

HISTORICAL BACKGROUND AND CAUSES OF PALESTINIAN DISPLACEMENT

Preface

At the beginning of the 20th century, most Palestinians lived inside the borders of Palestine, which is now divided into the state of Israel and the occupied West Bank and Gaza Strip. Until 1947, Palestinians owned and used approximately 90 percent of Palestine's land. Five major episodes of forcible displacement have transformed Palestinians into the largest and longest-standing unresolved refugee case in the world today. Approximately 82 percent of the land has been confiscated by Israel.

As many as 150,000 Palestinians were arbitrarily displaced within or expelled from Palestine during the British Mandate (1922 – 1947). More than 750,000 Palestinians were displaced during the “Nakba”, the Arabic word for “Catastrophe”, referring to the ethnic cleansing of Palestinians that took place in the context of a UN plan to partition Palestine, armed conflict and the establishment of the state of Israel. Several tens of thousands of Palestinians were displaced within and expelled from Israel between 1949 and 1967. Approximately 400,000 to 450,000 Palestinians were displaced from the West Bank, including eastern Jerusalem, and the Gaza Strip during the 1967 Israeli-Arab war and Israel's occupation of these areas.

Palestinian displacement and dispossession are caused by a policy of forced population transfer which has been employed by the Zionist movement and the state of Israel with the aim to colonize Palestinian land and establish a Jewish demographic majority in it.

Since 1967, Israel has developed a regime that combines occupation, apartheid and colonization which acts as the root cause of contemporary forced displacement. Hundreds of thousands of additional Palestinians have been displaced on both sides of the Green Line, and forcible displacement is ongoing as a result of policies and practices of Israel's unlawful regime. Increased awareness of forced displacement of Palestinians amongst local and international organizations has led to the identification of a number its core ‘triggers’ including excessive and indiscriminate use of force, home demolition and forced eviction, violence by Jewish settlers and other non-state actors, revocation of residency rights, closure and segregation, confiscation and discriminatory distribution of land, and settler implantation.

Secondary displacement of Palestinian refugees has continued in various countries of exile, most recently in Iraq and Lebanon. Denied reparation and durable solutions based on their right to return, displaced Palestinians remain vulnerable to the impact of armed conflicts and human rights violations in their host countries.

1.1 Background

Table 1.1: Estimated Number of Palestinians Displaced, by Period of Displacement

Year	Number of Palestinians Displaced/Expelled
British Mandate: 1922–1947	100,000 – 150,000
Nakba: 1947–1949	750,000 – 900,000
Israeli Military Government: 1949–1966	35,000 – 45,000
1967 War	400,000 – 450,000
Occupation, Colonization, Apartheid 1967-2009	Hundreds of thousands

Note: For sources and more detail about these figures see Appendix 1.1 at the end of this chapter.

Table 1.2: Estimated Area of Palestinian Land Expropriated, by Period of Expropriation

Year	Area of Confiscated Palestinian Land (km ²)
British Mandate: 1922–1947	–
Nakba: 1947–1949	17,178
Israeli Military Government: 1949–1966	700
1967 War	849 (of which 119 were decolonized in Gaza in 2005)
Occupation, Colonization, Apartheid 1967-2009	3,785
Total	22,393

Note: The total area of historical Palestine (Israel and OPT) is 27,343 km², and the total area of the OPT is 6,225 km² (occupied West Bank, including eastern Jerusalem, and Gaza Strip). Between 1925 and 1947 Zionist colonization associations purchased some 714 km² of Palestinian land. For a more detailed analysis of these figures and references, see Appendix 1.2 at the end of this chapter.

At the beginning of the 20th century, most Palestinians lived inside the borders of Palestine, now divided into the state of Israel, and the occupied West Bank and Gaza Strip (hereafter OPT). Until 1947, they owned or used approximately 90 percent of the land in Palestine.

Five major periods or episodes of forcible displacement from former Palestine have transformed Palestinians into the largest and longest-standing unresolved refugee case in the world today. Approximately half of the Palestinian people have been displaced outside their former homeland and 82 percent of the land has been expropriated.

The major periods or episodes of forcible displacement include:

- *the British Mandate (1922-1947)* when more than 100,000 Palestinians were displaced within and beyond the borders of Palestine in the context of British support of Zionist colonization;
- *the Nakba (1947-1949)* when over 750,000 Palestinians were displaced in the context of a UN General Assembly recommendation to partition Palestine, armed conflict, ethnic cleansing and the establishment of the state of Israel;
- *Israel's military government (1949-1966)* when 35,000 to 45,000 Palestinians who had managed to remain in the area that became the state of Israel in 1948 were displaced, including many returning refugees;
- *the 1967 Arab-Israeli war* when 400,000 to 450,000 Palestinians were displaced in the context of armed conflict and Israel's occupation of the Palestinian West Bank and Gaza Strip, the Egyptian Sinai peninsula and the Syrian Golan Heights;
- *Israel's occupation, apartheid and colonization (1967–2009)* when hundreds of thousands of Palestinians have been displaced, and forced displacement is ongoing on both sides of the Green Line.

Palestinian displacement and dispossession are the result of forced population transfer (“ethnic cleansing”), defined by the UN 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.”¹ The Zionist movement and state of Israel have prevented self-determination² of the Palestinian people, forcibly displaced them and barred the return of the displaced to their homes and properties for the purpose of colonization of Palestinian land and establishing a Jewish demographic majority in it.

Population Transfer and Political Zionism

Population transfer played a key role in Zionist thinking since the founding of the Zionist movement in the late nineteenth century.³ According to the movement’s Basle Program (1897), “the aim of Zionism is to create for the Jewish people a home in Palestine secured by public international law”⁴ as the only solution to the persecution of Jews around the world.

Jewish immigration, colonization and labor were the primary means through which the Zionist movement sought to establish a state in Palestine. Since mass immigration alone would not be sufficient to establish a Jewish majority, and because most Palestinian Arab landowners were unwilling to part with their land, many leaders of the Zionist movement resorted to the idea of transferring the indigenous population out of the country.

Transfer was succinctly expressed by Theodor Herzl, the founding father of political Zionism: “We shall try to spirit the penniless population across the border by procuring employment for it in the transit countries, while denying it any employment in our own country. The property owners will come over to our side. Both process of expropriation and removal of the poor must be carried out discreetly and circumspectly.”⁵

Leading Zionist thinkers developed numerous plans to carry out the ethnic cleansing of Palestine so as to enable their movement to establish and maintain a homogenous Jewish state. During the British Mandate, these included the Weizman Transfer Scheme (1930), the Soskin Plan of Compulsory Transfer (1937), the Weitz Transfer Plan (1937), the Bonne Scheme (1938), the al-Jazirah Scheme (1938), the Norman Transfer Plan to Iraq (1934–38), and the Ben-Horin Plan (1943–48).

The idea of transfer did not end with the establishment of Israel in 1948. Between 1948 and 1966, various official and unofficial transfer plans were put forward to resolve the “Palestinian problem.” These included plans to resettle Palestinian refugees in Iraq (1948), in Libya (1950–58), and further plans for resettlement as a result of the 1956–57 Israeli occupation of the Gaza Strip and the Sinai.⁶ Israel also established several transfer committees during this period.

The notion of population transfer was raised again during the 1967 war.⁷ Resettlement schemes focused on the Jordan Valley, but also considered locations as far afield as South America. Thousands of refugee shelters were destroyed in the Gaza Strip in an attempt to resettle refugees outside of refugee camps. Similar proposals for population transfer also emerged during the second Intifada against the Israeli occupation of the West Bank and Gaza Strip.

Transfer has existed on both the left and right wings of the Zionist political spectrum as ideology and political program. While the right-wing has formed entire political parties explicitly for this purpose, it was left-wing (Labor) Zionism which controlled the pre-state movement, governed Israel during the mass expulsions of Palestinians of 1948 and 1967, and formulated the policies of not allowing refugees and IDPs to return. Transfer policies continue against the Palestinian population of Israel and the OPT. For example the 2009 Israeli government coalition includes political parties and individuals who have directly or indirectly called for such transfer.⁸

1.1.1 British Mandate (1922-1947)

During the First World War, Allied forces under British command occupied Palestine, which was then one of several Arab territories part of the Ottoman Empire. The British government had secretly come to terms with France and Tsarist Russia in the Sykes–Picot Agreement of 1916, determining that parts of Palestine would fall beneath its sphere of influence with the anticipated decline of the Ottoman Empire.⁹ Additionally in November 1917, the British cabinet issued the Balfour Declaration, a one-page letter from Arthur Balfour, the British Secretary of Foreign Affairs to Lord Rothschild, head of the British Zionist Federation. The Balfour declaration granted explicit recognition of and support for the idea of establishing a Jewish “national home” in Palestine through immigration and colonization.¹⁰ The indigenous Palestinian population is simply referred to in the text as “the non-Jewish communities.”

Map 1.1: Palestine under British Mandate Administration (1917-1948)



At the time, Jews constituted only 8% of the population of Palestine,¹¹ and owned less than 3% of the total land.¹² The majority of the indigenous Jewish community of Palestine did not support the Zionist idea of creating a separate and exclusive Jewish state in the country.¹³ The great majority of European Jewry also did not view Zionism as an answer to their systematic persecution.¹⁴ Despite widespread Palestinian Arab opposition to the Balfour Declaration, Great Britain viewed Zionist colonization as a way to advance British interests in the region.¹⁵ Likewise the Zionist leadership understood the role it was to play for its future imperial backer, as *quid pro quo* for supporting the creation of a Jewish state.¹⁶

Publicly Great Britain reaffirmed commitment to the principle of self-determination of the Arabs. In November 1918, France and Great Britain signed the Anglo-French Declaration, which affirmed that their goal “[... was] the complete and final liberation of the peoples who have for so long been oppressed by the Turks, and the setting up of national governments and administrations deriving their authority from the free exercise of the initiative and choice of the indigenous populations.”¹⁷ In 1919, the Allied powers met in Paris to determine the status of the non-self-governing territory that had been part of the former Ottoman Empire. Member states of the League of Nations decided to establish a temporary “Mandate System” in accordance with the Covenant of the League of Nations to facilitate the independence of these territories.¹⁸ The August 1920 Treaty of Sèvres between the Allied Powers and Turkey affirmed that Palestine “be provisionally recognised as an independent State subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone.”¹⁹



British Mandate troops search Palestinians at the entrance to the Old City of Jerusalem, 1921. (© Courtesy of the Library of Congress)

In 1920, the League of Nations entrusted the temporary administration (“Mandate”) of Palestine to Great Britain, as a “Class A” Mandate – a categorization closest to independence.²⁰ The Mandate for Palestine, however, aimed to facilitate the colonization of the country through Jewish immigration and settlement in order “to secure the establishment of the Jewish national home,” in line with the political commitment set out in the Balfour Declaration. The Mandate accorded the Jewish minority in the country and non-resident Jews residing elsewhere full political rights; it granted the Palestinian Arab majority only civil and religious rights.

“[I]n the case of the ‘independent nation’ of Palestine,” observed the British Secretary of Foreign Affairs privately, “we do not propose even to go through the form of consulting the wishes of the present inhabitants of the country” (as was required by the League of Nations). “Zionism, be it right or wrong, good or bad, is rooted in age-long traditions, in present needs, in future hopes, of far profounder import than the desires and prejudices of the 700,000 Arabs who now inhabit that ancient land.”²¹ The British Mandate of Palestine was thus based on an inherent contradiction: the simultaneous establishment of an independent state of Palestine for all its citizens on the territory of Mandate Palestine, and a Jewish national home within or on that same territory.

The British administration in Palestine promulgated new laws, including the *1925 Citizenship Order* and the *1928 Land (Settlement of Title) Order*, which enabled Jews from around the world to acquire citizenship and immigrate to Palestine. Thousands of Palestinian Arabs who were abroad at the time were unable to acquire citizenship under the 1925 law.²² By the early 1940s, the average rural Palestinian Arab family had less than half of the agricultural land required for their subsistence.²³

Rising Palestinian disenchantment led to a series of uprisings including the “Great Revolt”, which lasted from 1936 to 1939. The British responded with a combination of military force and administrative measures severely curtailing basic civil and political rights.²⁴ Palestinian Arab leaders were arrested, jailed and deported. Thousands of Palestinian Arab homes were demolished.²⁵ Some 40,000 Palestinian Arabs fled the country during the mid-1930s alone.²⁶

In early 1947, the British government informed the newly-established United Nations (the successor to the League of Nations) of its intention to withdraw from Palestine, ending more than two decades of British rule. The UN Charter stipulated that non-self-governing territory should become independent with the termination of a mandate. Alternatively, the Charter provided for the establishment of a “Temporary Trusteeship” similar to the mandate system.

The UN General Assembly, however, decided to appoint a special committee to formulate recommendations concerning the future status of Palestine. The Assembly also rejected requests by Arab states to obtain an advisory opinion from the International Court of Justice (ICJ) concerning the appropriate legal outcome of the British decision to terminate the Mandate in Palestine, as well as the legal authority of the UN to issue and enforce recommendations on the future status of the country.²⁷ (*see box*)

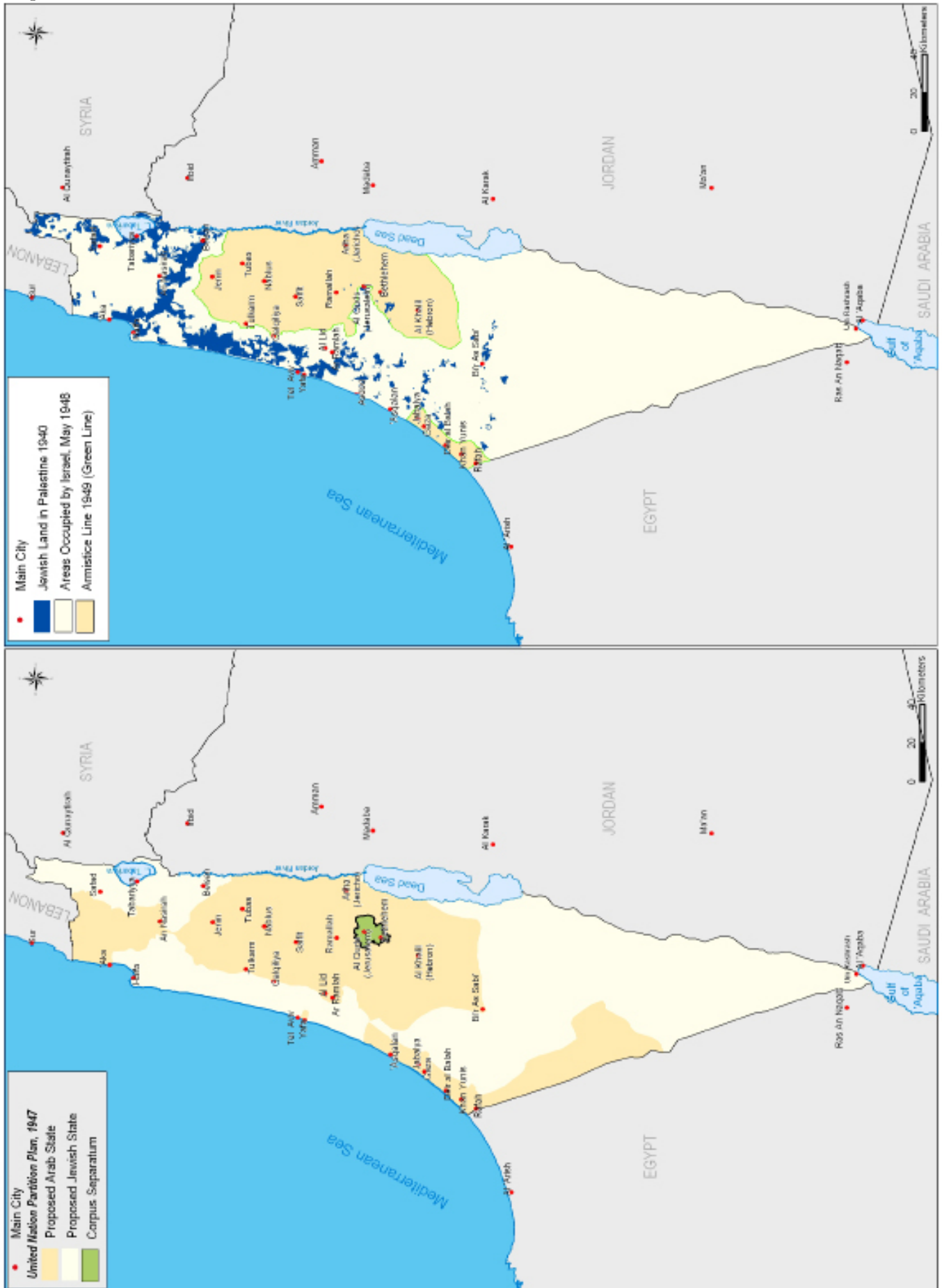
Draft Resolution Referring Certain Legal Questions to the International Court of Justice (excerpts)

The General Assembly of the United Nations resolves to request the International Court of Justice to give an advisory opinion under Article 96 of the Charter and Chapter IV of the Statute of the Court on the following questions:

- (i) Whether the indigenous population of Palestine has not an inherent right to Palestine and to determine its future constitution and government;
- (ii) Whether the pledges and assurances given by Great Britain to the Arabs during the first World War (including the Anglo-French Declaration of 1918) concerning the independence and future of Arab countries at the end of the war did not include Palestine;
- (iii) Whether the Balfour Declaration, which was made without the knowledge or consent of the indigenous population of Palestine, was valid and binding on the people of Palestine, or consistent with the earlier and subsequent pledges and assurances given to the Arabs;
- (iv) Whether the provisions of the Mandate for Palestine regarding the establishment of a Jewish National Home in Palestine are in conformity or consistent with the objectives and provisions of the Covenant of the League of Nations (in particular Article 22), or are compatible with the provisions of the Mandate relating to the development of self-government and the preservation of the rights and position of the Arabs of Palestine;
- (v) Whether the legal basis for the Mandate for Palestine has not disappeared with the dissolution of the League of Nations, and whether it is not the duty of the Mandatory Power to hand over power and administration to a Government of Palestine representing the rightful people of Palestine;
- (vi) Whether a plan to partition Palestine without the consent of the majority of its people is consistent with the objectives of the Covenant of the League of Nations, and with the provisions of the Mandate for Palestine;
- (vii) Whether the United Nations is competent to recommend either of the two plans and recommendations of the majority or minority of the United Nations Special Committee on Palestine, or any other solution involving partition of the territory of Palestine, or a permanent trusteeship over any city or part of Palestine, without the consent of the majority of the people of Palestine;
- (viii) Whether the United Nations, or any of its Member States, is competent to enforce or recommend the enforcement of any proposal concerning the Constitution and future Government of Palestine, in particular, any plan of partition which is contrary to the wishes, or adopted without the consent of, the inhabitants of Palestine.

Reprinted in Yearbook of the United Nations 1947–1948. UN Doc. 1949.I.13 (31 December, 1948).

Map 1.2: The United Nations Partition Plan for Palestine (1947) and the (1949) Armistice Line



In September 1947, the UN Special Committee on Palestine (UNSCOP) presented its final report which included majority and minority proposals given Committee members' inability to reach consensus on the future status of the country.²⁸ The majority opinion supported the partition of Palestine into two states, one Arab and the other Jewish, although it conceded that, "[w]ith regard to the principle of self-determination, although international recognition was extended to this principle at the end of the First World War and it was adhered to with regard to the other Arab territories, at the time of the creation of the "A" Mandates, it was not applied to Palestine, obviously because of the intention to make possible the creation of a Jewish National Home there. Actually, it may well be said that the Jewish National Home and the *sui generis* Mandate for Palestine run counter to that principle."²⁹

The minority proposal called for one federal state for Arabs and Jews. Committee members of the minority were clear in their warnings of the consequences of partition: "Future peace and order in Palestine and the Near East generally will be vitally affected by the nature of the solution decided upon for the Palestine question. In this regard, it is important to avoid an acceleration of the separatism which now characterizes the relations of Arabs and Jews in the Near East, and to avoid laying the foundations of a dangerous irredentism there, which would be the inevitable consequences of partition in whatever form. [...] Partition both in principle and in substance can only be regarded as an anti-Arab solution. The Federal State, however, cannot be described as an anti-Jewish solution. To the contrary, it will best serve the interests of both Arabs and Jews."³⁰

Despite the warnings, on 29 November 1947, the UN General Assembly passed Resolution 181(II) recommending the partition of Palestine.³¹ This Resolution proposed two states, one Arab and one Jewish, in which all persons were to be guaranteed equal rights.³² The proposed Jewish state was allotted 56 percent of the land, even though the Jewish community comprised less than one-third of the population of Palestine at the time and owned no more than 7 percent of the land, including 714 km² acquired by Zionist colonization associations mostly from large landowners who did not live in Palestine.³³ The dispersal of the Arab and Jewish populations in the country also meant that nearly half the population of the proposed Jewish state consisted of Palestinian Arabs, who owned nearly 90 percent of the land.³⁴

From the beginning of the British Mandate in Palestine in 1922, to the end of 1947 when the United Nations recommended the country be partitioned into two states, an estimated 100–150,000 Palestinians - nearly one-tenth of the Palestinian Arab population - was expelled, denationalized or forced to leave their homes.³⁵ Tens of thousands of Palestinians were internally displaced as a result of Zionist colonization, the eviction of tenant farmers, and punitive home demolitions by the British administration.

1.1.2 The Nakba (1947-1949)

The UN recommendation to partition Palestine triggered armed conflict between local Palestinians and Jewish colonists. This provided the environment in which the Zionist movement could induce massive Palestinian displacement so as to create the Jewish state.

