still. Our government has never formally apologized nor offered reparations to American Indians or African-Americans. Meanwhile, most Americans experience a collective denial about this ignominious history even as its legacy lives dangerously on — not just at home but also in our foreign policy, especially the Middle East.

The Green Party of the United States (GPUS) publicly calls for divestment from and boycott of the State of Israel.

Indeed, American Indian dispossession by Euro-Americans is older than that of Palestinians by Zionists/Israelis. Yet, the same national formative act--and its denial--constitute a common component of the "special relationship" touted between the U.S. and Israel, and is the basis of much of the international antipathy toward both governments today.

From that historical perspective, we view the dispossession of Palestinian refugees as the heart of the Israeli-Palestinian conflict, and regard Israeli acknowledgement of its responsibility for the *Nakba* and of the right of Palestinian refugees to return home as key to a just and sustainable peace between Israelis and Palestinians (http://www.gp.org/committees/intl/response_on_palestine.html).

Accordingly, our platform formally affirms the right and feasibility of Palestinian refugees to return to their homes; it calls for full withdrawal by Israel from the West Bank (including East Jerusalem) and Gaza, dismantling of the separation wall, and suspension of all US aid to Israel until it stops these violations of international law (<http://www.gp.org/platform/2004/democracy.html#310677>).

But how can we enact these policies in the face of our corporate-controlled, two-party system of American government that tolerates little opposition? (In fact, the duopolistic nature of our system is no better epitomized than in US policy on the Palestinian-Israeli conflict: unequivocal financial and political support for Israel by both the Republican and Democratic Parties' at the expense of international law and Palestinian human rights.)

While our party will continue working to reform this system, we have decided to do what the international community has done in the past when petitions, demonstrations, court rulings and UN resolutions were not enough: join together to sanction the offending government.

To that end, and as a logical outgrowth of our party's values and platform, the Green party adopted the following resolution on November 21, 2005 (http://www.green-party.org.il/public_statement.htm):

1. The Green Party of the United States (GPUS) publicly calls for divestment from and boycott of the State of Israel until such time as the full individual and collective rights of the Palestinian people are realized.

To maximize the effect of the Green Party's support for divestment and boycott of Israel:

2. The party calls on all civil society institutions and organizations around the world to implement a comprehensive divestment and boycott program. Further, the party calls on all governments to support this program and to implement state level boycotts.
3. The party urges the Campus Greens network to work in cooperation with other campus organizations to achieve institutional participation in this effort.
4. The GPUS National Committee directs the Green Peace Action Committee (GPAX) to encourage the larger anti-war movement to promote the divestment/boycott effort.
5. The GPUS National Committee directs the International Committee to work with our sister Green parties around the world in implementing an international boycott.

We recognize the identification and empathy of millions of citizens of every formerly colonized country in the Americas, Africa and Asia—including the Middle East—with the Palestinian struggle, an empathy that is far beyond the reach of even the most repressive governments in these regions. We believe that it is in the context of a continuing progressive struggle in world consciousness that the Palestinian-Israeli conflict must be viewed and for which it provides a central touchstone. Attempts to equate such identification and empathy to anti-Semitism deflect attention from the socioeconomic, political and psycho-cultural factors that sustain this conflict. Moreover, accusations of anti-Semitism heighten and perpetuate regressive elements on both sides for political gain, trivialize the historic prejudice against Jews, and inhibit the expression of genuine sympathy these peoples do have for Jewish suffering, especially the Nazi Holocaust. However, as our platform states, *“we oppose as both discriminatory and ultimately self-defeating the position that Jews would be fundamentally threatened by the implementation of full rights to Palestinian-Israelis and Palestinian refugees who wish to return to their homes.”*

We acknowledge that **the land between the Mediterranean Sea and the River Jordan is the homeland of over 7 million Palestinian refugees**; that it is, and always has been, a multicultural land, and that Israelis and Palestinians have become inextricably linked by their history and mutual attachment to the same place they now all call home.

In recognition of these facts, **our platform also calls for a serious reconsideration of the creation of one democratic state as the national home for both peoples.** With this call, we aim to open a conversation in the US and abroad about the only political structure we can envision that conforms to our party’s values and international law, that fully recognizes the historic and present realities, and that gives maximum equality and freedom, including mutual self-determination, to all the people of that land.

However, as US Greens, we do not seek to impose our views on the people of the region, including the form a political solution will take to meet these needs. Instead, we suggest *equality before the law* as the rallying cry for Palestinian and Israeli liberation—liberation from the apartheid-like system within Israel as well as in the occupied Palestinian Territories.

Finally, as we remember this 58th anniversary of the *Nakba* and the ongoing suffering of Palestinians, we take comfort from the success of the international community’s resolve in ending South African apartheid. We also remember that the Palestine for which we struggle is not only a cherished piece of land and home to Palestinians. Nor is it just an anti-colonial liberation struggle with which formerly colonized peoples identify. But, as Edward Said frequently reminded us, Palestine is also an “idea”—the idea of freedom and diversity: *free* in that it transcends the confinement of ethnic, religious or nationalistic boundaries; and *diverse* in both its history of multiculturalism and ethos that different people can live together without living in ghettos.

May that idea sustain us in the work ahead.

In solidarity,

The Green Party of the United States
www.gp.org

The land between the Mediterranean Sea and the River Jordan is the homeland of over 7 million Palestinian refugees.