In November 1947 fighting erupted in Jerusalem³⁶ and other localities of Palestine. The first Palestinian village to be fully ethnically cleansed was Qisarya (Caesarea) on 15 February 1948, together with four other villages in the area.³⁷ The success of these operations led to the formulation and adoption of Plan D (or Plan *Dalet*) in March 1948 – two months before the British Mandate was set to end. The plan provided guidelines for the ethnic cleansing of Palestinian communities and was designed "to achieve the military *fait accompli* upon which the state of Israel was to be based."³⁸

According to Plan D, "[...] operations can be carried out in the following manner: either by destroying villages (setting fire to them, by blowing them up, and by planting mines in their rubble), and especially those population centers that are difficult to control permanently; or by mounting combing and control operations according to the following guide lines: encirclement of the villages, conducting a search inside them. In case of resistance, the armed forces must be wiped out and the population expelled outside the borders of the state."³⁹

Plan D resulted in the greatest outflow of refugees in April and early May 1948, before the start of the first Arab-Israeli war. A massacre of more than 100 men, women and children committed by Zionist forces in the Palestinian village of Deir Yassin on 9 April 1948 is widely acknowledged to have contributed to the fear and panic that led to the mass displacement.⁴⁰

The unilateral declaration of the establishment of the state of Israel by the Zionist movement in Tel Aviv on 14 May 1948 coincided with the withdrawal of British forces from Palestine and the collapse of the UN partition plan. The subsequent entry of Arab forces into Palestine marked the beginning of the first Israeli-Arab war. Palestinians fled their homes as a result of attacks on civilians by Israeli forces, massacres, looting, destruction of property and other atrocities. At least 70 massacres took place throughout the Nakba.⁴¹ Massacres were conducted in a manner which went beyond the immediate objective of taking control over a particular village and were designed to create an environment of terror that would result in the flight of the population. Villages were encircled, bombarded and surviving residents sent through openings in the line of attack, toward Arab areas. The choice of a village was not random. Often there was a clear relationship between the timing of a massacre in an outlying village and the assault on a major nearby town or city.⁴²



Zionist forces attack the village of Deiraban, west Jerusalem, 1948
(© Courtesy of palestineremembered.com)

Palestinian villages and towns were shelled by Zionist forces to encourage flight, especially in areas deemed to be of strategic importance to the new state, or where there was local resistance. Palestinians fleeing their villages in search of temporary refuge were fired on to ensure their departure. Incidents like these occurred in major cities throughout the country, including Haifa, Jaffa, Akka, Ramle, Lydd and Jerusalem, as well as in many villages.⁴³ Many sought temporary refuge elsewhere after hearing news of atrocities against the civilian population.⁴⁴ This included a spate of nine reported massacres in October 1948, in which Palestinian Arab villagers were raped, bound, executed and dumped in mass graves.⁴⁵ In the village of Dawayima, for example,

Israeli forces killed 80–100 men, women and children. The children were killed by blows to their heads with sticks. Several elderly women were put in a house which was then blown up.⁴⁶

Palestinians were also physically expelled from their villages and towns.⁴⁷ In early July 1948, for example, then Lt. Colonel Yitzhak Rabin issued orders to expel the inhabitants of Ramle and Lydd.⁴⁸ In late October 1948, an official cable was issued to all Israeli division and district commanders in the north: “Do all you can to immediately and quickly purge the conquered territory of all hostile elements in accordance with the orders issued. The residents should be helped to leave the areas that have been conquered.”⁴⁹ In the case of Lydd alone, it is estimated that 1,000 people were killed or died in the town’s death march of July 1948.⁵⁰ Zionist militias also used flame-throwers⁵¹ and biological weapons to induce flight of villagers and to weaken Arab armies during the war.⁵²

Israeli military forces systematically destroyed hundreds of Palestinian villages during the war, as one of six measures included in a “Retroactive Transfer” plan approved in June 1948 by the Israeli Finance Minister and Prime Minister to prevent Palestinian refugees from returning homes.⁵³ The destruction of homes and entire villages was accompanied by large-scale looting.⁵⁴

750,000 to 900,000 Palestinians (55 to 66 percent of the total Palestinian population at the time) were displaced between the end of 1947 and early 1949.⁵⁵ Half of these were displaced before 15 May 1948, when the first Arab-Israeli war began. 85 percent of the indigenous Palestinian population who had been living in the territory that became the state of Israel was displaced.⁵⁶ Most refugees found refuge in those parts of Palestine (22 percent of the total area) not

under the control of Israeli military forces following the cessation of hostilities.

In several of the sub-districts of former Palestine that were wholly incorporated into Israel – Jaffa, Ramla and Beersheba – not one Palestinian village was left standing. In total, some 500 Palestinian villages, with a land base of more than 17,000 km², were depopulated.⁵⁷ An estimated two-thirds of Palestinian refugee homes inside the new state of Israel were destroyed; the remaining third were expropriated and occupied by Jews.⁵⁸



A column of Palestinian refugees 1948
(© Courtesy of palestineremembered.com)

Estimates of Palestinian Property and Losses, 1948

In 1950, the UN Conciliation Commission for Palestine (UNCCP) established a sub-office, the Office for the Identification and Valuation of Arab Refugee Property, to identify, value and compile information on refugee properties inside Israel. An initiative to identify Palestinian property, both globally and individually, was conducted based on British mandate records,⁵⁹ in order to establish a comprehensive record of individual Palestinian property and so verify individual property claims.

According to the global identification process, 16,324 km² of 26,320 km² (the total area of Mandate Palestine) were determined to be private property owned by Palestinian Arabs. The individual identification process was completed in the early 1960s. The UNCCP property database contains some 453,000 records documenting around 1.5 million individual holdings. This database is archived at the United Nations. The Commission itself, and several independent experts, have noted that the UNCCP records are problematic in several areas.⁶⁰ More recent studies that attempt to compensate for errors in the UNCCP records estimate the total amount of refugee land inside Israel at 17,178 km².⁶¹ Digitization of the UNCCP database was completed in the late 1990s. The UNCCP records still provide the most comprehensive database of Palestinian refugee property to date.

Due to political considerations, the UNCCP decided against releasing information concerning the total value of refugee properties based on the individual valuation process. According to recent research, however, Commission records of the individual assessments as of 29 November 1947 valued total Palestinian Arab land in Israel at 235,660,250 Palestinian pounds, of which 31 million pounds worth of property was owned by Palestinians inside Israel, leaving 204,660,190 pounds worth of refugee land.⁶² The UNCCP estimate has served as the basis for subsequent studies applying different models of property valuation.

Estimates of Palestinian Refugee Losses in 1948 (US\$ millions)

	UNCCP (1951)	Sayigh(1) (1966)	Kubursi(2) (1996)
1948	484	3,050	2,994 property
1998(3) adjusted for inflation	3,373	21,259	20,868 property 33,198 property and human capital
1998(4) adjusted for inflation and real rate of return	23,958	150,975	148,203 property 235,769 property and human capital

(1) Yusif Sayigh, *The Israeli Economy*. Beirut: PLO Research Center, 1967.

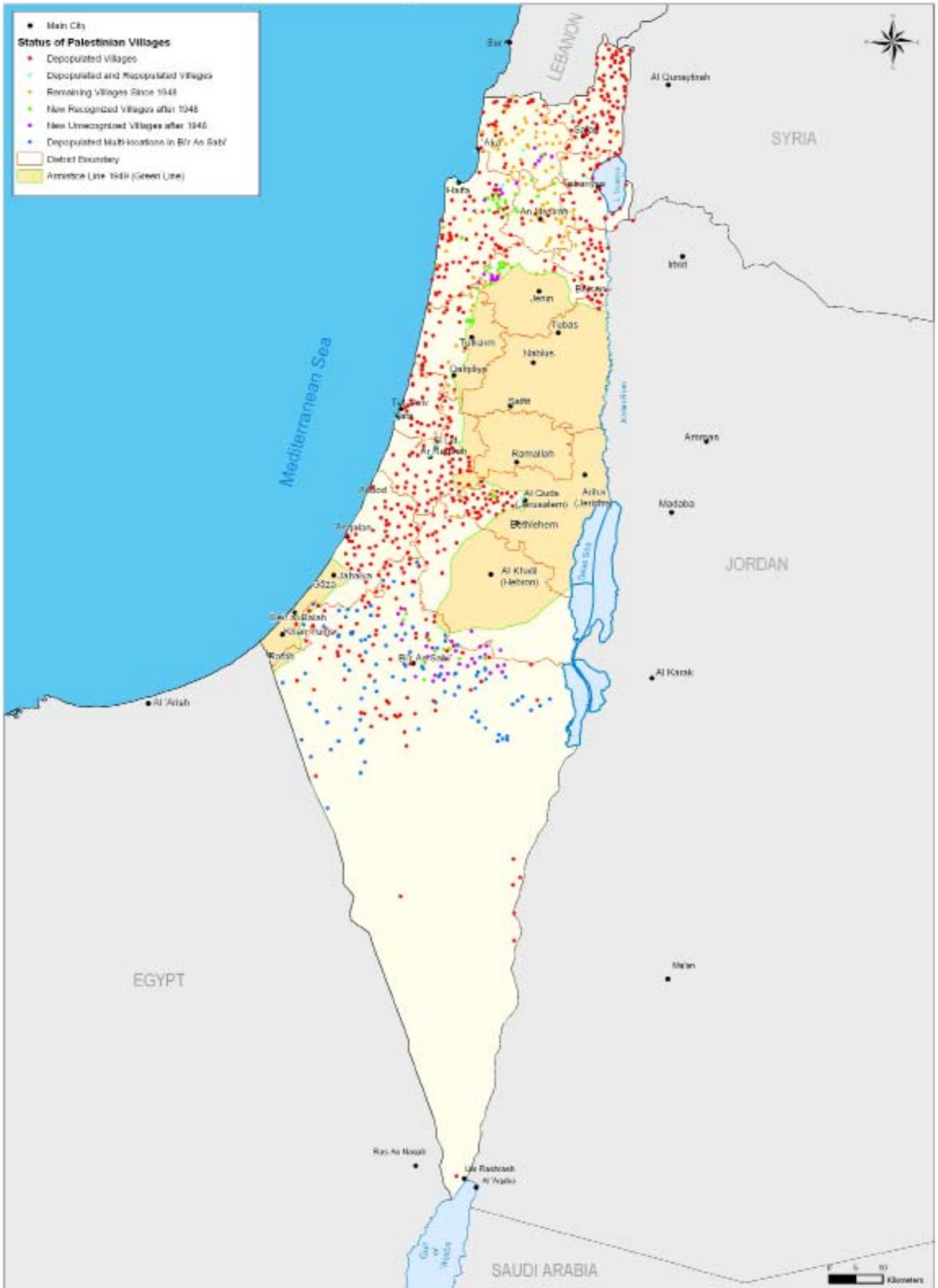
(2) Atif Kubursi, *Palestinian Rights and Losses in 1948: The Quest for Precision*. Washington, DC: The Center for Policy Analysis on Palestine, 1996.

(3) The original valuations were in Palestinian pounds (LP). Currency and inflation adjustments were made utilizing an exchange rate of LP=\$4.03.

(4) Based on changes in the U.S. Consumer Price Index for 1947 to 1998.

Source: Table compiled by PRRN as part of the summary of the July 1999 workshop on compensation for Palestinian refugees. Available at: <http://www.prrn.org>.

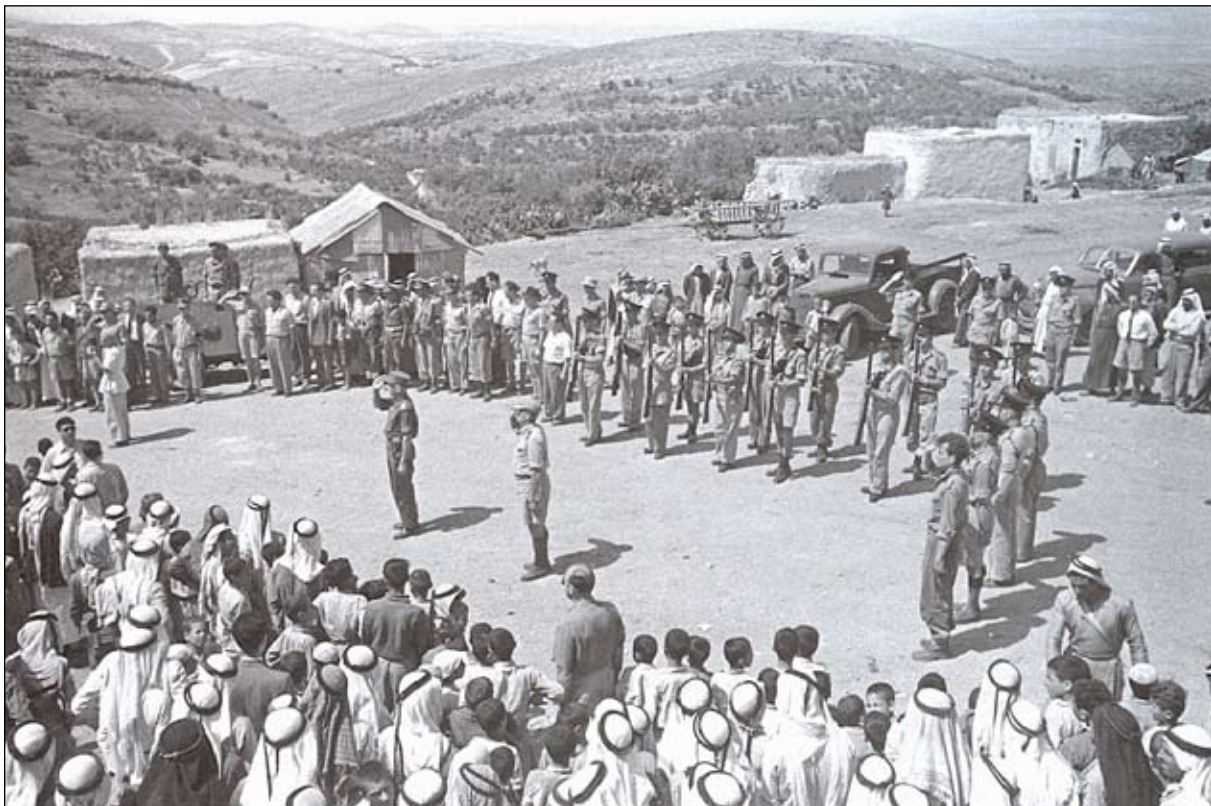
Map 1.3: 1948 Depopulated Palestinian Communities and those Remaining



1.1.3 Israeli Military Government (1949-1966)

After the war more Palestinians were expelled from their homes and lands primarily during military operations aimed to optimize Israel's demographic and strategic positioning, border corrections resulting from armistice agreements, and by policies and practices of the Israeli military government. Military rule was established over the 150,000 Palestinians who remained in what became the territorial borders of Israel as a means to control and further dispossess them, and to prevent refugee return. Most strongly affected by internal population transfer and expulsion were Palestinian communities in the northern border villages, the Naqab, the "Little Triangle" (an area ceded to Israel under the armistice agreement with Jordan), and those in villages partially emptied during the war.

The war ended in 1949 and armistice agreements were signed with Egypt in February, Lebanon in March, Jordan in April, and Syria in July. Within days of the signing of the Egyptian-Israeli General Armistice Agreement, some 2,000–3,000 Palestinians from the villages of Faluja and Iraq al-Manshiya were beaten, robbed and forced to leave their homes by Israeli forces, despite stipulations in the armistice agreement that nothing would befall their population after the Egyptian troop withdrawal.⁶³ In March 1949, Israeli forces expelled the inhabitants of Umm Rashrash and founded the city of Eilat. According to UN observers, some 7,000 Palestinians residing west of the southern armistice lines near the Palestinian town of Dura were expelled from Israeli-held territory in March 1949.⁶⁴



The first Israeli military parade in Umm el-Fahem, 1950 (© Israeli government press office)

Annexation of the Little Triangle led to the expulsion of 8,500 Palestinians.⁶⁵ In 1950, Israeli forces expelled the remaining 2,500 Palestinian residents of the city of Majdal (today's Ashqelon) into the Egyptian-controlled Gaza Strip.⁶⁶ More than 20,000 Bedouin were expelled from their traditional tribal areas between 1949 and 1956.⁶⁷ The majority of these were from the Naqab in the south; some 5,000 Bedouin in the north were expelled to Syria.

After the war, Israel held at least 9,000 detainees in so-called prisoner of war (POW) camps.⁶⁸ The majority of the detainees were not combatants but rather Palestinian males of "recruitment age" who were ultimately

“exchanged” (expelled) for Jewish POWs as part of armistice agreements with Arab states.⁶⁹ Detention camps also served as labor camps and living conditions in them were poor. In November 1948, the Red Cross visited four camps and concluded that prisoners were used “to obtain from them work extremely useful to the economy of the State.”⁷⁰ According to testimony of a prisoner held in Ljlil labor camp, prisoners were used to demolish Arab homes, remove debris from already demolished houses, and carry salvaged items to Jewish homes.⁷¹ The prisoners remained in these camps for two to five years, and by 1955 the camps were closed.

Israeli police carried out raids on Palestinian villages to search for refugees who had returned to their homes or lands. Returnees (referred to as “infiltrators”) were subsequently transported to the border and expelled.⁷² In January 1949, for example, refugees from the Palestinian towns and villages of Shafa’amr, Ma’ilya and Tarshiha who tried to return home were detained, their passports and money were confiscated, they were loaded onto trucks, driven to the border, and forced to cross into Jordan.⁷³ In some case, Israeli kibbutz members were paid by the Israeli army for the number of Palestinians they could catch, which were then delivered to the army each morning.⁷⁴ By 1956, Israeli forces had killed some 5,000 refugees who had tried to return to their homes.⁷⁵

Other Palestinians were transferred to new areas within the state to break up the concentration of Palestinian population centers, and to open up further areas for Jewish settlement. Many of the government records from this period remain sealed. The remaining Palestinian inhabitants from the Galilee villages of Ja’una, Khisas and Qeitiya, for example, were forced onto trucks in the summer of 1949 “with brutality [...] kicks, curses and maltreatment [...] and dumped on a bare, sun-scorched hillside near the village of ‘Aqbara, just south of Safad.”⁷⁶

From the end of the 1948 war through 1966, Israeli forces committed a number of additional massacres inside Israel, in the Jordanian-annexed West Bank, and in the Gaza Strip.⁷⁷ For example, in 1953, Unit 101, headed by Ariel Sharon, attacked the village of Qibya west of Ramallah, killing more than 50 residents of the village.⁷⁸ The most well known massacre during this period took place in Kufr Qassem, with the killing of 49 Palestinians at the start of the 1956 Suez war in the Sinai.⁷⁹ The latter was intended to induce the flight of the remaining Palestinians in Israel, but failed to do so.⁸⁰ Two lesser well-known massacres took place during the Israel occupation of the Gaza Strip and Sinai during the 1956 war. At least 275 people (140 of whom were refugees) were killed on 3 November 1956 in Khan Younis, as Israel collected males within the city and refugee camp and shot them in groups. 111 people (103 of whom were refugees) were killed in Rafah nine days later on 12 November after calling on residents to gather in a local refugee school.⁸¹

Several 1948-depopulated Palestinian villages in Israel were destroyed as part of a government campaign to render border areas “clean” [Hebrew: *naki*] and “empty” [Hebrew: *reik*].⁸² The displacement of villagers from Kafr Bir’im and Iqrith took place despite an Israeli Supreme court injunction calling upon the army to allow them to return.⁸³ By the middle of the 1960s, Israel had nearly completed what was referred to as “cleaning up the national views in Israel.”⁸⁴ The names of more than 500 depopulated Palestinian villages were erased from the map, while the Arabic names of remaining places and other geographical landmarks were replaced with Hebrew names.⁸⁵

Following the 1948 war, Israel established a military government in the Galilee, the Triangle, the Naqab, and the cities of Ramleh, Lydd, Jaffa, and Majdal-‘Asqalan to control the Palestinian population remaining inside Israel and prevent the return of Palestinian refugees.⁸⁸ Jewish affairs in the country however were governed by the civilian government. Freedom of expression was severely restricted, and Palestinians were confined to controlled areas; written permission from the military commander was required for those leaving Palestinian towns and villages.⁸⁹ A special network of military courts was set up to ensure compliance with emergency regulations; military court rulings could not be appealed and could instruct the “detention, expulsion, or banishment [from Israel], seizure and control of property and land, or the imposition of fines.”⁹⁰ A network of collaborators was erected to ensure compliance with military orders and to identify Palestinian refugee “infiltrators” attempting to return to their

The Systematic Destruction of Palestinian Villages

While many villages were destroyed throughout the course of fighting or soon after the forced eviction of their residents as a means to prevent return, others remained standing and were quickly settled with Jewish immigrants upon the initiative of the Israeli government. But there remained many villages which stood deserted for years after the Nakba in various stages of disrepair dotting the pastoral landscape.

In the spring of 1965, the Israel Land Administration (ILA) began a policy of demolishing (“leveling”) more than one hundred Palestinian villages, with the aim of “clearing” the country.⁸⁶ One of the bodies responsible for the decision to demolish the depopulated villages was the Israeli Foreign Ministry whose officials claimed that the presence of Arab villages provoked tourists to raise “superfluous questions.” Another agency was the Society for Rural Enhancement, which held that only architecturally beautiful buildings should be spared. The process of “leveling” the villages was done in parallel with a process of expropriating land and settling the Galilee with Jewish immigrants.



The destroyed Palestinian village of Deiraban (© BADIL)

An Israeli paratrooper named Hanan Davidson was hired by the Israel Land Administration to head up the razing with the intention to “conduct the operation quietly, without too much fuss. It was clear to all that if large numbers of villages were demolished all at once, there would be a public outcry. The plan was to ‘level’ an area stretching from the Galilee panhandle southward; to include every hill, mound, and hut, so that the land would be ‘clean,’” according to interviews with person’s involved in the operation.⁸⁷ This was seen as necessary so as to “prevent Arab villagers from claiming one day: “That is my tree. This was my village.”

The Israeli Department of Antiquities was brought on board to assist with surveying sites targeted for demolition. The recruitment of the archaeological and academic community into the project resulted in the Israel Land Administration paying the Israel Archaeological Survey Society one thousand Israeli Liras for every village surveyed. Once the survey for each village was completed, an order to start demolition work was issued immediately. In total over 100 villages were combed, surveyed and demolished between 1965 and 1967.

After the 1967 war, the surveying resumed, including in the newly occupied territories of the Palestinian West Bank and the Syrian Golan Heights. In the Golan Heights alone a list of 127 villages were submitted for demolition by Dan Urman, Head of Surveying and Demolition Supervision for the Golan Heights. Here too, the Israeli archeological community played an important role in surveying and assessing what was “significant” archeology.

villages. The military government remained in place until 1966, after which many of its features of monitoring and controlling Palestinian citizens of Israel were transferred to civilian bodies.⁹¹

Israel also adopted new laws to ensure that Palestinian refugees would not be able to return and repossess their homes and properties. Excluded from entitlement to citizenship in the state of Israel under- the 1952 *Citizenship Law*, Palestinian refugees were “denationalized” and turned into stateless refugees in violation of the law of state succession. (*See Chapter Three*) A web of new land laws was adopted to facilitate the expropriation of refugee property and its transfer to the state and the Jewish National Fund (JNF). These included emergency regulations and laws relating to so-called “Palestinian absentees property.”⁹² The *Basic Law: Israel Lands* (1960) categorizes expropriated Palestinian land as “Israel Lands” administered by the Israel Lands Administration (ILA). Such lands cannot be sold, but transfers between the state and the JNF are permitted. The JNF acquires property in Israel “for the purpose of settling Jews on such lands and properties” and holds 49 percent of seats in the ILA Council.⁹³

Between 1949 and 1966, Israel expropriated some 700 km² of land from Palestinians who remained within the territory of the new state.⁹⁴ In this period, Israel displaced 35,000 to 45,000 Palestinians. Tens of thousands of Palestinians lost their homes and lands, the majority during the 1950s. By the mid-1950s, the number of Palestinians expelled by Israeli authorities comprised some 15 percent of the total Palestinian population inside Israel (approximately 195,000 persons).⁹⁵

1.1.4 The 1967 Arab-Israeli War

The 1967 War witnessed Israel launching a surprise attack against Egypt, Jordan and Syria.⁹⁶ Israeli plans to control and colonize the remainder of British Mandatory Palestine (the Jordanian controlled West Bank, including eastern Jerusalem, and the Egyptian controlled Gaza Strip), existed since 1948, and preparations for instituting a military government there had been ongoing since 1963.⁹⁷

As in 1948, Israeli military forces attacked numerous Palestinian civilian areas that had no military significance.⁹⁸ Both *The Guardian* and *The London Times* reported that “Israeli aircraft frequently strafed the refugees on the road from Jerusalem to Jericho, destroying and burning.”⁹⁹ The refugee camps of Ein as-Sultan and Aqbat Jabr in Jericho were bombed by the Israeli air force, leading to an exodus of tens of thousands of refugees.¹⁰⁰ Israeli forces also destroyed Nuweimeh and al Ajajra refugee camps in Jericho in 1967 and the camp at Karameh on the Jordanian side of the border in 1968.

Palestinians were also driven from their homes by Israeli military forces.¹⁰¹ Others were transferred out of the West Bank on buses and trucks provided by the military.¹⁰² In some cases, young Palestinian men were forced to sign documents stating that they were leaving voluntarily. “When someone refused to give me his hand [for finger-printing] they came and beat him badly,” said one Israeli officer. “Then I was forcibly taking his thumb, and immersing it in ink and finger-printing him.... I have no doubt that tens of thousands of men were removed against their will.”¹⁰³



Balata Refugee camp, Northern West Bank, 1967. (© UNRWA)

Israel completely destroyed several Palestinian villages, including Imwas, Yalu and Beit Nuba in the Latroun salient northwest of Jerusalem, home to 10,000 people.¹⁰⁴ The order to destroy the villages was given by Israeli chief of staff Yitzhak Rabin.¹⁰⁵ The Jewish National Fund of Canada would later spearhead a campaign to fund the establishment of a recreational park on village lands, describing the park as “a proud tribute to Canada and

to the Canadian Jewish community whose vision and foresight helped transform a barren stretch of land into a major national recreational area for the people of Israel.”¹⁰⁶

Also during the 1967 war, the entire Moroccan quarter in the Old City of Jerusalem, adjacent to the Western Wall, was razed to make way for a large plaza for Jewish religious and national events. In the West Bank town of Qalqilya, Israeli military forces destroyed half of the town’s 2,000 homes. The Palestinian villages of Beit Marsam, Beit Awa, Jiftlik, Nuseirat, Arajish, and al-Burj were also razed though residents were eventually able to return to at least part of village lands.

By the time the 1967 war came to an end, Israel had occupied the West Bank, including eastern Jerusalem, and the Gaza Strip (OPT), as well as the Syrian Golan Heights and the Egyptian Sinai. More than one-third (400,000 to 450,000) of the Palestinian population of the OPT were displaced during the war. Half of them (193,500) were refugees of 1948 and displaced for a second time, while 240,000 were displaced from the West Bank and Gaza Strip for the first time.¹⁰⁷ Up to 95 percent of these displaced persons went to Jordan, while some found refuge in Syria and Egypt. The areas of the occupied West Bank most affected by forced displacement included the Jordan Rift, Hebron, and the frontier areas of the Ramallah district. Israel expropriated 849 km² of Palestinian land, including more than 400 km² owned by Palestinians who had been displaced from the West Bank and Gaza Strip during the war.¹⁰⁸

1.1.5 Occupation, Apartheid, Colonization (1967-2009)

With the 1967 occupation of the OPT, Israel came in effective control of the entire territory of historical Palestine. Since then Israel has developed a legal, political and military regime over the Palestinian people that combines occupation, apartheid and colonization,¹⁰⁹ and causes the forced displacement of Palestinians on both sides of the Green Line. Former UN Special Rapporteur on the Situation of Human Rights in the OPT, John Dugard, has identified the existence of these overlapping regimes throughout OPT, and underscored the international community’s consensus around them “as inimical to human rights.”¹¹⁰

Belligerent occupation is accepted as a possible consequence of armed conflict though under the law of armed conflict (international humanitarian law), it is intended to be a temporary state of affairs. Israel has a temporary right of administration over the OPT but is not allowed to exercise sovereignty over it. International law prohibits the unilateral annexation or permanent acquisition of territory as a result of the threat or use of force and is obliged to abide by the relevant rules of the law of armed conflict—principally the provisions of the Hague Regulations of 1907 and the Fourth Geneva Convention of 1949—in its administration of the territories.

Colonization, is a practice of colonialism, defined in the Declaration on the Granting of Independence to Colonial Countries and Peoples (1960) as a state in which the acts of a State have the cumulative outcome that it annexes or otherwise unlawfully retains control over territory and thus aims permanently to deny its indigenous population the exercise of its right to self-determination. Colonialism is considered to be a particularly serious breach of international law because it is fundamentally contrary to core values of the international legal order.

Apartheid is one of the most severe forms of racism, “a political system where racism is regulated in law through acts of parliament.”¹¹¹ Article 3 of the Convention on the Elimination of Racial Discrimination (CERD) defines apartheid as a form of racial segregation. The Convention on the Suppression and Punishment of the Crime of Apartheid (1976) defines apartheid as “similar policies and practices of racial segregation and discrimination as practiced in southern Africa” which have “the purpose of establishing and maintaining domination by one racial group of persons over any other racial group of persons and systematically oppressing them, in particular by means such as segregation, expropriation of land, and denial of the right to leave and return to their country, the right to a nationality and the right to freedom of movement and residence (Article II). The Rome Statute defines apartheid as inhumane acts “committed in the context of an institutionalized regime of systematic oppression and domination by one racial group over any other racial group or groups and committed with the intention of maintaining that regime.” Apartheid constitutes a crime against humanity. Members of organizations and agents of an apartheid state are subject to criminal prosecution, irrespective of the motive involved, and whenever they commit, participate in, directly incite or inspire, directly abet, encourage or cooperate in the commission of the crime of apartheid (Article III, 1976 anti-Apartheid Convention). All states are obliged to condemn, suppress and punish those involved in the crime of apartheid.¹¹²

Racial discrimination against the indigenous Palestinian people was formalized and institutionalized at an early stage through the creation by law of a “Jewish nationality” that is distinct from Israeli citizenship; no “Israeli” nationality exists. The 1950 Law of Return is an effective nationality law, because it entitles all Jews and Jews only to the rights of nationals, namely the right to enter “Eretz Israel” (Israel and the OPT) and immediately enjoy full legal and political rights. “Jewish nationality” under the Law of Return is extra-territorial in contravention of international public law norms pertaining to nationality.¹¹³ It includes Jewish citizens of other countries, irrespective of whether they wish to be part of the collective of “Jewish nationals”, and excludes “non-Jews” (i.e., Palestinians) from nationality rights in Israel.¹¹⁴ In combination with the 1952 Citizenship Law,¹¹⁵ Israel has created a discriminatory two-tier legal system whereby Jews hold nationality and citizenship, while the remaining indigenous Palestinian citizens hold only citizenship¹¹⁶ and Palestinian refugees hold no legal status at all. Under Israeli law the status of Jewish nationality is accompanied with first-class rights and benefits which are not granted to Palestinian citizens.



Palestinian women wait at an Israeli checkpoint to enter Jerusalem, Ramadan 2008
(© Anne Paq / BADIL)

Since 1967 Israel has extended its colonial apartheid regime to the OPT in the guise of belligerent occupation. Modelled on the military regime of 1949 - 1966, a second Israeli military government was established in the OPT in 1967 in order to control and oppress the occupied Palestinian population. With more than 1,200 military orders issued since 1967, Israel as the occupying power has altered the administrative and legal situation in the OPT in violation of international humanitarian law (IHL). Other parts of the occupied West Bank, including eastern Jerusalem, were annexed by Israel immediately after the 1967 war and colonization of the occupied city is ongoing in violation of international law.¹¹⁷

The contemporary features of Israel’s regime over the Palestinian people have been shaped by the Oslo peace process (1993 – 2000)¹¹⁸ and the effort to suppress the second Palestinian Intifada (2000 to the present). The features of apartheid evolved in particular when the OPT (excluding eastern Jerusalem) was divided into non-contiguous “areas A, B, and C.” Limited powers were transferred to the newly created Palestinian Authority (PA) which took up operations in the areas with large Palestinian populations (so-called areas A and B currently comprising 18.2% and 21.8% of the West Bank respectively).¹¹⁹ Israel retained overall military control of the entire OPT, and exclusive control over area C containing the Jewish colonies and most of the land (currently 60% of the West Bank). Since then, Israeli civil law has been applied to the Jewish settlers and colonies,¹²⁰ while the occupied Palestinian civilian population has been subjected to an oppressive military regime.¹²¹

Also in the context of the Oslo peace process, Israeli governments adopted “Hafrada” (in Hebrew: separation, segregation) as the official policy directed towards Palestinians in the OPT.¹²² It has been planned, publicly endorsed and promoted by members of the government, parliament, political parties, the military, the academy and the media in Israel.

Israeli courts, in particular the Supreme Court, have been complicit in the policies and practices of the legislative and executive, denying effective and adequate recourse for Palestinian victims and contributed to the impunity of Israeli police, soldiers and Jewish settlers for offenses and crimes against Palestinians in Israel and the OPT. (*See Chapter Three*) “Hafrada” and the two-tier legal system have institutionalized racial discrimination against the Palestinian population in the OPT and served as the engine of Jewish colonization. Some 3,785 km² of additional Palestinian land on both sides of the Green Line have been confiscated by Israel in this period.

1.2 Root Causes and ‘Triggers’ of Contemporary Forced Displacement

Israel’s regime combining occupation, apartheid and colonization is the root cause of contemporary and ongoing forced displacement of Palestinians on both sides of the Green Line. Contemporary forced displacement is induced by a set of inter-related, discriminatory and oppressive Israeli policies and practices which are implemented in the context of military operations and routine administration.

Some of these policies and practices have caused large numbers of forcibly displaced Palestinians in a very direct and immediate manner, among them: excessive and indiscriminate use of force by military or police forces; deportation; detention and torture; home demolition and forced eviction; and, attacks and harassment by violent non-state actors. Other policies and practices appear to trigger forced displacement in a more indirect and long-term manner, among them: revocation of residency rights; closure and segregation; confiscation and discriminatory distribution of land; and settler implantation and “judaization” of Palestinian localities. The latter create a situation of vulnerability among the affected Palestinian population and are directly related to the root cause of the conflict.

Hundreds of thousands¹²³ of Palestinians have been forcibly displaced internally and externally in numerous incidents throughout the past four decades. Many of those affected are refugees displaced for a second or third time. By 2009, Palestinian communities in the OPT facing the risk of forced displacement include communities in the path of the Wall (498,000 Palestinians in 92 communities), Palestinian Bedouin, Palestinians residing in the Jordan Valley, eastern Jerusalem, Hebron, Southern Gaza and the Gaza Strip buffer zone, (which extends from 500 meters to one kilometer in from the Gaza Strip’s border). Among Palestinian citizens of Israel, the Bedouin in the Naqab and Palestinian communities in the Galilee and the so-called ‘mixed cities’ are particularly vulnerable to forced displacement.

Israel’s Military Assault on the Gaza Strip “Operation Cast Lead”

Israel’s military assault on the Gaza Strip codenamed “Operation Cast Lead” took place between 27 December 2008 and 18 January 2009. The operation entailed the targeting of public and private civilian property and infrastructure throughout Gaza’s cities, villages, and refugee camps, encompassing residential neighborhoods, hospitals, schools, universities, government ministries, water/sewer lines, electricity generating stations, greenhouses, commercial establishments, infrastructure and roads.¹²⁴ Three weeks of almost uninterrupted Israeli aerial bombardments, artillery shelling from land and sea, and ground operations resulted in the killing of 1,414 people, including 313 children and 116 women, and over 5,000 injured.¹²⁵ More Palestinians were killed in Gaza during the three weeks of Israel’s military operation than during the entire first Intifada (December 1987 - September 1993).¹²⁶ The first 24 hours of the operation resulted in the highest casualty toll in one day in the OPT since 1967: 230 fatalities and 520 injuries.

Surveys conducted immediately after the ceasefire indicate that 38 percent of Gazans - over half a million people - fled their homes at some point during the conflict.¹²⁷ The destruction was so encompassing that “the option to become an internally displaced person was, as a practical matter, unavailable to the civilian population,” in the words of UN Special Rapporteur Richard Falk.¹²⁸ The UN High Commissioner for Refugees also noted that Gaza is “the only conflict in the world in which people are not even allowed to flee.”¹²⁹

An estimated 2.6 percent of homes in Gaza were completely destroyed, and an additional 20 percent sustained serious damage.¹³⁰ 80-90,000 people were forced to leave their homes and live in open space in the dead of winter.¹³¹ 219 major factories, among them several industrial sites, including food processing plants, Gaza’s largest concrete factory, and the only operating flour mill were also among the toll of destruction.¹³² An estimated 80 percent of agricultural land and crops were damaged,¹³³ while arable land was also contaminated by spills of sewage and toxic munitions.¹³⁴

1.2.1 Excessive and Indiscriminate Use of Force; Deportation; Detention and Torture

In the OPT - Since the beginning of the second Intifada, Israel has launched dozens of military operations¹³⁵ with the aim to suppress the Palestinian uprising. Israel as the occupying power routinely employs excessive and indiscriminate force, willful killing and extrajudicial assassination.¹³⁶ At least 39,000 Palestinians have been injured and 6,322 killed in the current Intifada since 29 September 2000. This number includes the approximately 6,800



The destroyed remains of the American International School after the 2008-9 military assault on the occupied Gaza Strip (© Maan)

Palestinian casualties (1,414 dead, more than 5,000 injured) in the Gaza Strip – the overwhelming majority of them refugees – inflicted by Israel’s military operation between 27 December 2008 and 18 January 2009.¹³⁷ Among those killed since 2000 are 1,165 Palestinian children and 279 women. Among the dead are 742 persons murdered in extra-judicial assassinations, as well as 11 journalists and 26 medical personnel.¹³⁸

Since 1968 Israel has deported approximately 2,000 Palestinians. This does not include between 6,000 and 20,000 Bedouin farmers evicted from the

Rafah salient southwest of the occupied Gaza Strip between 1969 and 1972.¹³⁹ Deportees include Palestinians who fought against the Israeli occupation and served time in Israeli prisons, political activists, school principals and supervisors who protested against censorship of textbooks, teachers and students who initiated school boycotts, and attorneys who organized lawyers’ strikes. A substantial but unknown number of them were able have their deportation orders rescinded in the mid-1990s. Since 2002, Israel has also forcibly transferred (“assigned residence”) to at least 76 Palestinians from the occupied West Bank to the segregated Gaza Strip.¹⁴⁰

Since 1967, Israel has imprisoned an estimated 700,000 Palestinians¹⁴¹ on charges related to the political struggle and resistance. At least 40 percent of all Palestinian males in the OPT are estimated to have served time in prison.¹⁴² At the end of July 2009, Israel held 7,430 Palestinians in detention facilities, including 333 minors. 387 additional Palestinians were held without trial in so-called “administrative detention.”¹⁴³ Palestinian prisoners in Israeli jails are subjected to various forms of torture and inhuman and degrading treatment.¹⁴⁴

In Israel - At least 43 Palestinian citizens of Israel have been killed since September 2000 by Israeli police and state security forces, or Jewish citizens.¹⁴⁵ In only one incident was a police officer convicted for killing a Palestinian citizen, with the perpetrator sentenced to 6 months in prison.¹⁴⁶ This despite a governmental commission set up in the wake of the police killings of 13 citizens in October 2000, which recommended the state do away with discrimination. 2008 witnessed at least 17 incidents of violence of police or security forces resulting in injury of Palestinian citizens.

Approximately 150 Palestinian citizens of Israel are held in Israeli prisons on charges related to the political struggle and resistance.

1.2.2 Home Demolition and Forced Evictions

In the OPT - Between 1967 and the beginning of 2009, Israel demolished over 24,102 Palestinian homes and other structures in the OPT.¹⁴⁷ This does not include the estimated 10,000 refugee shelters destroyed in the 1970s and 1980s in several refugee camps in the Gaza Strip, affecting more than 62,000 refugees.¹⁴⁸ More than 3,000 Palestinian-owned structures in the West Bank have pending demolition orders which can be immediately executed without prior warning.¹⁴⁹

65.5 percent of all demolitions are “land clearing demolitions” or “demolitions for military purpose.” So-called “administrative demolitions” account for 27 percent of all cases. They are carried out because the Palestinian structure lacks the required building permits as designated by the occupation authorities. These demolitions

are most common in eastern Jerusalem and Area C of the West Bank. “Punitive demolitions” (8.5 percent) involve the demolition of homes of alleged Palestinian resistance fighters, including cases where the alleged militant is already imprisoned or killed.¹⁵⁰

Israeli military operations have caused massive damage and destruction to Palestinian homes, in particular in the Gaza Strip. Between 2000 and the end of 2008, UNRWA estimates that over 11,000 refugee homes were destroyed or damaged, whilst in the course of Israel’s military assault “Operation Cast Lead”



Palestinians made homeless as a consequence of Israel’s military operation ‘Cast Lead’, winter 2008-9 (© Courtesy of OCHA)

a further 3,540 homes were destroyed or damaged beyond repair. Another 55,766 homes sustained major or minor damage. An estimated 20,000 persons remained displaced by July 2009; the continued ban on entry of construction materials prevented the reconstruction of their homes. Meanwhile, an estimated 4,400 homes destroyed before the Israeli assault, have yet to be rebuilt.¹⁵¹

In occupied and annexed eastern Jerusalem, the Israeli municipality demolished 65 homes in 2007 and 89 in 2008.¹⁵² 29 homes were demolished in the first half of 2009, resulting in the displacement of 170 Palestinians, including 80 children. In August 2009, 53 Palestinian refugees, including 20 children, were forcibly evicted from their homes in the Sheikh Jarrah neighborhood, after an Israeli court issued a judgment in favor of a Jewish settler organization claiming ownership of the buildings in the area. OCHA estimates that a further 475 Palestinians in Sheikh Jarrah are at risk of forced eviction, dispossession and displacement due to ongoing actions by Jewish settler organizations. Plans are also underway to demolish 90 homes with 1,500 inhabitants in the Bustan neighborhood of Silwan, in order to construct a Jewish archeological park. In a situation where Palestinians are generally denied building permits by the Israeli authorities, OCHA also estimates that at least 28 percent of all Palestinian homes in eastern Jerusalem were built without the required permit, making 60,000 people at risk of having their homes demolished.¹⁵³

In Area C of the occupied West Bank the Israeli authorities denied over 94 percent of applications for building permits submitted by Palestinians between January 2000 and September 2007.¹⁵⁴ During that period, 5,000 demolition orders were issued, and over 1,600 Palestinian buildings were demolished. Between January and July 2009, OCHA recorded the demolition of 221 Palestinian-owned structures, including 90 homes, affecting 1,002 persons among them 513 displaced persons. OCHA data suggests that demolitions and displacement in Area C are on the rise.¹⁵⁵ Official Israeli statistics indicate that for each permit allowing Palestinian construction in Area C, 18 other buildings are destroyed and 55 demolition orders are issued for structures.¹⁵⁶



Home demolition, Silwan, Jerusalem 2008. (© WAFA)

In September 2007, the UN Special Rapporteur on the situation of human rights in the Palestinian territories John Dugard visited Al Hadidiya in the Jordan Valley,



Israeli bulldozers demolish structures in the unrecognized village of Umm el Heiran
(© Courtesy of akhbarna.com)

where the homes of a Bedouin community of some 200 families comprising 6,000 people and living near to the Jewish settlement of Roi, were demolished by the Israeli army. “This brought back memories of the practice in apartheid South Africa of destroying black villages (termed “black spots”) that were too close to white residents,” Dugard noted.¹⁵⁷

In Israel – Home demolition has particularly affected Palestinian citizens in the Galilee, those in towns with Palestinian and Jewish populations (“mixed cities”), and in the Naqab where it is the primary means employed to remove the Palestinian Bedouin population from their land.