Our platform also calls for a serious reconsideration of the creation of one democratic state as the national home for both peoples.

All groups who participated were asked to “organize any event within their communities that calls public attention to the Israeli government’s institutionalized system of ethnic discrimination against non-Jews in both the West Bank and Gaza, as well as in Israel”.

Following Conference’s Success, Palestine Solidarity Movement Holds National Day of Divestment Action

Washington, DC – The Palestine Solidarity Movement (PSM) held a successful National Day of Divestment Action on March 30, 2006 – otherwise known to Palestinians as Yom al-Ard, or Land Day. On this date in 1976, six unarmed Palestinian citizens of Israel were killed in the villages of Arrabeh and Sakhnin while the Israeli government expropriated their lands.

The PSM – North America’s largest coalition of students, professionals, as well as religious and community groups advocating for the implementation of boycott and divestment strategies in order to peacefully oppose Israeli human rights violations of the Palestinian people – announced the Day of Action at the conclusion of its Fifth Annual Divestment Conference at Georgetown University (GU) on February 19, 2006.

Attracting nearly 400 student and community activists representing 90 different university and regional organizations across the continent, the 2006 conference aimed to empower participants with tools required to successfully advocate for their institutions to divest from Israel. Among the many prominent speakers featured were Sue Blackwell, British academic who led the Association of University Teachers (AUT) boycott of Israeli academic institutions earlier this year; Ali Abunimah, esteemed writer, commentator on Middle East affairs, and co-founder of The Electronic Intifada news service; as well as Philip Farah, Senior Economist and former instructor at the Lutheran School of Ramallah and Birzeit University; and Mohammad Abed, lecturer in the Department of Philosophy at the University of Wisconsin-Madison and activist with UW Divest from Israel Campaign.

Featured speakers, as well as attendees, contributed to the planning of the Palestine Solidarity Movement’s National Day of Divestment Action.

According to PSM Spokesperson Nadeem Muaddi, “The purpose of our call to action was to reinvigorate the divestment movement in North America. We wanted university and community activists, both here and abroad, to show their solidarity with the Palestinian people’s struggle for equality”. All groups who participated were asked to “organize any event within their communities that calls public attention to the Israeli government’s institutionalized system of ethnic discrimination against non-Jews in both the West Bank and Gaza, as well as in Israel”, added Muaddi.

Heeding the PSM’s call to action, organizations representing over twenty-six major cities throughout North America observed Land Day by calling upon local institutions to divest from companies profiting from Israel’s victimization of Palestinian society. Among the many notable universities to participate were George Washington, Columbia, Duke, Emory, and McGill. Having chosen “equality” as the unifying theme of their coordinated activities, through lectures, panel discussions, film screenings and rallies, organizations focused on educating the public on Israel’s military occupation and apartheid rule of Palestine.

"The overwhelming success of our National Day of Divestment Action is a testament to the continued growth of the movement for Palestinian equality" said Muaddi. "As members of international civil society, it is our duty to pressure the state of Israel to comply with relevant international laws granting Palestinians, like all people, their basic human rights. We believe that through nonviolent economic tools – such as divestment – this can be achieved, and are therefore proud to be leading this struggle in North America."

To contact PSM write admin@palestinesolidaritymovement.org.

PSM's updated website is: PalestineSolidarityMovement.org

The 2006 Award-Winning Nakba Memorial Poster

The poster of the Palestinian art designer Tayseer Batniji was selected as best 2006 Nakba memorial poster by an independent committee of artists and refugee rights activists. More than 50 professionals and amateurs from Palestine and abroad had submitted some 70 designs to this BADIL sponsored competition. A modest award ceremony was held in the Khan Younis Refugee Camp Service Club on 4 May 2006. It was organized by the Union of Youth Activity Centers-Gaza Strip and BADIL on behalf of the Palestine Right of Return Coalition.

Tayseer Batniji was born in Gaza City in 1966 and received training in fine arts and design in Palestine, Italy, France and Germany. He has participated in numerous exhibitions in Palestine and abroad and is a member of the Palestinian Artists Association and the International Artists Association (AIAP) based in Paris, France.

In a short interview with the Al-Ayyam daily (7 May 2006), Batniji says that he was informed about the success of his poster through a phone call from a friend who reached him on his way home to Gaza from an exhibition in Belgium: “The poster is a photographic montage which required several weeks' time; the key was let to rust on a piece of cloth. This part of the work was done already some years ago, also for the commemoration of the Nakba. It was, however, photographically re-assembled for the purpose of the 2006 competition”. Asked about the meaning of his design, Batniji says that the pieces of cloth are taken from the cloth-bags in which Palestinians had packed basic belongings and supplies for their flight to safety in 1948. “The idea was not to show a real key, because the actual homes of many Palestinian refugees do no longer exist. I preferred to show the rusty shadow of the key, because it symbolizes the longing and hope for return which have remained”.

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<http://taysir.b.free.fr>

ذكرى النكبة ٥٨ The Nakba at 58



إما العودة ... وإما العودة
It's either return ... or return

لجنة إحياء ذكرى النكبة ٥٨ - فلسطين، بالتعاون مع الائتلاف الفلسطيني لحق العودة
National Committee for the Commemoration of the 58th Anniversary of the Nakba
in cooperation with the Palestinian Right-to-Return Coalition