In 2008 in the town of Jaffa alone, 497 eviction orders were issued against local families, potentially effecting 3000 people, or 18 percent of the total Palestinian population in Jaffa.¹⁵⁸

In the Naqab, Israel carried out 143 demolitions in 2005,¹⁵⁹ followed by 320 between February 2006 and February 2008.¹⁶⁰ Israel has also begun filing ex parte “Requests for Demolition Orders without Conviction,” which are perfunctorily granted by Israeli courts.¹⁶¹ In these cases, the state claims the identity of the owner of the structure in question to be “unknown” and the hearing takes place in the absence of the affected parties, in violation of their rights to due process. Israeli officials contend that there are 45,000 existing structures that have been built illegally in the Naqab and are thus potential targets for demolition because they violate zoning and building codes.¹⁶² This despite the fact that Israel has no specific, objective criteria to determine whether a locality should be given recognized status, and there is no official process by which a community can apply for recognition.¹⁶³ In some cases demolition orders have been issued for entire neighborhoods or even whole villages, such as the unrecognized village of al-Sira, next to the Nevatim air base, or Atir-Umm el-Hieran which has more than one thousand inhabitants.¹⁶⁴ In some cases, communities have had their crops sprayed with toxic chemicals to induce their displacement.¹⁶⁵

1.2.3 Attacks and Harassment by Non-State Actors



Israeli settler destruction of Palestinian olive groves (© Wafa)

In the OPT - Attacks and harassment by Jewish settlers prevent Palestinians from accessing their land, result in the destruction of Palestinian property and livelihood, and in some cases, lead to the forced displacement of Palestinian communities. Attacks include killings, physical assault, criminal trespassing, property damage, threats of violence, abuse and intimidation, killing of animals, desecration of cemeteries and mosques, dumping of waste, and sexual harassment. Incidents of settler violence in 2008 were most concentrated in the Hebron region (42%) and the outskirts of

Nablus (21%), a trend also witnessed in previous years. 290 settler-related incidents targeting Palestinians and their property were recorded in the first 10 months of 2008 as compared to 182 in 2006 and 243 in 2007.¹⁶⁶

A study of over two thousand Palestinian structures in the vicinity of Jewish settlements and their access roads in Hebron showed that at least 1,014 Palestinian homes (41.9 percent) had been vacated by their occupants.¹⁶⁷ Another report revealed that 90 percent of Israeli police investigations into Jewish settler offenses against Palestinians ended in failure: investigation files were closed on the grounds of “lack of evidence” and “perpetrator unknown,” and in some cases complaints were filed, lost and never investigated.¹⁶⁸

“[L]acking legal remedy and physical protection, Palestinians’ last recourse is often to leave the land, further shrinking the agricultural sector and disrupting the economic and social fabric of Palestinian towns and villages.” (World Bank, 2007)¹⁶⁹

In Israel – On some occasions, violent riots carried out by vigilante groups of Jewish nationalists have led to forced displacement of Palestinian citizens. In October 2008, pogrom-like activity erupted against the Palestinian community in Akka (Acre) after a Palestinian allegedly drove his car on the Jewish Yom Kippur holiday.¹⁷⁰ Fourteen Arab family homes were attacked and damaged, and more than 80 people were evacuated.¹⁷¹

Wide sections of the Zionist right-wing engage in incitement against Palestinian citizens describing them as a demographic threat, and a fifth column.¹⁷² They are allowed to operate thanks to a culture of permissiveness, where incitement against Palestinian citizens is a part of Israeli political culture. Leftist and centrist Zionist political parties abet such incitement by advocating for the principle of separation, and population exchanges (between Jewish settlers and Palestinian citizens) as part of negotiations with the Palestinian leadership in the OPT. Several Israeli NGOs, influential rabbis, Israeli newspapers and internet sites, directly incite racism and call for racist actions against the Palestinian Arab community.¹⁷³ There is also a tangible increase in involvement of the Jewish settler population of the OPT in the affairs of Palestinian citizens of Israel.¹⁷⁴ The right-wing Zionist organization “the Seeds of the Settlements,” for example, has increased its activities in Lydd, Ramleh, Akka, Jaffa and other areas where it perceives a “demographic risk” posed by large Palestinian communities. Encouraged by local authorities, these organizations have begun to carry out “social work,” including the establishment of some 200 yeshivas in Akka alone.¹⁷⁵

1.2.4 Revocation of Residency Rights

In the OPT – Since 1967, Israel has retained exclusive control over the movement of persons to and from the OPT and the granting of resident status there. Neither the Oslo peace process of the 1990s nor the 2005 unilateral pull out of Israel’s army from the Gaza Strip have resulted in a transfer of relevant powers to the Palestinian Authority.

Between 1967 and 1994, Israel treated Palestinians in the OPT as “resident aliens” whose status in their country was revoked if they stayed abroad for longer periods and failed to renew their Israeli re-entry visa. In occupied and annexed eastern Jerusalem, revocation of residency rights was pursued in accordance with the express policy of limiting the ratio of Palestinians to no more than 28 percent of the city’s population.¹⁷⁶ By 1991, Israel had revoked the residency rights of more than 100,000 Palestinians by administrative decision.¹⁷⁷

Palestinian inhabitants of the OPT were finally granted protected resident status based on a 1995 interim agreement between Israel and the PLO, but occupied and annexed eastern Jerusalem was excluded from the interim agreements of the Oslo peace process. Israel’s interior ministry rather instigated a new “center of life” policy whereby residency status was revoked from approximately 3096 Palestinian Jerusalemites



Israeli issued identity card (© BADIL)

and their dependents between 1995 and 1999 on the grounds that they were living outside the municipal boundaries.¹⁷⁸ Israeli authorities subsequently scaled down this policy but resumed large scale revocations (4,577) in 2008.¹⁷⁹

Since 1967, Israel has systematically violated the rights of the Palestinian family in the OPT. Hundreds of thousands have been denied unification with non-resident spouses and children by Israel's military government. Many eventually leave the country in order to avoid separation. In 2000 Israel suspended all procedures for visitor's permits and family unification, impacting approximately 120,000 Palestinian residents of the OPT married to foreign born spouses, most of whom are Palestinian refugees born and raised outside Israel or the OPT.¹⁸⁰ In 2007, Israel instituted a policy of defining as "illegal aliens" all Palestinians from the Gaza Strip who were present in the West Bank without a permit.¹⁸¹ Israel refuses to transfer the registered address of a Palestinian from Gaza to the West Bank, even if s/he has lived in the West Bank for years.¹⁸²

In Israel – Unlike Jewish citizens and immigrants, Palestinian citizens must obtain family unification for foreign spouses and children in order to legally reside in Israel with their families.¹⁸³ The Minister of Interior can issue decisions without explanation, and the burden of proof that a decision is discriminatory or unreasonable lies with the applicant during appeal. Since 2003, Israel's parliament has regularly extended the discriminatory Citizenship and Entry into Israel Law (2003). This law severely restricts family unification in Israel for Palestinian citizens and their Palestinian spouses and children from the OPT, causing the separation and forced relocation of such families.¹⁸⁴

In 2008, the Knesset approved the Citizenship Law (Amendment No. 9) (Authority for Revoking Citizenship) which allows citizenship to be revoked on the grounds of breach of trust vis-à-vis the state.¹⁸⁵ Proceedings have been launched to revoke the citizenship of several Palestinian citizens of the state based upon security pretexts, including some elected parliamentarians.¹⁸⁶

1.2.5 Closure and Segregation

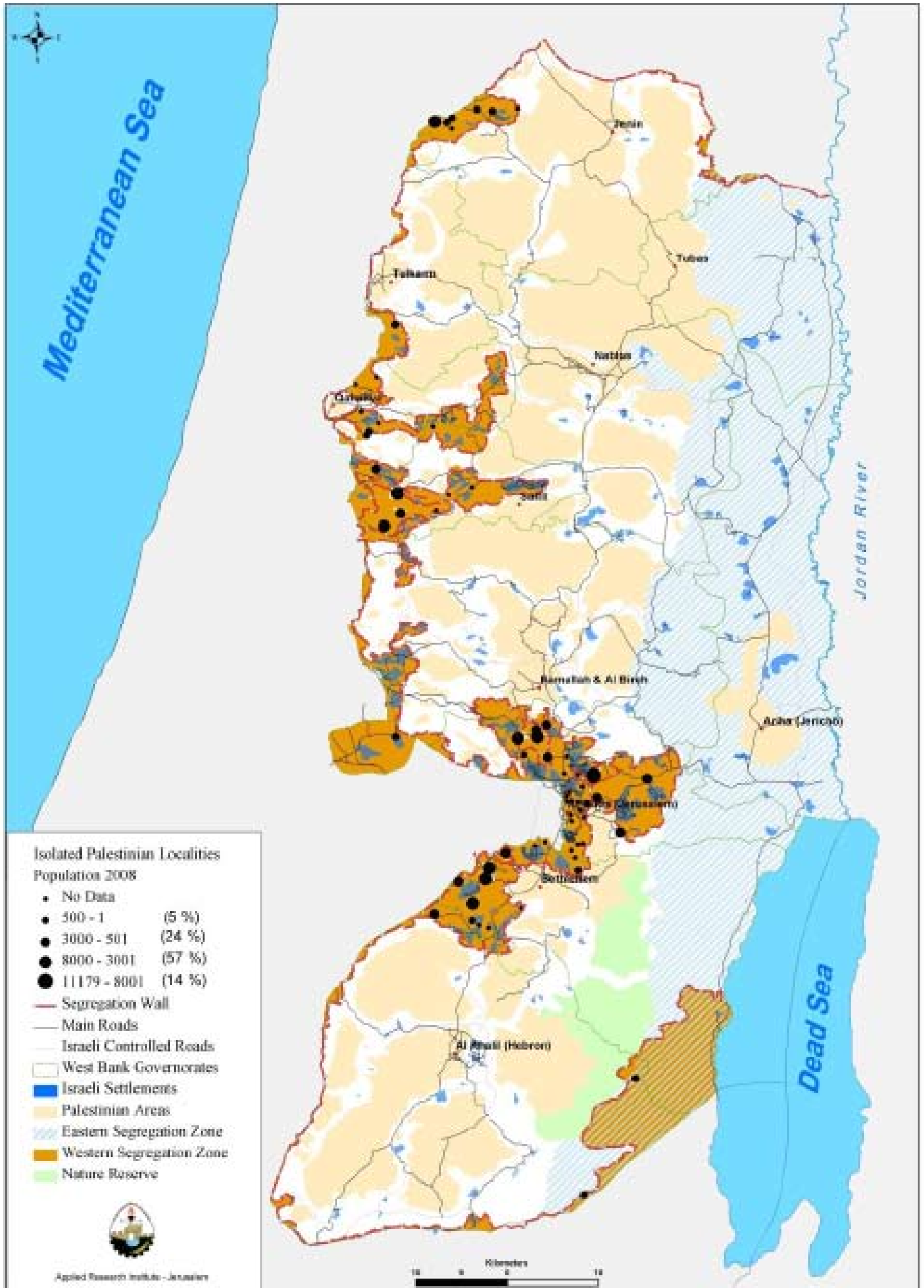
In the OPT – Since the early 1990s, Israel has restricted Palestinian access to occupied and annexed eastern Jerusalem and areas west of the Green Line, as well as movement between the occupied West Bank and the Gaza Strip. Since 2000, Israel has undertaken additional measures with the aim to close the non-contiguous Palestinian areas that were created during the Oslo peace process in the 1990s, confine the Palestinian populations, and separate them from each other and from their land located in Area C.

Closure and segregation trigger forced displacement, mainly because the arbitrary and discriminatory curtailment of the right to freedom of movement has a detrimental impact on a range of other rights, including the right to education, work, family and religious rights and health care. This applies particularly to enclaves, buffer zones and areas close to the Wall where Palestinians are forced to leave because access is denied to sources of income and essential services.

Studies on the impact of Israel's Wall in the occupied West Bank indicate that it had triggered the forced displacement of 15,000 persons from 145 localities by 2005.¹⁹⁵ By 2006, 17 percent of all Palestinians in occupied eastern Jerusalem who had changed their previous place of residence since 2002 stated that they had done so as a direct result of the Wall. More people than in the past (64 percent compared to 52 percent) were considering to move.¹⁹⁶ In mid-2007 OCHA found that only 18 percent of those who used to work their land located in what became a "closed area" received a permit to do so after the construction of the Wall. 29 communities reported that entire households had left because of the Wall, and another 36 reported that heads of households had left to seek employment elsewhere in the West Bank.¹⁹⁷

By 2009, 498,000 Palestinians in 92 communities live in areas severed from the rest of the West Bank,¹⁹⁸ including 263,200 people in 81 communities who are caught in the so-called "closed areas and seam zones." All

Map 1.4: Israel's Wall and Isolated Palestinian Localities



Main Israeli Measures of Closure and Segregation

Checkpoint and Permit System

Israel has established an elaborate checkpoint system along the network of roadways throughout the West Bank functioning as controlling valves, opening or closing regions at the occupation's discretion, with no recourse for Palestinians. Though the number of impediments to Palestinian movement fluctuates over time, as of 29 September 2009, there were 592 movement obstacles in the West Bank.¹⁸⁷ The Israeli army limits the movement of West Bank Palestinians on 430 kilometers of roads, on which Israelis are allowed free movement. On 137 kilometers of these roads, the army completely prohibits Palestinian travel; on the other 293 kilometers, only Palestinians who have permits are allowed to travel.¹⁸⁸

The Wall and its Associated Regime in the Occupied West Bank

Despite the 2004 advisory opinion of the International Court of Justice (ICJ), demanding that Israel cease construction, destroy what was built and provide reparation for the Palestinian victims, almost 60 percent of the Wall has been built and additional 10 percent was still under construction in 2009. In total, 86 percent of the Wall is built inside the West Bank.¹⁸⁹ 69 Jewish colonies (including 12 in East Jerusalem) comprising 83 percent of the Jewish settler population, are thereby de facto annexed to Israel on the western side of the Wall.¹⁹⁰ Palestinian communities caught west of the Wall, between the Wall and the Green Line ("seam zone") have been declared a closed military area, and all Palestinians aged 16 and above are required to obtain a permit in order to be able to access their land and/or homes.¹⁹¹

Closure of the Jordan Valley

Israel has announced plans to double the number of Jewish settlers in the Jordan Valley,¹⁹² including the Jordan Rift, the area along the northern Dead Sea and the eastern slopes of the West Bank mountains, and declared 400km² of the area a "closed military zone. Since 2005, access to the Jordan Valley has been closed or restricted for Palestinians not registered as residents of the area.¹⁹³ 56,000 Palestinians (39 percent of whom are refugees) live in 44 communities in the Jordan Valley. 9,400 Jewish settlers live in 38 Jewish colonies and seven "outposts."

Closure and Blockade of the Gaza Strip

Taking advantage of the political opportunity offered by the international sanctions imposed on the 2006 elected Hamas-led Palestinian

government in the OPT, Israel has since imposed an almost hermetic closure and blockade on the approximately 1.5 million Palestinians living in the Gaza Strip. In general, no movement of Palestinians is permitted into Israel and the West Bank via Israel's Erez crossing, and since 2007 the Rafah crossing into Egypt has also remained closed for most of the time. By 2009, the ban on exports remains in place and imports are restricted to basic humanitarian supplies, creating severe damage to the economy and the environment and resulting in a major rise in poverty and unemployment and consequently dependency on humanitarian aid. Israel also prevents farmers and agricultural workers from accessing arable land close to the border, which has been declared a "buffer zone." The movement of fishermen is limited to three nautical miles from the coast, compared to 20, as stipulated under the Oslo Accords.¹⁹⁴



Beit Hanoun checkpoint, 2009 (© Al Quds Newspaper)

of them face the risk of forced displacement.¹⁹⁹ Those at risk of forced displacement includes 25 percent of the 253,000 Palestinians living in occupied eastern Jerusalem who are cut off from the city by the Wall,²⁰⁰ among them approximately 11,000 Palestinian refugees from the Shu'fat refugee camp. As noted by the UN Special Rapporteur already in 2006, “the wall in the Jerusalem area is being constructed to transfer many Palestinians with Jerusalem identity documents to the West Bank.”²⁰¹

The closure of the Jordan Valley has also resulted in forced displacement. The number of Palestinians who have changed their places of residence from the Jordan Valley to elsewhere increased from 945 persons in 2004 to 1,935 in 2005, and over 3,000 in the first months of 2006.²⁰²

In the occupied Gaza Strip, internal forced displacement is induced by Israel's closure and blockade, as well as military operations. Approximately 267 families (over 1,450 persons) of the Palestinian refugee Bedouin community at Umm al-Nasser were displaced in March 2007 when a nearby basin of the Beit Lahia wastewater treatment plant flooded their homes because Israel prevents urgent repair and development of the treatment plant.²⁰³ In the summer of 2006, approximately 5,100 Palestinians were forcibly displaced by Israel's “Operation Summer Rains”, with refugee Bedouin communities in the “buffer zone” most affected.

In Israel – The state maintains separate “Arab and Jewish sectors” as a matter of public policy which results in systematic racial discrimination of Palestinian Arab citizen in public service allocation and decision making.²⁰⁴

Although Palestinian citizens make up more than 20 percent the population, Palestinian municipalities and local councils received only 7.6 percent of the state development budget for the year 2008.²⁰⁵ Less than 6 percent of civil servants are Palestinian citizens;²⁰⁶ the private sector shows a similar disparity.²⁰⁷ With regard to education, the “Arab sector” lacks at least 7,000 classrooms, in addition to a scarcity of supplementary spaces such as playgrounds, theater halls, and computer and science laboratories.²⁰⁸ The Palestinian community in Israel lacks a state-funded Arab university despite appeals to the state that date back to 1981. Discrimination against Arab students in the Jewish-Israeli higher education system has compelled more than 7,000 Palestinian students to leave the country and pursue higher education abroad.²⁰⁹

A policy of physical closure and segregation is implemented in particular against Palestinian Bedouin citizens in the Naqab. (*See below, 1.2.7*)

1.2.6 Confiscation and Discriminatory Distribution of Land ²¹⁰

In the OPT - Israel uses military orders and British and Jordanian law²¹¹ in order to expropriate Palestinian land, including privately-owned land,²¹² “abandoned” land, and “state property” for military use and “public purpose.” Palestinian property confiscated by the Jewish National Fund (JNF) is considered the inalienable property of the Jewish people. This and the fact that expropriated Palestinian land is allocated for Jewish colonization (“settlements”) suggests de facto permanent confiscation and possibly annexation.

By the end of 2008, Israel had confiscated or (de facto) annexed approximately 70 percent (4,102 km²) of the land in the occupied Palestinian West Bank. Some 60 percent of this land was already expropriated by the mid-1980s. At least 119,000 dunums of Palestinian land expropriated in the Gaza Strip immediately after the 1967 War returned to Palestinian ownership and control in 2005 as a result of Israeli decolonization (“Gaza disengagement”).

Approximately one-third of the land Israel illegally annexed in occupied eastern Jerusalem has been expropriated and 12 settlements have been built there for some 193,700 Jewish settlers.²¹³ The majority of the remaining land was re-zoned so as to prevent Palestinian use. While Palestinians constitute over 50 percent of the population of East Jerusalem, only 13 percent of the Israeli-annexed land in the city is currently zoned for Palestinian construction, and most of this land is already built-upon.²¹⁴

On 24 September 2007 the Israeli military commander of the West Bank signed a land expropriation order targeting Palestinian land for the construction of a settler road that would link the southern, eastern and northern areas of the West Bank at the expense of Palestinian property rights, territorial contiguity and ultimately, self-determination.²¹⁵ The road will circumvent the Israeli colony of Ma'ale Adumim and other adjacent settlements, and run near the southern and eastern edge of the planned route of the Wall surrounding these colonies. Once constructed, the enclosed "Adumim bloc" will de facto confiscate 61 km² of the occupied West Bank, an area referred to by Israel as "E-1."

In Israel – Palestinian citizens of Israel constitute approximately 20 percent of the population but their local authorities use and control only 3.4 percent of the land.²¹⁶ Approximately 76 percent (1,113 km²) of their privately and collectively owned land was expropriated between 1948 and 2001. 93 percent of the land in Israel has been nationalized, while the discriminatory land regime managed by the Israel Land Administration (ILA) and the Jewish National Fund (JNF) denies Palestinian citizens equal access to land²¹⁷ and bars land restitution in court.²¹⁸

The 1965 Planning and Building Law gave official recognition to 123 Palestinian communities but little or no space for expansion. All other Palestinian communities, even if established prior to the creation of the state of Israel, are classified as illegal and referred to as "unrecognized villages." Unrecognized villages cannot apply for building licenses and homes can be demolished. Nearly 100,000 Palestinian citizens of Israel live in unrecognized villages.²¹⁹

By 2008, nearly all Palestinian-Arab communities still lack approved master plans for their future development and suffer from related developmental problems, including a lack of industrial zones, open public spaces and effective public service institutions.²²⁰

89 percent of all towns and villages in Israel are classified as Jewish.²²¹ Palestinian Arab citizens are excluded from purchasing leasing rights in 78 percent of these towns and villages. In these so-called community or agricultural towns, "selection committees" (which include a senior officer from the Jewish Agency or the World Zionist Organization) screen applications for housing units. Palestinians are filtered out often under the pretext that they are not "suited for social life in a small community or agricultural settlement."²²²

1.2.7 Settler Implantation and the Policy of "Judaization"

In the OPT - Israel withdrew 22 Jewish colonies from the occupied Gaza Strip in 2005 but colonization has continued and accelerated in the occupied West Bank, in particular in and around eastern Jerusalem. At the beginning of 2008, the Jewish settler population was 63 percent higher than it was in 1993 when the Oslo peace process began.²²³



The Jebel abu Ghneim mountain in 1996 (left), and the same mountain (right) where the Har Homa colony stands, 2009.
(© ARIJ)

Vulnerable Palestinian Populations and Areas in Israel at Risk of Forced Displacement

The Naqab - Palestinian Arabs, most of whom are Bedouin, comprise 160,000 persons (28 percent) of the population in the northern Naqab but have jurisdiction over less than two percent of the land.²³⁷ Approximately half of this Palestinian population lives in the “public townships” of Tel Sheva, Rahat, Arara, Kseiffa, Segev Shalom, Houra, and Laqiyya which are among the poorest communities in the country. The other half has refused to move and continues to live in “unrecognized villages” which suffer from a lack of basic services, including water, electricity, and health and educational facilities.²³⁸ Since 2005, Israel has been implementing a strategic plan for “the development of the Negev” that aims to almost double the Naqab population by 2015 through the construction of 100 “individual settlements,” and 65,000 regular housing units, which are almost exclusively designated for Jewish towns and communities,²³⁹ despite the fact that many of the 100 existing Jewish communities in the Naqab are half-empty.²⁴⁰ The plan also includes the evacuation and demolition of unrecognized villages and the transfer of their inhabitants - around 70,000 Palestinians - to the state-developed townships. No budget is allocated to the plan’s only section on development in Palestinian Arab towns (described as constructing “special properties” housing units).²⁴¹

The Galilee - Palestinian Arabs comprise slightly more than half of this region’s population (53 percent of 1.2 million). In the late 1970s then Minister of Housing Ariel Sharon initiated the construction of thirty Jewish settlements, known as “mitzvim” (lookouts), on hills overlooking the main Arab communities.²⁴² Though only small numbers of Jews initially inhabited the lookouts, they sufficed to block the growth of the adjacent Palestinian communities. Furthermore, the Israeli government used the new Jewish lookouts to transfer jurisdiction powers over much of the land still owned by Palestinian citizens to the newly created Jewish regional councils. For example, the Palestinian town of Sakhnin, with 25,000 inhabitants, has only 9,500 dunams within its jurisdiction area, while the lookout settlements of Misgav, with fewer than 15,000 inhabitants, enjoy 183,000 dunams.²⁴³ The same Jewish councils also frequently turn to the courts to get demolition orders issued against Arab homeowners claiming they are lawbreakers for building on their own property.

Mixed Cities - Approximately 90,000 Palestinians live in the towns of Lydd, Ramleh, Jaffa, Haifa, and Akka which also have majority Jewish populations. Public “Judaization” policies there are fourfold: 1) instituting discriminatory service provision practices that marginalize Palestinian areas; 2) erasing the Arab identity of these towns through the destruction of historic buildings and inscriptions, and renaming Arabic streets and historic sites; 3) acquisition of Palestinian-owned buildings and property by public, state-owned companies that discriminate against Palestinians under their statutes and Israeli law,²⁴⁴ while also preventing Palestinians from inheriting property; and, 4) rehabilitation and gentrification of Arab, Moslem and Palestinian sites and areas by transforming them into artist quarters, galleries and tourist projects without consultation and participation of the Palestinian inhabitants who find it difficult to remain there for economic, social or cultural reasons.²⁴⁵

According to official Israeli figures, by the end of 2008 there were 133 Jewish colonies in the occupied West Bank, including 12 large ones and several “smaller settlement points” in eastern Jerusalem.²²⁴ In addition, there are 105 so-called “outposts” throughout the West Bank, i.e., informal structures that serve as a prelude to a new settlement. They are nominally “unauthorized” but are still funded by Israeli government ministries.²²⁵ 478,700 Jewish settlers live in these colonies. The annual growth rate of this population (excluding eastern Jerusalem) is 4.7 percent, far higher than the 1.6 percent growth rate inside the Green Line.²²⁶ The jurisdictional area of Jewish settlement “local and regional councils” exceeds more than 40 percent of the West Bank.²²⁷

Since the Annapolis conference in November 2007, at which the parties and the diplomatic community at large reaffirmed their support for a two-state solution, construction has taken place in over 100 West Bank settlements and 58 outposts, and 16 new outposts have been established.²²⁸ Between August 2007 and June 2008, Israel issued tenders and plans for a total of 23,653 new housing units in Jewish settlements, with 64 percent of them to be built in occupied eastern Jerusalem and the Bethlehem area. Settlement construction is underway not only west of the Wall in the areas Israel intends to annex (or already has annexed). In the first half of 2008, 55 percent of new settlement construction was taking place east of the Wall.²²⁹

In Israel - “Judaization” was formulated as a public policy in the 1950s when Israeli governments first sought to create a Jewish majority in the Galilee (in Hebrew: Yehud ha-Galil) in order to prevent the formation of “a nucleus of Arab nationalism within the Jewish state.”²³⁰ Over 50 percent of Israel’s Jewish population lives in central Israel, while over 70 percent of its Palestinian population lives in the Naqab and the Galilee.²³¹ Under the euphemism of public development, “Judaization” policies are implemented in these areas and in the so-called “mixed cities”, in order to restrict the growth and development of the Palestinian population and build Jewish

majorities in every area within Israel.²³² Efforts for this purpose have increased, particularly with the onset of the second Intifada.²³³

In 2004, former Israeli Prime Minister Ariel Sharon launched “an emergency plan to save the outlying areas” in the Naqab and Galilee which was subsequently integrated in the government’s 2005 Gaza “disengagement plan.”²³⁴ Jewish settlers who evacuated the occupied Gaza Strip were encouraged to resettle in these areas through tax breaks and subsidized housing.²³⁵ Shimon Peres led the effort to raise funds for the task, describing “[t]he development of the Negev and the Galilee as “the most important Zionist project of the coming years.” Israel coordinated its activities with the U.S. administration which agreed to provide \$2.1 billion in financial support to Israel’s redeployment from the Gaza Strip, more than half of which was intended for “development of the Galilee and the Negev.”²³⁶ Railroad connections were improved between the two regions and the greater metropolitan area of Tel Aviv; the Trans-Israel Highway, built mainly on Arab lands, was extended; military bases were relocated to the Naqab, and more townships were developed for the forced resettlement of Bedouin citizens.

1.3 Secondary Forced Displacement in Host Countries

Many Palestinians who sought refuge outside their homeland experienced further forced displacement. With their right to a nationality, identity and travel document denied by Israel, they became stateless refugees²⁴⁶ who have been particularly vulnerable to the impacts of armed conflicts and human rights violations in their respective host countries.

In the 1950s, Arab Gulf oil-producing states expelled striking Palestinian workers. When factions within the PLO challenged the power of the Hashemite Kingdom in 1970, vast numbers of Palestinians were expelled (between 18,000 and 20,000) and their camps demolished. This war, known as “Black September”, also resulted in the expulsion of the PLO from Jordan and its relocation to Lebanon.

In south Lebanon, Israeli warplanes bombed and destroyed the al-Nabatiya refugee camp near the city of al-Nabatiya in 1974. Refugees were displaced to Ein al-Hilwe refugee camp and other camps in Beirut. Two years later, right-wing Lebanese Christian militias backed by Syrian army reinforcements razed Tel e-Za’ar (Dekwana) and Jisr al-Basha refugee camps in eastern Beirut, massacring an estimated 2000 people.²⁴⁷ Refugees were displaced yet again to Ein al-Hilwe and other Beirut camps. The 1982 Israeli invasion of Lebanon led to the massacre of several thousand Palestinian refugees in the Beirut refugee camp of Shatila and the adjacent neighborhood of Sabra, by Israeli-allied Christian Phalangists in September 1982. Palestinian refugees were also displaced as a result of the “war of the camps” (1985–87) between the Lebanese army and PLO forces that remained after the departure of the PLO.²⁴⁸



All that remains of the Dekwana refugee camp (Tel eZa’ar), Lebanon. 1976 (© UNRWA)

According to UNRWA estimates, during the 1980s and following Israel’s military invasion of Lebanon, 57 percent of homes in the eight refugee camps in the Beirut, Saida and Tyre areas were destroyed, with another 36 percent damaged in aerial bombardment, ground fighting, and subsequent bulldozing. The vast scale of the damage affected some 73,500 refugees – 90 percent of the camp population in those areas.

Close to 200,000 Palestinian refugees were displaced and some 30,000 killed between 1982 and the late 1980s, as a result of Israel’s

invasion, the departure of the PLO forces (14,000) to Tunisia, Libya, Sudan, Yemen and Syria, and the subsequent civil war.²⁴⁹ Since the 1980s, it is estimated that about 100,000 Palestinians have emigrated from Lebanon or sought protection from persecution in the Gulf countries and Northern Europe, mainly in Germany, Sweden and Denmark.²⁵⁰

Table 1.3 Refugee Camps Destroyed in Lebanon

Camp	Land Area	Population	Year of Destruction
Official Camps			
al-Nabatiya (South)	103,455	6,500	1974
Dhbaia (Beirut)	83,576	5,500	1975
Jisr al-Basha (Beirut)	22,000	3,000	1976
Al-Dekwana (Tel eZa'tar) (Beirut)	56,646	15,100	1976
Meih Meih (Sida)	54,040	4,500	1982
Naher el-Bared		31,400	2007
Unofficial Camps			
al-Maslakh (Eastern Beirut)		1,250	1975
Burj Hammod (Eastern Beirut)		4,500	1976
Al-Naba'a (Eastern Beirut)		1,450	1976
Hursh Shatila (Western Beirut)		3,600	1985
Al-Hai al-Gharbi Shatila (Western Beirut)		1,450	1985
Al-Daouq (Western Beirut)		3,250	1985
Marginal Camps			
Al-Shawakir (Sur)		82	1986
Ras al-Ein (Sur)		75	1986

Source: Ali Sha'aban, Hussein, *Palestinian Refugees in Lebanon: From Hosting to Discrimination*. Jerusalem: Passia, 2002. Some of the displaced refugees from Dhbaia camp who remained in Lebanon later returned to the camp during the mid-1990s, but most of the camp housing is occupied by other refugees, including displaced Lebanese and Palestinians. After 1982, some Palestinian refugees, especially from other areas, found shelter in Meih Meih camp. On Naher el-Bared (2007), see: "Internally displaced Persons from Nahr el Bared Camp as of 7 August 2007" UNRWA, August 2007 and "Nahr el-Bared Palestine Refugee Camp UNRWA Relief, Recovery and Reconstruction Framework 2008-2011", UNRWA, May 2008.

In Kuwait, during the 1991 Gulf War, most of the Palestinian population (350,000–400,000) was forced to leave the country as collective punishment for PLO support for Iraq. Most Palestinians in Kuwait were UNRWA-registered 1948 refugees with Jordanian passports or Egyptian travel documents. Palestinians were mainly displaced to Jordan (250,000–280,000) and Iraq (2,000). Those with residency status in the OPT (30,000–40,000) were able to return. The PLO estimated that only some 27,000 Palestinians remained in Kuwait.²⁵¹

In 1994, Libya announced its intention to expel Palestinians (35,000) as an expression



The destruction of Nahr el Bared refugee camp, Lebanon September 2007 (© Photo courtesy of nahrelbared.net)

of its dissatisfaction with the Oslo peace process. Measures taken by the Libyan government included non-renewal of Palestinian residency permits and cancellation of valid ones. In September 1995, Libyan President Qaddafi expelled thousands of Palestinians from Libya on ships and trucks. Some were allowed entry into Jordan, the OPT, Syria and Lebanon, but many who had no valid travel documents were left stranded in extremely harsh conditions in the Saloum refugee camp on the border between Egypt and Libya. In January 1997, the Libyan parliament announced that Palestinians who had been stranded for 16 months at the Egyptian border could return to Libya.²⁵²

In Iraq, the situation of Palestinian refugees has dramatically deteriorated since 2003 as a result of the U.S.-led war and occupation. Palestinian refugees are not only victims of the general violence, but are also persecuted on grounds of nationality. Persecution has taken the form of eviction from their homes, arbitrary detention, kidnapping, torture, rape, and extra-judicial killings. The U.S./U.K. forces and the Iraqi authorities are unable or unwilling to protect Palestinian refugees in Iraq. Of a population estimated at 34,000 persons in 2003, over 15,000 have left Iraq. The whereabouts and legal status of those who have fled remain largely unknown to UN agencies because of the difficulties of working in Iraq, as well as financial constraints. Some Palestinian refugees have been reported by UNHCR offices in locations as far a field as India and Thailand.



A leaflet distributed to the Palestinian community in Iraq, warning them of collective liquidation unless they leave their neighborhood. [Translation: "In the name of God the most Compassionate the most Merciful. Warning, warning warning. To the traitorous Palestinians cooperating with the Wahabi Takfiris, the Nawaseb, and Baathist Saddamists, particularly the residents of the Dur aShu'oun district. We warn that we will kill you all if you do not completely flee the area within ten days. You have been warned. The Day of Judgment Brigades"]

Palestinian refugees from Iraq at Al Tanf, no man's land between Syria and Iraq. March 2007 (© UNHCR)



Palestinians fleeing the violence of Iraq were denied entry to Syria and Jordan, except for a small group placed in Al Hol camp (340 people) just inside the Syrian border. A second group of 940 refugees ended up in a camp in the seven kilometer long no-man's-land between Syria and Iraq at al Tanf, while a third group of 1,750 was blocked from entering this zone and were placed in a camp at Al Waleed, on the Iraqi side of the border.²⁵³ By 2008, more than 2,600 Palestinian refugees from Iraq were still stranded in these camps. Another 4,000 are believed to be living in Damascus illegally after entering the country using forged passports.²⁵⁴

In April 2008, the Chilean government began resettling 116 Palestinians from the al Tanf camp.²⁵⁵ In 2008 the PLO also reached a tri-partite humanitarian relocation agreement with UNHCR and the Sudanese government as a temporary solution for the plight of Palestinians in the camps of al Tanf and al Waleed. The agreement is yet to be implemented. In July 2009, the U.S. State Department confirmed that it would resettle 1,350 Palestinian refugees from Iraq to begin that fall.²⁵⁶ About 10,000 Palestinian refugees, mainly the most vulnerable who are unable to flee, are believed to have remained in Baghdad. Other Palestinian refugees fleeing Iraq have been resettled in Iceland and Sweden.

Israel's war with Lebanon in the summer of 2006 (12 July - 14 August) led to inflows and outflows of displaced persons from Palestinian refugee camps. Although the camps were not generally directly targeted, on many occasions bombing and shelling took place in the immediate vicinity of the camps.²⁵⁷ Moreover, as many as 25,000 Palestinian refugees residing outside the camps in the southern villages near the Israeli border faced the same conditions as the Lebanese population.²⁵⁸ Around 16,000 Palestinian refugees were displaced both within Lebanon and to neighboring countries.²⁵⁹ The Palestinian refugee camps of Rashidieh, al-Buss, Burj al-Shamali, Mieh Mieh, and Ein el-Hilweh hosted internally displaced Lebanese and Palestinians.²⁶⁰ The majority of these IDPs returned to their homes after the end of hostilities. The war exacerbated the vulnerability of Palestinian refugees.²⁶¹

Between May and September 2007, the Nahr el Bared refugee camp in northern Lebanon was destroyed displacing some 31,400 Palestinian refugees.²⁶² 105 days of fighting between the fundamentalist Fateh al Islam group and the Lebanese army leveled most of the camp, including entire residential blocks, commercial properties, mosques, UNRWA facilities, water reservoirs, sewage and electricity networks, roads and telephone lines. The majority of families fleeing the conflict sought refuge in and around the Beddawi refugee camp on the outskirts of Tripoli, nearly doubling this camp's population overnight.²⁶³ Nearly 1,000 families were scattered elsewhere throughout Lebanon.²⁶⁴

The destruction of the camp on the 60th year of the Nakba engendered comparisons amongst the refugee population that it had experienced a "second Nakba" losing everything their families had worked for over six decades.²⁶⁵ UNRWA rebuilding efforts are expected to be complete by mid-2011.

Appendix 1.1: Notes for Table 1.1

Estimated Number of Palestinians Displaced, by Period of Displacement

Provided below is a selection of prominent data and sources illustrating forced displacement at the time it occurred. Updated statistical estimates of the current scope of forced displacement and the size of specific groups and categories of forcibly displaced Palestinians are provided in Appendix 2.1.

The British Mandate (1922–1947)

The estimate (100,000 – 150,000) for the number of Palestinians displaced between 1922 and 1947 is based on British archival data and academic studies on deportation, denationalization, forced evictions, and punitive house demolitions.

More than 40,000 Palestinians fled the country as a result of British measures to quell the “Great Revolt” during the 1930s. Gabbay, Rony, *A Political Study of the Arab-Jewish Conflict: The Arab Refugee Problem (A Case Study)*, Geneva: Librairie E. Droz, and Paris, Librairie Minard, 1959

An estimated 54,000 Palestinians were denationalized under the 1925 Palestine Citizenship Order. Palestine Royal Commission Report, Cmd. 5479. London: HMSO, 1937

The British administration destroyed some 5,000 Palestinian homes during the “Great Revolt.” The total number of persons affected (30,000) is based on an average of six persons per dwelling. See al-Ruday’i, Yusef Rajab, *Thawrat 1936 fi Filastin: Dirasa Askariyya*. [The 1936 Arab Revolt in Palestine: A Military Study] [Arabic]. Beirut: Institute for Palestine Studies, 1983.

Between 1939 and 1945, 1,062 Palestinian tenant households in 48 localities were evicted from lands bought by Jews. See Kamen, Charles, *Little Common Ground: Arab Agriculture and Jewish Settlement in Palestine 1920–1948*. Pittsburgh: University of Pittsburgh Press, 1991, p. 191.

As many as 70 Palestinian rural villages disappeared. Kanaana, Sharif, *Still on Vacation*, Jerusalem International Center for Palestinian Studies, 1992, p. 96.

The Nakba (1947–1949)

Estimates for the total number of Palestinians displaced in this period (750,000 – 900,000) are derived largely from United Nations estimates, as well as several academic studies.

Final Report of the United Nations Survey Mission for the Middle East (Part I). UN Doc. A/AC.25/6, cites a figure of 750,000 refugees. The total number of refugees rises to around 900,000 if the number of persons who lost their livelihood but not their homes is added. This includes approximately 100 “border” villages where the 1949 armistice lines separated villagers from their lands. The British Foreign Office estimated the total number of refugees to be 810,000 in February 1949, subsequently issuing revised estimates in September 1949 of 600,000 (Foreign Office Research Department) and 760,000 (UNCCP Technical Office).

Israel estimated the total number of Palestinian refugees to be 530,000 as of 1949. This estimate was based on the difference between the total number of non-Jewish inhabitants in the area of Palestine that became the state of Israel at the end of 1947 (with a deduction of 6%, based on the assumption that Mandate population

statistics for Palestinian Arabs were exaggerated) and the number of Palestinians that remained inside Israel after the 1948 war. This estimate did not include the estimated 30–40,000 refugees who “infiltrated” the state (i.e., returned spontaneously) – even though they might have remained internally displaced – since November 1948. See ISA FM2444/19, Dr H. Meyuzam, to Asher Goren, the Political Department of the Foreign Ministry, 2 June 1949. In a private letter, however, then Director General of the Israeli Foreign Ministry, Walter Eytan, noted that UNRWA registration numbers, which were substantially higher than the Israeli estimate, were “meticulous” and that the “real number was close to 800,000.” See CZA A340/24, Eytan to Daniel Sirkis (Hatzofe), 10 November 1950. According to Israeli officials, “if people ... became accustomed to the large figure and we are actually obliged to accept the return of the refugees, we may find it difficult, when faced with hordes of claimants, to convince the world that not all of these formerly lived in Israeli territory.... It would, in any event, seem desirable to minimize the numbers....” See ISA FM 2564/22, Arthur Lourie to Eytan, cited in Morris, Benny, *The Birth of the Palestinian Refugee Problem 1947–1949*. Cambridge: Cambridge University Press, 1987. The British Foreign Office considered the Israeli estimate low due to the fact that it did not account for natural increases in the population since 31 December 1947; neither did it include displaced Bedouins who had become refugees. Moreover, the Foreign Office did not agree with Israel’s assertion that Mandate population figures for Palestinian Arabs were exaggerated and should therefore be reduced by 6%. (See below) See PRO FO371-75436 E10083/1821/31, Foreign Office to UK Delegation to the United Nations (New York), 2 September 1949.

The United States estimated the total refugee population at 875,000 as of 1953. See “The Problem of Arab Refugees from Palestine,” US Government Report of the Subcommittee on the Near East and Africa, 24 July 1953.

Included among the above are an estimated 30,000 Palestinians who fled Palestine immediately after the UN recommended partitioning the country in November 1947. See Childers, Erksine B, “The Wordless Wish: From Citizens to Refugees,” *The Transformation of Palestine*. Abu Lughod, Ibrahim (ed.), Evanston, Illinois: Northwestern University Press, 1971, p. 181.

Had no displacement taken place, between 494,000 to 508,000 Palestinian Arabs would have been living inside the armistice lines in Arab-held territory, with 890,000 to 904,000 living in territory held by Israel. According to the Israeli census of November 1948, there were between 120,000 and 130,000 non-Jews in Israel, including 66,000 Bedouins, leaving a population of displaced persons of about 770,000 to 780,000. See Abu-Lughod, Janet, “The Demographic Transformation of Palestine,” *The Transformation of Palestine*. Abu-Lughod, Ibrahim (ed.), Evanston, Illinois: Northwestern University Press, 1971.

The number of displaced/expelled Palestinians is calculated based on the population of 531 depopulated Palestinian localities in *Village Statistics 1944*, prepared by the British Mandate and updated to 1948 based on an average annual population increase of 3.8%, compared to the number of Palestinian Arabs remaining in Israel (according to various Israeli and other sources). The population of the Bir Saba’ District was estimated from Arif al-Arif, *Bedouin Law* [Arabic], Jerusalem Press, 1933; and S.W. Dajani, “The Enumeration of the Beer Sheba Bedouins in May 1946,” *Population Studies* 3, 1947, and correlated with other sources. The total number of Palestinian refugees at this point was 804,767. However, if the extra villages registered with UNRWA at the time are included, the total number of refugees rises to 935,573. These additional villages include those whose land was taken over by Israel in 1948, while the village houses themselves remained in the West Bank and Gaza Strip; Jewish villages or lands in which refugees used to live and work; Palestinian Arab villages which remained in Israel, while some of their inhabitants became refugees; and villages or sites which were satellites of or extensions to listed villages. See Abu Sitta, Salman, *The Palestinian Nakba 1948: The Register of Depopulated Localities in Palestine*. London: The Palestinian Return Centre, 1998 and 2001.

Israel's Military Government (1949–1966)

The estimate for the total number of Palestinians displaced (35,000 – 45,000) between 1949 and 1966 is based on academic studies which rely primarily on Israeli archival documents.

According to UN observers, some 7,000 Palestinians residing west of the southern armistice line near the Palestinian village of Dura were expelled from Israeli-held territory in March 1949. The Israel Foreign Ministry reported that some 17,000 Bedouin from the Naqab were expelled between 1949 and 1953. On 31 May 1950, the Israeli army transported 120 Palestinians in two crowded trucks to the edge of Wadi Araba on the Israeli-Jordanian frontier, and forced them across the border by firing shots over their heads. In November 1949, some 500 Bedouin families (2,000 persons) from the Beersheba area were forced across the border into the West Bank. In May 1950, 700–1,000 persons of the 'Azazmeh or Jahalin tribes were expelled to Jordan. On 2 September 1950, the Israeli army rounded up hundreds of 'Azazmeh tribesmen (4,000 according to UNTSO reports) from the Naqab and drove them into Egyptian territory. In September 1952, the Israeli army expelled some 850 members of the Al-Sani' tribe from the northern Naqab to the West Bank, with several thousand more 'Azazmeh expelled to the Sinai in subsequent weeks. See Morris, Benny, *Israel's Border Wars, 1949–56*. Oxford: Clarendon Press, 1993.

In 1949, some 1,000 residents of Baqa al-Gharbiyyah in the Little Triangle were expelled by Israel across the border into the West Bank. Around 700 persons were displaced from Kufr Yassif in early 1949. In mid-April 1949, the U.S. Consulate in Jerusalem reported that "several hundred" Galilee Arabs – "all Israeli citizens" – had been expelled by the Israeli army across the border. Up to 5,000 Bedouin were expelled into Syria in October 1956. See Segev, Tom, *1949: The First Israelis*. New York: The Free Press, 1986.

In the summer of 1950, the remaining 2,500 Palestinian residents of the city of Majdal (Ashqelon) were expelled into the Gaza Strip. See Morris, Benny, *1948 and After: Israel and the Palestinians*. Oxford: Clarendon Press, 1990.

In February 1951, residents of 13 small Palestinian villages in Wadi 'Ara were expelled over the border into Jordan. See Masalha, Nur, *A Land without a People: Israel, Transfer and the Palestinians*. London: Faber & Faber, 1997.

On 17 November 1951, residents of Khirbat al-Buwayshat in the Little Triangle were expelled and their houses dynamited by the army. See Jiryas, Sabri, *The Arabs in Israel*. New York: Monthly Review Press, 1976.

On 30 October 1956, a day after the massacre of 49 Palestinian citizens of Kafr Qassim, General Yitzhak Rabin expelled 2,000–5,000 residents of the villages of Krad al-Ghannamah and Krad al-Baqqarah to the south of Lake Hulah in Syria. See Masalha, Nur, *A Land without a People: Israel, Transfer and the Palestinians*. London: Faber & Faber, 1997.

The Arab-Israeli 1967 War

Estimates for the total number of Palestinians displaced as a direct result of the 1967 war (400,000 – 450,000) are derived largely from United Nations estimates, as well as several academic studies.

Approximately 193,500 Palestinian refugees were displaced for a second time, while 240,000 persons were displaced for the first time, bringing the total to over 430,000 displaced persons. According to Lex Takkenberg, "[t]he six-day war in 1967 brought another upheaval. In Syria more than 115,000 people were displaced when Israeli forces occupied the Golan Heights and the Quneitra area. Among them were some 16,000 Palestinian refugees who were uprooted for the second time. Many moved towards Damascus and some to Dera'a further south. About 162,500 refugees from the West Bank and some 15,000 refugees from the Gaza Strip fled to east Jordan, where they were joined by another 240,000 former residents of the West Bank and the Gaza Strip, fleeing

for the first time.” Takkenberg, Lex, *The Status of Palestinian Refugees in International Law*. Oxford: Clarendon Press Oxford, 1998, p. 17.

See also: Report of the Secretary General under General Assembly Resolution 2252 (ES-V) and Security Council Resolution 237 (1967). UN Doc. A/6797, 15 September 1967. Earlier on, the number of persons who had fled from the areas under Israeli occupation during and after the June hostilities was estimated at about 550,000. This figure includes: about 200,000 persons (of whom 95,000 were refugees registered with UNRWA) who had moved from the West Bank to the East Bank in Jordan; about 110,000 persons, according to Syrian sources, and not more than 85,000, according to Israeli sources (of whom about 17,000 were UNRWA-registered refugees), who had moved from the south-western corner of Syria, mainly to the areas of Damascus and Dera'a; and about 55,000 persons (of whom 5,000 were UNRWA-registered refugees in the Gaza Strip) who had moved across the Suez Canal from the Gaza Strip or Sinai. See United Nations, Report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, Official Records of the General Assembly, Twenty-second Session, Supplement No. 13, 1 July 1966 – 30 June 1967 (A/6713). New York: United Nations, 1967.

As of June 1967 there were an estimated 1,400,000 Palestinians living in the West Bank (including eastern Jerusalem) and the Gaza Strip. According to unofficial Israeli estimates, by August–September 1967, the Palestinian population in these areas was around 950,000. The total estimated refugee population was 400,000 from the West Bank and 50,000 from the Gaza Strip. See Abu-Lughod, Janet, “The Demographic Transformation of Palestine,” *The Transformation of Palestine*. Ibrahim Abu-Lughod (ed.). Evanston, Illinois: Northwestern University Press, 1971, p. 162.

The total number of refugees displaced for the first time in 1967 was 140,000. See Efrat, Moshe, *The Palestinian Displaced Population from the West Bank and the Gaza Strip to the East Bank of Jordan*. Tel Aviv: Israeli International Institute for Applied Economic Policy Review, 1996.

Out of a pre-war population of around 1.4 million, approximately 430,000 left their homes between June and December 1967. See Harris, William Wilson, *Taking Root, Israeli Settlements in the West Bank, the Golan and the Gaza-Sinai, 1967–1980*. New York: John Wiley & Sons, 1980.

Jordan estimated the total number of displaced refugees from the West Bank and Gaza Strip in Jordan to be 188,500, and the total number of persons displaced for the first time from the West Bank and Gaza Strip to be 200,000. See Jaber, Abdel Tayseer, *The Situation of Palestinian Refugees in Jordan*. Amman: Jordan, 1996.

In 1967, the villages of Bayt Marsam, Bayt 'Awa, Habla and Jifliq were cleared and razed to the ground. See Hirst, David, *The Gun and the Olive Branch*. London: Faber & Faber, 1984.

In June 1967, some 10,000 residents of the villages of Bayt Nuba, Imwas, and Yalu near the “Green Line” in the Latrun salient were expelled and their villages demolished. In June 1967, some 200,000 Palestinians transferred across the border in a plan organized by Haim Herzog, the first Israeli military governor of the West Bank. In June 1967, some 135 Palestinian families were expelled from the Moroccan quarter of the Old City, and their homes were demolished. See Masalha, Nur, *A Land without a People: Israel, Transfer and the Palestinians*. London: Faber & Faber, 1997.

Occupation, Apartheid, Colonization (1967–2009)

Prominent illustrative data about the ongoing internal and external forced displacement of Palestinians in this period are listed below. These data are provided mainly by UN agencies, NGOs and occasional academic studies. Estimates of the overall scope of ongoing forced displacement remain difficult due to the lack of systematic monitoring and documentation, in particular concerning external displacement. Available estimates are included in Appendix 2.1.

Internal displacement:

- During October-November 1999, 700 residents of the southern Mount Hebron area were expelled from their homes, forced to live in caves and shacks in al-Mufqara, Tuba, Jineba, and other sites. ("Expulsion of Palestinian Residents from the South Mt. Hebron Area", October-November 1999, B'Tselem Case Study No. 9, February 2000.)
- Since Israel's 1967 occupation of the West Bank and Gaza Strip, Israeli civilian and military authorities destroyed 24,130 Palestinian homes and structures in the OPT (ICAHD, Jan 2009). In occupied eastern Jerusalem, roughly 800 houses were demolished from 1991 to 2007; between 2003 and 2007, 993 Palestinians were made homeless, or displaced, as a result of house demolitions (ICAHD, March 2007; B'Tselem, August 2008).
- Israel demolished 3,302 homes in the West Bank between 2000 and 2004 displacing 16,510 people (Save the Children U.K. Fact Sheet, June 2007).
- Between September 2000 and October 2004, more than 24,500 people were displaced by house demolitions in the Gaza Strip (OCHA, 1 October, 2004).
- In Gaza, from 2000 to end 2008, the partial or total destruction of 7,682 houses, largely as a result of Israeli military activity, impacted 72,682 residents (Web statistics on Home Demolitions in Gaza Strip Since the Beginning of the Intifada to the end of 2008, Al-Mezan Center for Human Rights, found at (<http://www.mezan.org/en/messege.php?view=homesen>), accessed 13 October, 2009).
- Over 4,000 homes were demolished between 27 December, 2008 and 18 January, 2009 during Israel's military operation in Gaza. ("Direct Losses in Infrastructure", PCBS, January 2009). At the peak of hostilities, 200,000 people were estimated to be displaced, among them 112,000 children. ("IOF Escalates Its Attacks on Gaza", Al Mezan Center for Human Rights, press release, January 2009).
- 200 families comprising 6,000 people from the Bedouin community of Al Hadidiya in the Jordan Valley were displaced in September 2007 when their homes near to the Jewish settlement of Roi were demolished by the IDF (A/HRC/7/17 of 21 January, 2008, p. 18, para 42.)
- In the Naqab, Israel carried out 143 demolitions in 2005 ("Off the Map." Human Rights Watch, 2008), followed by 320 between February 2006 and February 2008 (See: Regional Council of Unrecognized Villages, www.rcuv.net .)
- An estimated 6,000 people have left Qalqiliya following impact of the construction of the wall (UN Economic and Social Council, E/CN.4/2004/6/Add.1, 27 February, 2004, para.24)
- 14,364 persons were displaced as of July 2005 in the 145 localities through which the wall passes (PCBS, 2008: Jerusalem Statistical Yearbook no. 10, p. 366.)
- By 2006, 17 percent of all Palestinians in occupied eastern Jerusalem who had changed their previous place of residence since 2002 stated that they had done so as a direct result of the Wall. (Displaced by the Wall, BADIL Resource Center and the Internal Displacement Monitoring Center (IDMC), Bethlehem and Geneva, September 2006.)
- About 1,200 households have left because of the wall, while an additional 1,100 heads of households were said to have left to find work elsewhere (OCHA, November 2007).
- In the Old City of Hebron, a combination of stringent security restrictions in movement and settler intimidation and violence has led to over 1,800 businesses shutting their doors and over 1,000 Palestinian homes vacated since 2000; 41% of Palestinian homes in the periphery of settlements and settlement access roads were thus vacated. (May 2007, B'Tselem/The Association for Civil Rights in Israel, Report (*Ghost Town*)).
- Palestinians displaced as a result of revocation of residency rights in Jerusalem: the total number of ID cards confiscated since 1967 amounts to 8,269 (see PCBS, 2008: Jerusalem Statistical Yearbook, no.10, p. 358). This number does not include the children (under the age of 16 years) of persons whose resident status was revoked (other sources estimate that 80,000 persons have been affected by the revocation of Jerusalem ID cards since 1967), and it does not account for ID cards that may have been reinstated due to the lack of information;
- 21,000 Palestinians from the OPT and Palestinian citizens of Israel, can no longer live in Israel with their spouses because of an amendment to Israel's Nationality Law. ("Citizens without Sovereignty: Transfer and Ethnic Cleansing in Israel" Robert Blecher, Comparative Studies in Society and History (2005), 47:4:725-754 Cambridge University Press

- Approximately 267 families (over 1,450 persons) of the Palestinian refugee Bedouin community at Umm al-Masser were displaced in March 2007 when a nearby basin of the Beit Lahia waste water treatment plant flooded their homes because Israel prevents urgent repair and development of the treatment plant. (On the Brink of Disaster, The Beit Lahia Treatment Plant and Rights. Gaza: Al Mezan Center for Human Rights, 2003; also: UN OCHA, "Beit Lahia Waste Water Treatment Plant-Floods" Humanitarian Situation Report nos 1 – 3, March-April 2007.)

External displacement:

- In the summer of 1971, the IDF destroyed approximately two thousand houses in the refugee camps of the Gaza Strip displacing nearly 16,000 people. At least two thousand of the displaced were moved to al-Arish, in the Sinai peninsula (then also under Israeli control), and several hundred were sent to the West Bank. (Martin van Creveld, *The Sword and the Olive: A Critical History of the Israel Defense Force*, (New York: Public Affairs, 2002), p. 339; Sara Roy, *The Gaza Strip*, p. 105; Razing Rafah: Mass Home Demolition Human Rights Watch Report, 17 October 2004.)
- Israel deported 1,151 Palestinians from the OPT between 1967 and 1977 ("Israeli Deportation of Palestinians from the West Bank and the Gaza Strip, 1967-1978", Lesch, Ann M., *Journal of Palestine Studies*, April 1979, Vol. 8, No. 3, p. 81–112 .
- Israel revoked the residency rights of approximately 100,000 Palestinians from the OPT between 1967 and 1991. (Quigley, John, "Family Reunion and the Right to Return to Occupied Territory," *Georgetown Immigration Law Journal*, 6, 1992.)
- According to the Jordanian government, some 7,000 Palestinians from the occupied West Bank were displaced to Jordan every year between 1968 and 1988. (UN Doc. CERD/C/318/Add.1, 14 April 1998, Reports Submitted by States Parties under Article 9 of the Convention, Twelfth Periodic Report of States Parties due in 1997, Jordan, at para. 25 cited in Kossaifi, George F., *The Palestinian Refugees and the Right of Return*, Washington, DC: The Center for Policy Analysis on Palestine, 1996, p. 8.)
- Between 1969 and 1972, some 6,000 to 20,000 Bedouin farmers were evicted from the Rafah salient southwest of the occupied Gaza Strip. Between 1968 and 1972, over 1,095 Palestinians were deported from the occupied West Bank and Gaza Strip. Between August 1985 and January 1988, some 46 Palestinians were expelled from the occupied Palestinian territory. From the beginning of the first Intifada in December 1987 until the end of 1989, 64 Palestinians were deported, with eight more deported in 1991. On 16 December 1992, 413 Palestinians were deported. (Masalha, Nur, *A Land without a People: Israel, Transfer and the Palestinians*. London: Faber & Faber Ltd, 1997.) See also: Amro, Tayseer, "Displaced Persons: Categories and Numbers Used by the Palestinian Delegation [to the Quadripartite Committee], Table 5, "Palestinian Estimate of Displaced Persons and Refugees During the 1967 War," in: 14 Article 74 (December 1995). Jerusalem: BADIL/ Alternative Information Center for Palestinian Residency and Refugee Rights. For similar figures from Israeli sources, see: *Deportation of Palestinians from the Occupied Territory and the Mass Deportation of December 1992*. Jerusalem: B'Tselem, 1993.
- The average rate of forced migration is estimated at 21,000 persons per year. (Kossaifi, George F., *The Palestinian Refugees and the Right of Return*. Washington, DC: The Center for Policy Analysis on Palestine, 1996.)
- The rate of out-migration is as high as 2% of the total population per annum. (Pederson, Jon, Sara Randall and Marwan Khawaja (eds.), *Growing Fast: the Palestinian Population in the West Bank and Gaza Strip*, Norway: FAFO Institute for Applied Social Science, 2001.)
- An analysis of Israeli border police records shows that the net-migration of Palestinians from the OPT was 10,000 in 2000-2003, 12,000 in 2004, 16,000 in 2005 and 25,000 in 2006. A further significant rise in the scope of emigration was expected for 2007. Khawaja, Mustafa, *Palestine: The Demographic and Economic Dimension of Migration 2008*: http://www.carim.org/publications/AR2005CARIM_lite03.pdf

Appendix 1.2 – Notes for Table 1.2

Estimated Area of Palestinian Land Expropriated, by Period of Expropriation

Note:

1 km² = 1,000 dunums

Total area of historical Palestine (Israel and OPT):	27,343 km ² , of this:
OPT (West Bank and Gaza Strip), total area:	6,225 km ² , of this:
West Bank, total area:	5,860 km ²
(including occupied and annexed eastern Jerusalem, Latroun salient and northern Dead Sea), and,	
Gaza Strip, total area:	365 km ²

The British Mandate (1922–1947)

It is estimated that private and public land owned or used by Palestinians amounted to at least 24,000 km² (88%) of the total area of Palestine in 1947. This includes land held in customary ownership by Palestinian Bedouin tribes in the Naqab for grazing and rain-fed agriculture.

At the end of 1945, it is estimated that Jews owned 1,588,365 dunums of land in Palestine. At the end of 1946, the estimated land owned by Jews amounted to 1,624,000 dunums. The total area of land classified as state domain under the British Mandate was 1,560,000 dunums. This included 660,000 dunums of which title to was settled under the Land (Settlement of Title) Ordinance, and 900,000 dunums where records indicated that the land was probably state land. As of the end of 1946 the total estimated state domain amounted to 1,700,000 dunums. It was noted that upon completion of the settlement of rights to land, the total amount of state domain would probably increase as it would include land for communal use and development of so-called hill villages. *A Survey of Palestine*, prepared in December 1945 and January 1946 for the information of the Anglo-American Committee of Inquiry, Volume 1 and Supplement. Reprinted in full with permission from Her Majesty's Stationery Office. Washington, DC: Institute for Palestine Studies, 1991.

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

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

The UN Special Committee on Palestine (UNSCOP) estimated that Palestinian ownership of land in 1947 amounted to 22,374,547 dunums. See Hadawi, Sami, *Palestinian Rights and Losses in 1948*. London: Saqi Books, 1988.

The Nakba (1947–1949)

Total land ownership of Palestinians that remained inside the territory that became the state of Israel is estimated at 1,465,000 dunums as of 1948 (i.e., before further expropriation). Abu Sitta, Salman, *The End of the Palestinian-Israeli Conflict: From Refugees to Citizens at Home*. London: The Palestine Land Society and the Palestinian Return Centre, 2001.

In total Israel expropriated 17,178,000 dunums (17,178 km²) of Palestinian refugee land. This includes land as calculated in *Village Statistics* and vast areas in the southern Bir Saba' District, which were held under traditional or customary ownership by nomadic Bedouin. Customary ownership of these areas is identified by reference to maps and other documents delineating Bedouin tribal areas. The entire District comprised some 12,000,000 dunums or approximately 60% of the land incorporated into the state of Israel in 1948.

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

Palestinian land expropriated in 1948 included land in 77 border villages where the built-up area of the village remained in Arab-held territory (i.e., West Bank and Gaza Strip) but had 1,255,000 of inaccessible land located in Israeli-held territory and three villages located in 'no mans' land of which 18 km² was located in Israeli-held territory. The UN Special Committee on Palestine (UNSCOP) estimated that Palestinian ownership of land in 1947 amounted to 22,374,547 dunums. See Hadawi, Sami, *Palestinian Rights and Losses in 1948*. London: Saqi Books, 1988.

See also:

Rempel, Terry, "Housing and Property Restitution: The Palestinian Refugee Case," *Returning Home: Housing and Property Restitution Rights of Refugees and Displaced Persons*. Leckie, Scott (ed.). New York: Transnational Publishers, 2003.

Israel's Military Government in Israel (1949–1966)

It is estimated that as of 1962, Israel had expropriated 704,298 dunums from among the 1,465,000 dunums of the remaining Palestinian-owned land inside Israel. The figure is based on a survey of 79 selected Palestinian villages for the period 1945–1962. See Jiryis, Sabri, *The Arabs in Israel*. London: Monthly Review Press, 1976. This includes, for example, 1,200 dunums expropriated in 1957 from Palestinian landowners of Nazareth and surrounding villages to establish the Jewish colony of Upper Nazareth; land expropriated from Palestinian villagers of Tarshiha and Ma'iliya in 1957 for the establishment of the Jewish colony of Ma'alot; and 5,100 dunums expropriated from the Palestinian villages of Nahaf, Deir al-Asad, Bi'neh, and Majd al-Krum in 1964 to establish the Jewish colony of Karmiel. See Abu Hussein, Hussein and McKay, Fiona *Access Denied: Palestinian Access to Land in Israel*. London: Zed Books, 2003.

See also:

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

"Palestinians that remained [in Israel] lost about 40–60% of the land they possessed." Citing Kark and Golan in

Israel: The First Decade of Independence, I. S. Troen and N. Lucas (eds.), Syracuse, NY: State University of New York Press, 1995, in Kedar, Alexander, "On the Legal Geography of Ethnocratic Settler States: Notes Towards a Research Agenda," *Current Legal Issues* 5, 2002, p. 401–441.

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

As of 1963, Palestinians in villages inside Israel owned 385,993 dunums of private land and 472,798 dunums of public land. Calculated from Survey of Arab Agriculture and Development Plan A. Nazareth: Ministry of Agriculture, Unit for Survey and Planning for the Minority Villages, The Joint Development Centre, July 1963.

In a survey of 38 villages, it is estimated that 632,000 dunums of land were expropriated between 1945 and 1972. See Abu Kishk, Bakir, "Arab Land and Israeli Policy," *Journal of Palestine Studies* 1, Autumn 1981.

The 1967 Arab-Israeli War

It is estimated that Israel expropriated 730,000 dunums of West Bank land and 119,000 dunums of Gaza land as absentee and state land immediately after the 1967 war.

A 1987 Israeli State Comptroller, Annual Report 37, lists a total of 430 km² of Palestinian refugee land in the West Bank expropriated by Israel. Land Grab: Israel's Settlement Policy in the West Bank. Jerusalem: B'tselem, The Israeli Information Center for Human Rights in the Occupied Territory, 2002, p. 45. Also see Financial Times, 29 October 1979, cited in Lehn, Walter, *The Jewish National Fund*. London: Kegan Paul International, 1988, p. 183. If state land registered in the name of the Jordanian government (which administered the West Bank between 1949 and 1967) is included, it is estimated that Israel took immediate possession of 730 km² of Palestinian-owned land in the West Bank. It also took possession of an additional 119 km² of Palestinian-owned land in the Gaza Strip. Land Expropriation, Human Rights Update (PHRIC, Washington, DC), April 1991 and Cohen, Ester, Human Rights in the Israeli-Occupied Territory, 1967–1982, p. 152–153 (1985), cited in Bisharat, George E., "Land, Law and Legitimacy in Israel and the Occupied Territory," *The American Law Review* 43, 1992, p. 525, note 334.

Occupation, Apartheid, Colonization (1967–2009)

OPT - It is estimated that Israel expropriated another 3,372 km² of Palestinian land in the occupied West Bank in this period. This, while in 2005 Israel decolonized some 119 km² of Palestinian land in the occupied Gaza Strip.

After 1967, Israel annexed 70.5km² of the West Bank in East Jerusalem and its periphery – 35% (24.5km²) of which has been used for settlements. (OCHA-OPT, "Planning Crisis in East Jerusalem", April, 2009.

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

By 2002 it was reported that "Estimates place the proportion of Palestinian land confiscated by Israel at more than 70% of the West Bank and 33% of Palestinian land in East Jerusalem, and all but 7–8% of the area has been closed to Palestinian construction." Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, Miloon Kothari, Addendum, Report of visit to the OPT, 5–10 January

2002, UN Doc. E/CN.4/2003/5/Add.1, June 10, 2002, at paras. 10–15. This number also includes the 349km² of land reported as confiscated for the construction of the Wall. (Data compiled from the 2003, 2004 and 2005 Survey on the Impact of the Expansion and Annexation Wall on the Socio-Economic Conditions of Palestinian Localities which the Wall Passes Through. Ramallah: Palestinian Central Bureau of Statistics.) Also see Land Grab: Israel's Settlement Policy in the West Bank. Jerusalem: B'Tselem, 2002.

See also: Close to 50,000 dunums were confiscated and about 300,000 dunums are isolated by the Wall. ("Special Report on the 59th Anniversary of the Nakba," PCBS, May 10, 2006, p. 6). Israel has confiscated more than 900,000 dunums in the West Bank under the pretext that it was not being cultivated (Peace Now, "Despite Promises – Land Confiscation Continues Throughout 2008", January 2009).

In Israel - It is estimated that land confiscated from Palestinian citizens in this period amounts to approximately 413 km² of land (in addition to the 700 confiscated in the previous period).

Between 1948 and 2001, Israel expropriated approximately 76% of the land of Palestinian citizens or 1,113,000 dunums. Abu Sitta, Salman, *The End of the Palestinian-Israeli Conflict: From Refugees to Citizens at Home*. London: The Palestine Land Society and the Palestinian Return Centre, 2001. Palestinians inside Israel had lost approximately 70% of their land by 1980 due to expropriation (based on a survey of 18 Palestinian villages whose land base decreased from 620,350 dunums in 1947 to 188,930 dunums by 1980). Under the Land Acquisition Law of 1953, 1,250,000 dunums of land were expropriated. Lustick, Ian, *Arabs in the Jewish State*. University of Texas Press, 1980.

Israel expropriated some 20,103 dunums from Palestinians inside Israel in 1975 to establish 20 new Jewish settlements and expand existing Jewish cities. Hussein and McKay also cite a report in Ha'aretz (13 June, 1989) stating that some 60,000 dunums of land in the Galilee were classified as 'state land' between 1978 and 1987 due to settlement of title operations, acquisitions, and expropriations. Citing A. Shmueli, "Village Population in the Hilly Upper Galilee 1967–77," *Artzot Hagalil*, Tel Aviv: Ministry of Defence, 1983; and E. Rekhes, *The Arabs in Israel and Land Expropriations in the Galilee*, Tel Aviv Surveys, University of Tel Aviv, Shiloah Institute, 1977, in Abu Hussein, Hussein and McKay, Fiona *Access Denied: Palestinian Access to Land in Israel*. London: Zed Books, 2003.

Endnotes

- 1 Methods of population transfer may include financial subsidies, planning, public information, military action, recruitment of settlers, legislation or other judicial action, and the administration of justice. *The Human Rights Dimensions of Population Transfer, including the Implantation of Settlers*, Preliminary Report prepared by A. S. al-Khawasneh and R. Hatano. Commission on Human Rights Sub-Commission on Prevention of Discrimination and Protection of Minorities, Forty-fifth Session 2, 27 August 1993, Item 8 of the provisional agenda, E/CN.4/Sub.2/1993/17, 6 July, 1993, at paras. 15 and 17.
- 2 The right to self-determination, i.e. freedom from foreign rule and exploitation, was recognized by the League of Nations and would later become enshrined in the Charter of the United Nations. The right of self-determination of the Palestinian people was again explicitly affirmed in UNGA Resolution 3236 of 22 November, 1974.
- 3 For more details on Zionist population transfer plans, see Masalha, Nur, *Expulsion of the Palestinians: The Concept of "Transfer" in Zionist Political Thought, 1882-1948*, Washington, DC: Institute for Palestine Studies, 1992. Also see Simons, Chaim, *International Proposals to Transfer Arabs from Palestine 1895-1947, A Historical Survey*, Hoboken, New Jersey: Ktav Publishing, 1988.
- 4 The Basle Program, August 31, 1897, excerpts reprinted in *Documents on Palestine, From the Pre-Ottoman/Ottoman Period to the Prelude to the Madrid Middle East Peace Conference*, Abdul Hadi, Madhi F. (ed.). Jerusalem: PASSIA, 1997, p. 14.
- 5 *The Complete Diaries of Theodor Herzl*, Vol. I. Patai, Raphael (ed.). New York: Herzl Press and T. Yoseloff, 1960, p. 8-9.
- 6 According to a book published by the Israeli state archives in May 2005 (see *Haaretz* 1 July, 2005), former Israeli PM Yitzhak Rabin proposed transferring Palestinians from the West Bank while serving as a Maj. General in the Israeli army in 1956.
- 7 Segev, Tom *1967 Israel, the War, and the Year that Transformed the Middle East*, Metropolitan Books, 2007, p. 523-542
- 8 The Israeli political parties Israel Beitenu and Habeiit Hayehudi are members of the 2009 Israeli government coalition and have advocated transfer. In April 2002 Israel Beitenu head Avigdor Lieberman stated that there was "nothing undemocratic about transfer." Members of the Likud have also advocated transfer. Moshe Feiglin for example, who heads the party's Jewish Leadership committee, calls for "induced emigration" of Palestinian citizens of Israel.
- 9 The British were allotted direct rule over Haifa and Akka, and the south of the country was to be part of the "Arab state under British protection." The heartland of Palestine was to be under the control of all three powers.
- 10 The Balfour Declaration is reprinted in *Survey of Palestine*, Vol. I, prepared in December 1945 and January 1946 for the information of the Anglo-American Committee of Inquiry. Reprinted in full with permission from Her Majesty's Stationery Office. Washington, DC: Institute for Palestine Studies, 1991, p. 1. Prior to issuing the final Declaration, the British obtained the assent of the United States. The U.S. Congress subsequently adopted a resolution on June 30, 1922, "[f]avoring the establishment in Palestine of a national home for the Jewish people." McCarthy, Justin, *The Population of Palestine: Population Statistics of the Late Ottoman Period*. New York: Columbia University Press, 1990, p. 21.
- 11 Table 2.2, Population of Palestine in 1918, Projected Back from 1922 Census Figures, as corrected, McCarthy, Justin, *The Population of Palestine: Population Statistics of the Late Ottoman Period*. New York: Columbia University Press, 1990, p. 26.
- 12 Table III, Jewish Land Ownership in Palestine, Lehn, Walter, *The Jewish National Fund*. London: Kegan Paul International, 1988, p. 74.
- 13 Gibbons, Herbert Adams, "Zionism and the World Peace," *Century* 97, 1919, p. 371, reprinted in Stevens, Richard P., *Zionism and Palestine Before the Mandate: A Phase of Western Imperialism: An Essay with a Selection of Readings*. Beirut: Institute for Palestine Studies, 1972, p. 56-57.
- 14 Out of 3 million Jews who left Eastern Europe between 1882 and 1914, no more than one percent went to Palestine. Avinery, Shlomo *The Making of Modern Zionism: The Intellectual Origins of the Jewish State* (New York: Basic Books, 1981), p.5. Zionism was an unsuccessful colonial project before it revamped its model of settler colonialism, and tied its interests to that of the British Empire. See Shafir, Gershon *Land Labor and the Origins of the Israeli Palestinian Conflict, 1882-1914* (Cambridge, England: Cambridge University Press, 1989).
- 15 Quigley, John, *Palestine and Israel: A Challenge to Justice*. Durham: Duke University Press, 1990, p. 8.
- 16 Cofounder of the World Zionist Organization Max Nordau articulated the imperial role the future Jewish state was to play for the British empire in a speech delivered at Albert Hall in London on July 12, 1920. "... During a dangerous moment in the World War [WWI] you thought that we, the Jews, could render you a useful service. You turned to us, making promises that were rather general but could be considered satisfactory [a reference to the Balfour declaration]... We made a pact with you. We considered carefully the dangers and commitments of this pact. We know what you hope to receive from us. We must protect the Suez Canal for you. We shall be the guards of your road to India as it passes through the Middle East. We are ready to fulfill this difficult military role but this requires that you permit us to become powerful so as to be able to fulfill our role. Loyalty for loyalty, faithfulness in return for faithfulness." See Nordau, Max *Zionist Works* Vol. 4, The Zionist Library (Jerusalem: The Executive of the Zionist Organization, 1962), 2003.
- 17 Anglo-French Declaration, 7 November, 1918.
- 18 Article 22 of the Covenant of the League of Nations stipulates that "[c]ertain communities formerly belonging to the Turkish Empire [including Palestine] have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone." Covenant of the League of Nations, 28 June, 1919, reprinted in *Survey of Palestine*, Vol. I. Washington, DC: Institute for Palestine Studies, 1991, p. 2-3.
- 19 The Treaty of Peace between the Allied and Associated Powers and Turkey, signed at Sèvres, 10 August, 1920, Part II, Section VII, Art. 94.
- 20 The Mandate did not come into force until 29 September, 1923. Class A Mandates was designated for areas deemed to "have reached a stage of development where their existence as independent nations can be provisionally recognized subject to the rendering of administrative advice and assistance by a Mandatory until such time as they are able to stand alone." The Mandate for Palestine, 24 July, 1922, is reprinted in *Survey of Palestine*, Vol. I. Washington, DC: Institute for Palestine Studies, 1991, p. 4-11.
- 21 Statement by Arthur Balfour, British Secretary of State for Foreign Affairs, *Foreign Office No. 371/4183* (1919), quoted in *The Origins and Evolution of the Palestine Problem 1917-1988*, Part I. New York: United Nations, 1990.

- 22 Out of 9,000 citizenship applications from Palestinians outside the country, British officials approved only 100. Based on an average family size of six persons, more than 50,000 Palestinians may have been affected. *Palestine Royal Commission Report*, Cmd. 5479. London: HMSO, 1937, p. 331. For a description of the problem facing Bethlehem families, see Musallam, Adnan A., *Developments in Politics, Society, Press and Thought in Bethlehem in the British Era 1917-1948*. Bethlehem: WIAM – Palestinian Conflict Resolution Center, 2002.
- 23 *Toward the De-Arabization of Palestine/Israel 1945–1977*. Nijim, Basheer K. (ed.). Dubuque, Iowa: Kendall/Hunt Publishing Company, 1984, p. 10. Because of the reliance on agriculture, the impact of the loss of land went far beyond the amount of land lost to Zionist colonization during this period. Palestinian ownership of land declined approximately 4% as a result of the sale of land, primarily by large absentee landlords. Khalidi, Rashid, *Palestinian Identity: The Construction of Modern National Consciousness*, New York: Columbia University Press, 1997, p. 113–114. A smaller number of Palestinian Arab farmers lost their lands due to financial insolvency.
- 24 The emergency laws included: the 1936 Emergency Regulations, *The Palestine Gazette* 584, No. 2 (19 April, 1936), p. 259; the 1937 Palestine (Defense) Order, *The Palestine Gazette* 675, No. 2 (24 March, 1937), p. 267; the 1937 Defense (Military Courts) Regulations, *The Palestine Gazette* 737, No. 2 (11 November, 1937), p. 1138; the 1939 Defense Regulations, *The Palestine Gazette* 914, No. 2 (26 August, 1939), p. 659; and the 1945 Defense (Emergency) Regulations, *The Palestine Gazette* 1442, No. 2 (27 September, 1945), p. 1058. Sabri, Jiryis, *The Arabs in Israel*, London: Monthly Review Press, 1976, p. 10.
- 25 During 1936–39, the British administration demolished some 5,000 Palestinian homes. Based on an average family size of six persons, an estimated 30,000 Palestinians were affected. Rajab al-Ruday'i Yusef, *The 1936 Arab Revolt in Palestine: A Military Study* [Arabic], cited in Sayigh, Yezid, *Armed Struggle and the Search for State, The Palestinian National Movement 1949-1993*, Washington, DC: Institute for Palestine Studies and Oxford University Press, 1999, p. 2.
- 26 Gabbay, Rony, *A Political Study of the Arab-Jewish Conflict: The Arab Refugee Problem (A Case Study)*. Geneva: Librairie E. Droz, and Paris, Librairie Minard, 1959, p. 66.
- 27 For the proposed texts of the questions to be submitted to the ICJ, see Iraq (UN Doc. A/AC.14.21); Syria (UN Doc. A/AC.14/25); and Egypt (UN Doc. A/AC.14/14).
- 28 Report of the UN Special Committee on Palestine, *The Question of Palestine*. UN Doc. A/364, 3 September, 1947. Committee members unanimously approved 11 general recommendations, including a UN-supervised transition period, protection of religious and minority rights, and citizenship and property rights.
- 29 *Ibid.*, paragraph 176.
- 30 *Ibid.*, Chapter VII Recommendations (III), paragraphs 10 and 11. Incidentally, the United States State Department, the Department of Defense, the Joint Chiefs of Staff, staff of the National Security Council and the newly established Central Intelligence Agency (CIA) were united in warning of the dangers partition might inflict to strategic US interests. In public and private statements they also explained that the UN partition proposals were not workable and in contravention to international law and the UN Charter: “[they] ignore such principles as self-determination and majority rule. They recognize the principle of a theocratic racial state and go even so far in several instances as to discriminate on grounds of religion and race against persons outside of Palestine. We have hitherto always held that in our foreign relations American citizens, regardless of race or religion, are entitled to uniform treatment. The stress on whether persons are Jews or non-Jews is certain to strengthen feelings among both Jews and Gentiles in the United States and elsewhere that Jewish citizens are not the same as other citizens.” Loy Henderson, State Department Office of Near Eastern and African Affairs, 22 September, 1947, quoted by Donald Neff, “Truman Overrode Strong State Department Warning Against Partitioning of Palestine in 1947” *Washington Report*, Sept./Oct. 1994.
- 31 GA Resolution 181(II), 11 November 1947, UN GAOR, 1st Sess., UN Doc. A/64 (1947).
- 32 *Ibid.*, para. 10(d).
- 33 For the population of Palestine, see Table 2.18, “The Population of Palestine by Religion, 1870 to 1946”, McCarthy, Justin, *The Population of Palestine: Population Statistics of the Late Ottoman Period*, New York: Columbia University Press, 1990, p. 37. For Jewish landownership, see Lehn, Walter, *The Jewish National Fund*, London: Kegan Paul International, 1988, p. 74.
- 34 The proposed Jewish state had a population of 498,000 Jews and 497,000 Palestinians, including 90,000 Bedouins. The proposed Arab state had a population of 725,000 Palestinian and 10,000 Jews. Jerusalem was to be under international status, with a population of 105,000 Palestinians and 100,000 Jews. Report of the UN Special Committee on Palestine, *The Question of Palestine*. UN Doc. A/364, 31 August, 1947. State land comprised less than 3% of the proposed Jewish state.
- 35 See Appendix 1.1 (The British Mandate).
- 36 Nathan Krystall “The Fall of the New City”, *Jerusalem 1948 the Arab Neighbourhoods and their Fate in the War*, Salim Tamari (ed.) Badil Resource Center for Refugee and Residency Rights & the Institute of Jerusalem Studies, 1999, p.92-153
- 37 See “The Ethnic Cleansing of Palestine” Pappé, Ilan, (One World: Oxford), 2006 p.75
- 38 “Plan Daler: Master Plan for the Conquest of Palestine,” Khalidi, Walid. *Journal of Palestine Studies*, (Autumn 1988), p. 8.
- 39 For a full English translation of Plan D, see *Ibid.*, p. 4-20.
- 40 Leaders of Zionist militia organizations at the time reported that 245 people had been killed in the village. These reports were broadcast by Arab and foreign media. For a study of the massacre, see Khalidi, Walid, *Dayr Yassin: Friday, April 9, 1948* [Arabic], Beirut: Institute for Palestine Studies, 1999.
- 41 Abdel Jawad, S., 2007, “Zionist Massacres: the Creation of the Palestinian Refugee Problem in the 1948 War”, in Benvenisti, E., Gans, C. and Hanafi, S., *Israel and the Palestinian Refugees*, Berlin, Heidelberg, New York: Springer, p. 59-127.
- 42 For example the massacre in Nasir el-Dien was just a few days before Tiberias was besieged. The multiple massacres in Ein Zaytoun were used to ‘soften up’ Safad before the final assault on that city. Cited in *Ibid.*
- 43 For descriptions of specific incidents during this period, see, e.g., Morris, Benny, *The Birth of the Palestinian Refugee Problem, 1947–1949*, Cambridge: Cambridge University Press, 1987, p. 41,102, 107, 117–118, 121, 200, 213–14 and 220. Also see Abdel Jawad, S., 2007.
- 44 This included massacres in Mansurat al-Khayt (18 January, 1948), Dayr Yassin (9 April, 1948), Khirbat Nasir el-Din (12 April, 1948), Hawsha (15 April, 1948), Khirbeh Wa'ra al-Sawda (18 April, 1948), Husayniyya (21 April, 1948), Balad ash-Sheikh (25 April, 1948), Ayn az-Zaytun (2 May, 1948), Burayr (12 May, 1948), Khubbayza (12 May, 1948), Abu Shusha (14 May, 1948), Tantoura (21 May, 1948), al-Khisas (25 May, 1948), Lydda (10 July, 1948), al-Tira (16 July, 1948), Ijzim (24 July, 1948), Beer Sheeba (21 October, 1948), Safsaf (29 October, 1948), al-Dawayima (29 October, 1948), Khirbeh as-Samniyya (30 October, 1948), Saliha (30 October, 1948), Sa'sa (30 October, 1948), Eilaboun (29 October, 1948), Jish (29 October, 1948), and Majd al-Kroum (29 October, 1948). For accounts of these

- massacres, see Morris, Benny, *The Birth of the Palestinian Refugee Problem*, p. 72–3, 113–15, 120, 156, 206–7, 213–14, 222–23, 228–30 and 350.
- 45 According to the government investigating committee, “[Prime Minister] Ben-Gurion and [Foreign Minister] Shertok appeared not to have been shocked by what had happened.” Kibbutz Meuhad Archives – Aharon Zisling Papers 9/9/1, “Decisions of the Provisional Government,” 7 November, 1948; Hashomer Hazair Archives (Mapam, Kibbutz Artzi Papers), 66.90 (I), protocol of the meeting of the Political Committee of Mapam, 11 November, 1948; and David Ben-Gurion’s *Yoman Hamilhama, 1948–49* (The War Diary), p. 809, entry for 10 November, 1948, cited in Morris, Benny, *The Birth of the Palestinian Refugee Problem*, p. 232–233.
- 46 Morris, Benny, *The Birth of the Palestinian Refugee Problem*, p. 222–23.
- 47 For accounts of expulsions, see *Ibid.*, p. 54–56, 64, 105, 107, 115, 118–19, 121, 127, 201, 209–210, 212, 215, 227, 239 and 242.
- 48 Kibbutz Meuhad Archives – Palmah Papers 141–143, Operation Dani headquarters to Yiftah Brigade headquarters, 8th Brigade headquarters, 13:30 hours, 12 July, 1948. A coded (and undated) version of this order is in Kibbutz Meuhad Archives – Palmah Papers 142–18, cited in Morris, Benny, *The Birth of the Palestinian Refugee Problem*, p. 207.
- 49 Cited in a book review by Gideon Levy in *Ha’aretz*, 3 November, 2000; see also Morris, Benny, *Correcting a Mistake – Jews and Arabs in Palestine/Israel, 1936–1956*. Am Oved Publishers, 2000.
- 50 Abdel Jawad, S. Op. cit., p. 75
- 51 Pappé, I., 2006, Op. cit., p. 73
- 52 “Traces of Poison: Israel’s Use of Biological Weapons”, Salman Abu Sitta, Al Ahram Weekly, 27 Feb-6 March 2003, no. 627.
- 53 “Retroactive Transfer, A Scheme for the Solution of the Arab Question in the State of Israel,” three-page memorandum signed by Yosef Weitz, Ezra Danin and Elias Sasson, cited in Morris, Benny, *The Birth of the Palestinian Refugee Problem*, p. 136.
- 54 For descriptions of incidents of looting and destruction of property, see, e.g., Morris, Benny, *The Birth of the Palestinian Refugee Problem*, p. 32, 50, 52, 54, 62–3, 88, 101–2, 106, 112–13, 116, 119, 125, 128, 215, 221 and 230. Also see Segev, Tom, *1949: The First Israelis*, New York: The Free Press, 1986, p. 68–91. In the city of Jaffa, for example, it was estimated that the Israeli military removed 30,000 pounds worth of Palestinian movable property daily (Segev, p.73.) Looting was so widespread that Ben Gurion described it as “the mass robbery in which all parts of the population participated.” Theft of Palestinian property was not restricted to individual acts, which in any case were widespread, but was a practice systematically carried out by the army. Israel designated a “Custodian of Abandoned Property”, to oversee warehouses in which Palestinian property from 45,000 homes and apartments, 7,000 shops and business, 500 workshops and industrial plants, and 1,000 warehouses was stored away and eventually redistributed or sold off. This aside from the enormous agricultural wealth left behind from over 800,000 acres of orchards and fields. Israeli police Minister Behor Shitrit would later tell a colleague in the Ministerial Committee for Abandoned Property that he had seen the looting with his own eyes: “From Lydda alone the army took out 1,800 truck-loads of property.”
- 55 See *Appendix 1.1* (The Nakba).
- 56 *Ibid.*
- 57 This included vast areas in the southern Naqab (Negev) region held according to traditional or customary ownership by nomadic Bedouin. See *Appendix 1.2*.
- 58 Rempel, Terry, “Housing and Property Restitution: The Palestinian Refugee Case,” *Returning Home: Housing and Property Restitution Rights of Refugees and Displaced Persons*. Leckie, Scott (ed.). New York: Transnational Publishers, 2003, p. 296.
- 59 These included microphotographs of registers of title supplemented by the original registers when the microfilm was missing or defective; Registers of Deeds; Tax Distribution Lists and, failing these, taxpayers’ registers; Field Valuation Sheets, and, failing these, valuation lists and taxpayers’ registers; schedules of rights (in respect of blocks for which no registers of title had been prepared); parcel classification schedules; land registrars’ returns of depositions; and village maps and block plans. For a comprehensive study, see Fischbach, Michael, *Records of Dispossession: Palestinian Refugee Property and the Arab-Israeli Conflict*. New York: Columbia University Press, 2003.
- 60 For a more detailed discussion of the records and associated problems, see Hadawi, Sami, *Palestinian Rights and Losses in 1948*. London: Saqi Books, 1988; and Abdelrazek, Adnan, “Modernizing the Refugee Land Records: Advantages and Pitfalls,” *Reinterpreting the Historical Record: The uses of Palestinian Refugee Archives for Social Science Research and Policy Analysis*. Tamari, Salim and Zureik, Elia (eds.) Jerusalem: Institute of Jerusalem Studies/Institute of Palestine Studies, 2001, pp. 173–181.
- 61 Abu Sitta, Salman, *The Palestinian Right to Return: Sacred, Legal and Possible*. 2nd edition. London: The Palestinian Return Centre, 1999, p. 17.
- 62 Fischbach, Michael, *Records of Dispossession: Palestinian Refugee Property and the Arab-Israeli Conflict*. New York: Columbia University Press, 2003.
- 63 Morris, Benny, *The Birth of the Palestinian Refugee Problem*, p. 243.
- 64 “Investigation Report,” Simon and Vermeersch, UNA DAG-13/3.3.1–18, cited in Morris, Benny, *Israel’s Border Wars, 1949–56*, Oxford: Clarendon Press, 1993, p. 152.
- 65 Cohen, Hillel, *HaNifkadim HaNokhahim, HaPlitim HaFalestinim Belsrael me’az 1948* [*The Present Absentees: Palestinian Refugees in Israel Since 1948*] [Hebrew]. Jerusalem: Institute for Arab-Israeli Studies, 2000, p. 58. Also see Masalha, Nur, *A Land without a People: Israel, Transfer and the Palestinians*, London: Faber & Faber, 1997, p. 12. The Little Triangle included the villages of Umm al-Fahm, at-Tire, at-Taybia, Kafr Qasem and Baqa al-Gharbiya bordering Jenin, Tulkarem, and Qalqiliya. See Abu-Sitta, Salman, *Atlas of Palestine, 1948*, London: Palestine Land Society, 2004, p. 66.
- 66 Morris, Benny, *1948 and After: Israel and the Palestinians*. Oxford: Clarendon Press, 1990, p. 257–69.
- 67 Israeli Foreign Ministry reports indicate that some 17,000 Bedouin were expelled from the Naqab between 1949 and 1953. “Investigation Report,” Simon and Vermeersch, UNA DAG-13/3.3.1–18, cited in Morris, Benny, *Israel’s Border Wars*, p. 170.
- 68 Ben Gurion’s *Diary*, 17 November, vol. 3, p.839
- 69 *Constituent Violence 1947-1950: A Genealogy of a Regime and a Catastrophe from their point of view* Ariella Azoulay, Resling Tel Aviv 2009, p. 34-40, 53
- 70 The original version was in French and stated: “d’obtenir d’eux un travail extrêmement utile à l’économie de l’Etat.” International Red Cross report, 6 February 1949 (No. G59/II/GC), cited in Salman Abu Sitta in response to Eitan Bronstein’s question about the existence of labor camps in Palestine during and after the *Nakba*, May 19, 2002. Available on Zochrot Website: <http://www.zochrot.org/>

- 71 Salman Abu Sitta in response to Eitan Bronstein's question about the existence of labor camps in Palestine during and after the *Nakba*, May 19, 2002. Available on the Zochrot Website: <http://www.zochrot.org/>
- 72 Reviewing official Israeli government documents, Morris estimates that 30–90,000 Palestinian refugees attempted to return to their homes and villages between the middle of 1948 and 1953. Most were expelled. Morris, Benny, *Israel's Border Wars*, p. 152, p. 39.
- 73 State Archives, Foreign Ministry, Arab Refugees 2444/19, cited in Segev, Tom, 1949: *The First Israelis*. New York: The Free Press, 1986, p. 19.
- 74 "The Makings of History/ Secrets of the Olive Trees", Tom Segev *Haaretz*, 25 July, 2008. Segev refers to events at Kibbutz Carmia which wrote about this practice in a publication on the occasion of its 35th anniversary: "They came at night to steal fruit from the orchards and go back to Gaza laden with loot ... We guarded the area of the kibbutz from them ... We would catch prisoners, bring them back to the kibbutz and the army picked them up every morning and paid us ... Inside the kibbutz there was a kind of 'jail' - a small tin shack - where they would keep the prisoners until the army took them."
- 75 Morris, Benny, *Israel's Border Wars*, p. 147.
- 76 Morris, Benny, *The Birth of the Palestinian Refugee Problem*, p. 242.
- 77 These included Qibya, Nahalin, Bethlehem, Beit Jala, Sharafat, Qalqilya, Khan Younis, and Rafah. For descriptions of these events, see Masalha, *supra*, note 62; Khalidi, Walid, (1988); and Tubi, Tawfiq, *Kufr Qasem, the Massacre and the Lesson* [Arabic]. Haifa: Emile Touma Institute for Social and Political Studies, 2001.
- 78 For a detailed description, see Morris, Benny, *Israel's Border Wars*, p. 257–69.
- 79 *Ibid.*, p. 433.
- 80 Bauml, Y. (2006). "The Discrimination Policy Towards the Arabs in Israel", 1948-1968, *Iyunim Bitkumat Israel, Studies in Zionism, the Yishuv and the state of Israel*, 16, p. 391-413.
- 81 Special Report Of The Director Of The United Nations Relief And Works Agency For Palestine Refugees In The Near East, Covering The Period 1 November, 1956 to Mid-December 1956 General Assembly Official Records: Eleventh Session Supplement No. 14a (A/3212/Add.1) December 1956.
- 82 These included the villages of Iqrit, Bir'am, al-Faluja, Iraq al-Manshiya, Farraddiya, Inan, Saffurriya, al-Khisa, Qeitiya, Khirbet Muntar, Ghabsiyya and al-Hamma. The terms were used by Israel's first Prime Minister, David Ben Gurion, during a Cabinet meeting on 26 September, 1948. Morris, Benny, *1948 and After: Israel and the Palestinians*, p. 218.
- 83 See "Returning to Kafr Bir'im" Badil, October 2006.
- 84 *Ma'ariv*, 5 August, 1965; *Haaretz*, 6 September, 1966. See also the reply of the Prime Minister, Levi Eshkol, to a parliamentary question in *The Knesset Debates*, 6 February, 1967, p. 1148. Jiryis, Sabri, "The Legal Structure for the Expropriation and Absorption of Arab Lands in Israel," *Journal of Palestine Studies* 4 (Summer 1973), p. 85; Jiryis, Sabri, *The Arabs in Israel*, London: Monthly Review Press, 1976. Also see Segev, Tom, "Where Are All the Villages? Where are They?" *Haaretz*, 6 September, 2002. Translated and reprinted in *Between the Lines*, October 2002.
- 85 For a more detailed discussion, see Benvenisti, Meron, *Sacred Landscape: The Buried History of the Holy Land*, Berkeley: The University of California Press, 2000.
- 86 "The Fate of Abandoned Arab Villages in Israel, 1965-1969", Shai, Aron. *History & Memory*, Volume 18, Number 2, Fall/Winter 2006, p. 86-106. All information on the destruction of Palestinian villages derives from this source.
- 87 *Ibid.*
- 88 For a detailed description, see Jiryis, Sabri, 1976.
- 89 *Ibid.*, p. 16.
- 90 *Ibid.*, p. 10.
- 91 "The Military Government" Yair Boimel, *Jadal* #1, electronic publication of Mada Al-Carmel - Arab Center for Applied Social Research, January 2009.
- 92 For a detailed study of these laws, see, e.g., Boling, Gail J., "Absentees' Property Laws to Israel's Confiscation of Palestinian Property: A Violation of UN General Assembly Resolution 194 and International Law," 11 *Palestine Yearbook of International Law* 73 (2000–2001). These regulations include the 1948 Abandoned Areas Ordinance; the 1948 Emergency Regulations Concerning Absentee Property; the 1945 Defence (Emergency) Regulations; the 1949 Emergency Regulations (Security Zones); the 1949 Emergency Regulations (Cultivation of Waste [Uncultivated] Lands); the Emergency Law Requisition (Regulations) Law; the 1950 Absentees' Property Law; the 1950 Development Authority (Transfer of Property) Law; the 1953 Land Acquisition (Validation of Acts and Compensation) Law; the 1965 Absentees' Property (Amendment No. 3) (Release and Use of Endowment Property) Law; the 1970 Legal and Administrative Matters (Regulation) Law (Consolidated Version); the 1976 Absentees' Property (Compensation) (Amendment) Law; the 1943 Land (Acquisition for Public Purposes) Ordinance; the 1951 State Property Law; the 1958 Prescription Law (No. 38); and the Negev Land Acquisition (Peace Treaty with Egypt) Law 1980. See also *Ruling Palestine: A History of the Legally Sanctioned Jewish-Israeli Seizure of Land and Housing in Palestine*, Badil Resource Center & Center on Housing Rights and Evictions (COHRE), May 2005.
- 93 See: ILA Law (1960) and 1961 memorandum between the ILA and JNF. Also see "The Palestinians in Israel: Between the Hammer of Land Privatization and the Anvil of Land Nationalization" Jamil Dakwar, *Adv.*, Adalah, 30 March, 2005
- 94 See Appendix 1.2 (Military Government in Israel, 1949 – 1966).
- 95 At least 30,000 Palestinians were expelled from Israel between 1949 and 1956. By 1955, there were about 195,000 Palestinians living inside Israel. Israel Central Bureau of Statistics, *Statistical Abstract of Israel*, No. 52 (2001), Table 2.1, "The Population by Religion and Population Group."
- 96 "To Live or Perish: Abba Eban 'Reconstructs' the June 1967 War," in Finkelstein, Norman *Image and Reality of the Israel-Palestine Conflict* (London: Verso, 2001), p.123-49. Also see "Rethinking Israel's David-and-Goliath past", Sandy Tolan, *Salon* 4 June, 2007.
- 97 See Segev, Tom *1967 Israel, the War, and the Year that Transformed the Middle East*, Metropolitan Books, 2007, p.458.
- 98 For a description of specific incidents, see, e.g., Masalha, Nur, "The 1967 Palestinian Exodus," in *The Palestinian Exodus 1948–67*, Karmi, Ghada and Cotran, Eugene (eds.), London: Ithaca Press, 2000, p. 94; Neff, Donald, *Warriors for Jerusalem: Six Days that Changed the Middle East*, New York: Linden Press/Simon and Schuster, 1984, p. 228–29; and Dodd, Peter and Barakat, Halim, *River without Bridges: A Study of the Exodus of the 1967 Palestinian Arab Refugees*, Beirut: Institute for Palestine Studies, 1969, p. 40–42.
- 99 Masalha, Nur, *A Land without a People: Israel, Transfer and the Palestinians*. London: Faber & Faber, 1997.

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- 106 Al Haq, 2007 p.29
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- 118 The Oslo Peace Process generally refers to a series of agreements reached between the state of Israel and the PLO between 1993 and 2000, including the Declaration of Principles (1993 or Oslo I), The Protocol on Economic Relations between the Government of the State of Israel and the Palestine Liberation Organization (Paris Protocol), 1994; the Interim Agreement on the West Bank and the Gaza Strip (1995, sometimes referred to as Oslo II or the Interim Agreement); the Hebron Protocol (1997); and the Wye River Memorandum (1998). The failed negotiations at Camp David in June 2000 are also considered part of the same process.
- 119 “Palestine in a Century” Applied Research Institute – Jerusalem (ARIJ) www.poica.org/pal-in-a-century/pal-in-centruy.php
- 120 The Israeli Knesset has issued legislation which extends Israeli law to the OPT as a matter of extraterritorial jurisdiction, for example: *Emergency Regulations (Offense Committed in Israeli-Held Areas) Ordinance*, the *Knesset Election Law of 1969*, the *Income Tax Ordinance of 1978*, the *Value Added Tax of 1978*, a.o. Palestinian courts still rendered judgments against Jewish settlers under civil and criminal law prior to the 1993 Oslo Accords. Under the Oslo Accords and subsequent interim agreements between Israel and the PLO, however, jurisdiction over Jewish persons and settlements in the OPT was granted to the State of Israel and its courts in violation of international law. Since then the scope of extension of Israeli law into the OPT has massively increased.

- 121 A regime based on Israeli military orders and remnants of Ottoman, British, Jordanian and Egyptian law and regulations.
- 122 Since the early 1990s, *Hafrada* (הפרדה) has been adopted and implemented on the Palestinians in the OPT. It refers not only to Israel's siege of Gaza, but also to the system of military checkpoints, closures and the Wall which isolate and fragment Palestinian communities in the occupied West Bank. Other names for *hafrada* in English usage include "unilateral separation" or "unilateral disengagement." B'Tselem and the Association for Civil Rights in Israel have described Israel's "separation policy" applied since 2001 constituting "a policy of expulsion of Palestinians"; see: *Ghost Town: Israel's Separation Policy and Forced Eviction of Palestinians from the Center of Hebron*. Jerusalem: B'Tselem, May 2007.
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- 124 OCHA, *Weekly Report*, 16 – 20 January 2009.
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- 130 United Nations, Gaza Flash Appeal, January 2009.
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- 133 See Palestinian Central Bureau of Statistics and UNOSAT Damage Assessment, 20 January, 2009.
- 134 The Observer, "Gaza desperately short of food after Israel destroys farmland", 3 February, 2009.
- 135 A brief overview of some Israeli military operations in Gaza from 2004 on: "Operation Rainbow", 12-14 May 2004: 66 killed, 261 homes destroyed in Rafah; "Operation Days of Penitence", 28 September – 15 October 2004, Jabaliya Refugee Camp and Beit Lahiya: 103 dead, 4,000 displaced, 83 homes destroyed, 18 workshops, 19 public institutions, 210 acres of agricultural land razed; end of March – mid-May 2006, Israel undertakes a policy of firing artillery shells at Gaza. The Israeli media reports 5,100 shells fired during this time; "Operation Summer Rains", 25 June – 15 November 2006: a wide scale campaign involving many sub-operations each of which lasts several days. They include: "Operation Southern Shalit" (28 June); "Operation Bashan Oaks" (2 July); "Operation Feedback" (12 July); "Operation Final Grade" (July 16); "Operation Samson's Pillars" (26 July); "Operation Horizon Line (August 2); "Operation Locked Garden" (26 August); "Operation Rain Man" (14 October); "Operation Four Kinds" (16 October); "Operation Squeezed Fruit" (17 October); and "Operation Autumn Clouds" on 1 November. In total 434 Palestinians were killed; in 2007 some 290 Palestinians were killed in more military operations, including "Operation Warm Winter", 29 February, 2008: 69 Palestinians killed in Jabaliya.
- 136 The Palestinian Center for Human Rights documents the death of 3741 Palestinians during the Second Intifada at the hands of the Israeli occupation army, between 29 September, 2000 and 20 December, 2008. A further 1130 Palestinians were killed in armed clashes and 742 were assassinated. See PCHR website "Statistics related to the Al Aqsa Intifada" at: <http://www.pchrgaza.org/alaqsaintifada.html>. A concise example of Israel's use of excessive and indiscriminate force was seen in Israel's assault against the Gaza Strip in operation codenamed "Cast Lead." The United Nation's fact finding committee established in the wake of the assault affirmed this conclusion, hinting at the Israeli Occupation army committing war crimes and crimes against humanity. See *Report of the United Nations Fact Finding Mission on the Gaza Conflict*, Human Rights Council, Twelfth session, A/HRC/12/48, 15 September, 2009.
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- 141 "Human Rights in the Occupied Territories. 2008 Annual Report", B'Tselem
- 142 Addameer, "Political Detention: The Infinite Violation of Human Rights", at: www.addameer.org/detention/background.html
- 143 www.btselem.org. At the end of 2008, Israel held at least 9,000 Palestinians, including 248 children and 69 women. 900 Palestinians, including elected members of the Palestinian parliament in the OPT, were held in administrative detention. PCHR Annual Report 2008.
- 144 See, for example, PCHR Annual Report 2008, p. 52.
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- 153 "The Planning Crisis in East Jerusalem", OCHA Special Focus, April 2009.
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- 157 Report Of The Special Rapporteur On The Situation Of Human Rights In The Palestinian Territories Occupied Since 1967, John Dugard, A/HRC/7/17 of 21 January, 2008.
- 158 "Unprotected Citizens", Arab Association for Human Rights, 7 May, 2008.
- 159 "Off the Map", Human Rights Watch, 2008.
- 160 See Regional Council of Unrecognized Villages, www.rcuv.net .
- 161 "News Update" Adalah, 16 August, 2007
- 162 "The Human Rights Status of the Palestinian Arab Minority, Citizens of Israel", Mossawa, 2008.
- 163 "Adalah's Report to CERD In Response To The List Of Issues Presented To Israel", 1 February, 2007.
- 164 "Adalah Demands that Court Prevent the Expulsion of 1,000 Arab Bedouin from their Homes and the Destruction of their Village in the Naqab in Israel" Adalah Newsletter, Vol. 54, November 2008.
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- 199 The Protection Sector OPT, 2010 CAP, Needs Analysis Framework.
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- 201 Report of the Special Rapporteur on the Situation of Human Rights in the Palestinian Territory Occupied since 1967, John Dugard, E/CN.4/2006/29, 17 January, 2006, p. 12, para. 32.
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- 222 *Ibid.*
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- 239 Adalah’s Report to CERD, 2007.
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- 242 Sachar, Howard M.A *History of Israel*, New York, Knopf, 1996, p. 842.
- 243 “‘Not prepared to concede one metre’: Apartheid in the Galilee”, Jonathan Cook, *The Electronic Intifada*, 17 May, 2005
- 244 This refers in particular to Amidar, the public housing company owned by the Jewish Agency, the Jewish National Fund, and the State of Israel, which has a historical record of dispossessing and demolishing the homes of Palestinians inside Israel and the West Bank. On March 19, 2007, Amidar published a document titled “A Review of the Stock of Squatted Properties in Jaffa – Interior Committee, Israel Knesset” which reviews properties administered by the company in the Jaffa–Tel Aviv area. The document lists 497 eviction and demolition orders received by Palestinian families in the Ajami and Jabaliyya neighborhoods of Jaffa on grounds of “squatting” and “building additions undertaken without approval from Amidar and without a permit from the planning and building authorities.” *Jaffa: From Eminence to Ethnic Cleansing*, Sami Abu Shehadeh and Fadi Shbaytah 39/40 (Autumn 2008–Winter 2009).
- 245 In the second half of the 1980s and the beginning of the 1990s, Jaffa witnessed heavy gentrification in the form of new architectural and real estate development projects. Over time, increasing numbers of Jewish citizens came to live in Jaffa to escape the high population density in Tel Aviv and in search of homes overlooking the sea. Luxurious apartments in two or three-storey buildings are almost the only kind of construction that is currently permitted in Jaffa. This kind of construction, which is taking place on lands where Arab homes had stood, fails to alleviate the housing crisis of Arab residents of Jaffa, whose number today stands at almost 20,000. Thus, the Al Ajami and Jabaliyya neighborhoods and the Old City are slowly being transformed from lively but poor Arab residential areas to wealthy Jewish neighborhoods.

- See “Modern Displacement of Palestinians in Yaffa”, Salah Muhsin, Adalah’s Newsletter, Volume 48, May 2008.
- 246 See, for example: *Closing Protection Gaps. Handbook on Protection of Palestinian Refugees in States Signatories of the 1951 Refugee Convention*, BADIL Resource Center, August 2005, p. 122-125. See also: *Chapter Three*
- 247 Cobban, Helena, *The Palestinian Liberation Organisation: People, Power, and Politics*, Cambridge University Press, (1984) p. 142
- 248 A 1988 survey of 4,470 displaced Palestinian families found that the majority were displaced because of the 1985–1987 “war of the camps”, and that 75% of them have been forced from their house three or more times. See Jaber Suleiman, “Marginalised Community: The case of Palestinian Refugees in Lebanon”, United Kingdom: Development Research Centre on Migration Globalisation and Poverty, April 2006, p. 6.
- 249 Suheil al-Natour, *Awda’ al-Sha’ab al Falastini fi Lubnan* [Arabic], Beirut: Dar al-Takadum al-Arabi, 1993; and *Al-Mohajjarun al-Falastinyoun fi Lubnan* [Arabic], Beirut: Ajial, 2003.
- 250 Jaber Suleiman, “Marginalised Community: The Case of Palestinian Refugees in Lebanon”, p. 6, cited in Mohamed Dorai, “Palestinian Emigration from Lebanon to Northern Europe: Refugees, Networks, and Transitional Practices,” *Refugee*, 21:2, February 2003.
- 251 UNRWA announced that between August 1990 and March 1991, approximately 250,000 persons holding Jordanian passports arrived in Jordan, of whom the majority were registered refugees or of Palestinian origin. See *Report of the Commissioner-General of the United Nations for Relief and Works Agency for Palestine Refugees in the Near East*, A/46/13, 20 June, 1991. The Jordanian government estimates that 280,000 persons holding Jordanian passports had entered Jordan by the end of the Gulf War. Shaml Palestinian Dispora and Refugee Centre estimates that between 30–40,000 Palestinians were able to enter the OPT. Research Report No. 6, Ramallah: Shaml.
- 252 Shaml Newsletter No. 6, February 1997. Also see Shaml Newsletter No. 1, December 1995.
- 253 For more on the status of Palestinian refugees displaced as a result of the U.S. invasion of Iraq, see, “From Fast Death to Slow Death: Palestinian Refugees from Iraq Trapped on the Syria-Iraq Border”, Summary Report of an International NGO Delegation, November 20, 2008.
- 254 “Al Tanf Camp Trauma Continues for Palestinians Fleeing Iraq”, April 2008 AI Index: MDE 14/012/2008. Palestinian refugees from Iraq who are present in Syrian territory are regularly picked up by Syrian security forces and transferred to the al Tanf camp.
- 255 “Palestine refugees from Iraq resettled in Chile”, *The Electronic Intifada*, 8 April 2008.
- 256 “Risking Israel’s ire, U.S. takes 1,350 Palestinian refugees” Patrik Jonsson, *Christian Science Monitor* 7 July, 2009.
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- 258 UNRWA, “The Situation of Palestine Refugees in South Lebanon,” 15 August 2006.
- 259 UNRWA, *Situation Report*, 9 August 2006.
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