

Palestine refugees in the contemporary context: a view from UNRWA

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Serious deprivations feature regularly in the lives of Palestinians and Palestine refugees. Among them, measures restricting or prohibiting the movement of people and goods stand out as particularly severe – and are in blatant contravention of human rights provisions.

There are 4.4 million refugees registered and residing in the countries and territories served by UNRWA (UN Relief and Works Agency for Palestine Refugees in the Near East), in addition to four to five million Palestinians living in the diaspora, almost all of whom identify themselves firmly as Palestine refugees.

In the West Bank, the illegal separation barrier divides and isolates Palestinian communities, stifling livelihoods and affecting or preventing hundreds of thousands of people from reaching their jobs, families, markets, schools and hospitals. The barrier and its regime of permits, security checks, towers, trenches and electronic fences constrict movement to a point where normal Palestinian life has become a thing of the past. The West Bank is splintered into multiple enclaves, with Palestinian movement between sections strictly controlled.¹ By contrast, the million and a half Palestinians of Gaza are held captive as a whole. They are free to move within Gaza but prohibited – with very few exceptions – from leaving it. Human rights instruments state that everyone has the right to leave any country, including his or her own, and to return to that country. Many Palestine refugees, particularly those in Gaza and the West Bank, are denied that right.

Since last June there has been a 70% reduction in the supplies coming into Gaza. The World Food Programme reports that by the end of 2007, only just over half (56.5%) of the territory's food needs were met. Owing to a lack

of fuel and spare parts, public health conditions have declined steeply as water and sanitation services struggle to function. The electricity supply is sporadic and for some 210,000 of the poorest people, piped water is available for no more than two hours a day. In mid-November 2007, the World Health Organization reported that Gaza had less than one month's supply of 91 essential drugs and necessary medical supplies.

are imposed also on bringing cash into Gaza, thereby crippling the banking system, impeding the inflow of badly needed remittances and forcing normal business activity to grind to a halt. Furthermore, seriously ill patients have been prevented from obtaining the care they require in Egypt, Jordan or Israel. Several thousand more Gazans are languishing in limbo in Egypt, having been denied entry into Gaza since the Rafah crossing was closed in June.

In November 2007, the Palestinian Federation of Industries reported the closure of 95% of Gaza's factories and workshops, swelling the ranks



Due to almost daily electricity cuts, Palestinian families in Gaza often have to eat their dinner by candlelight.

The humanitarian and human development work of UNRWA and other agencies and the private sector is hampered by the closure of Karni and Sofa crossings, Gaza's main access points for goods. Projects valued at over \$370 million have been suspended, of which some \$93 million are UNRWA's and another \$120 million those of other UN agencies. Restrictions

of the unemployed by 80,000. More than 30% of Palestinians now live below the poverty line. In Gaza, 80% of the population is now receiving humanitarian aid. The World Bank conservatively estimates unemployment at 44% in 2007.²

Statistics alone, however, cannot convey the misery, frustration and poverty that threaten to engulf Gaza



Victoria Hazou/RIN

A Palestinian woman carries a container of food she purchased in Egypt after crossing through a destroyed section of the border wall between the Gaza Strip and Egypt, January 2008.

and parts of the West Bank. Statistics also do not speak to the potentially irreversible damage being done to the economic foundations of the occupied Palestinian territory (oPt). Investors and entrepreneurs are moving their capital to Jordan, Egypt and elsewhere, and skills lost from long periods of unemployment are not easily regained. In addition, tens of thousands of Palestinians are applying to emigrate – a new phenomenon and a sad indicator of their living conditions.

The size of the funding pledges made at the Paris conference in December 2007 – totalling \$7.4 billion, almost \$2bn more than the amount requested – reflects the international community's recognition of the scale of the challenge and the imperative of solid economic and fiscal foundations for the oPt. They imply an acknowledgement of the indivisibility of security, socio-economic stability and the peaceful resolution of the Israeli-Palestinian conflict. However, a more explicit focus on fulfilling the rights and freedoms to which Palestinians are entitled under international law is

also needed. Without a cessation of hostilities and a significant increase in the level of respect for human rights, efforts towards economic revival will, at best, be fraught.

Issues outstanding

One outstanding question relates to the identity of the Palestine refugee. If the political challenges were resolved and a just settlement agreed, by what criteria would Palestine refugees be identified? UNRWA's refugee rolls and the over 16 million records in the Agency's archives (currently being digitised under the Palestinian Refugee Records Project) would certainly be the first port of call. These records would be an indispensable resource for tracing family histories, tracking property titles and verifying individual residence in mandate Palestine prior to 1948.

An issue of possible contention is whether the international community could deny or exclude from the benefit of a just solution those who maintain their claim to be Palestine refugees and yet are outside UNRWA's refugee records. The list of such claimants could be long. It would include refugees who are registered by states and governments but not by UNRWA; those who are registered neither by UNRWA nor any state, such as the so-called 'non-ID Palestinians' (as those in Lebanon); and those Palestinians who fall within the terms of the Statelessness Convention. It would include those who for a variety of legitimate reasons cannot provide documentation to meet the UNRWA definition (proving that their normal place of residence was Palestine during the period of June 1946 to 15 May 1948, and that they lost both home and livelihood as a result of the 1948 conflict).

A second outstanding issue is that of refugee representation. A prominent failing of peace processes to date has been the practice of shying away from issues deemed too thorny. The preference has been to concentrate small steps in areas where progress has been thought possible and to postpone all others to the indefinite future. One outcome of this approach has been to shunt the refugee issue into the shadows where it has more or less languished for six decades. This inclination to disown the refugee issue has as its corollary the

silencing of the refugee voice and a disregard for refugee choice.

Under the universal refugee protection framework, informed individual choice is the foundation on which durable solutions are identified and applied, and this principle should equally benefit Palestine refugees. Indeed, given the complexities of return and settlement issues in the Palestinian context, informed choice must be the essence of any effort to sift through and clarify the range of varying Palestinian expectations and rights. And yet the reality of representational needs has not been reflected in practice, as witness the trend of peace proposals negotiated mainly by non-refugees. There is talk of resolving the refugee issue but there is no system or mechanism in place to solicit, record and respond to the views of Palestine refugees.³

The way forward is towards Palestinian self-determination, and just and lasting solutions to the plight of refugees through an informed choice. But first, and more immediately, what are needed are open borders, freedom of movement, access for goods and people, and, above all, a unified government equipped, willing and able to represent, protect and defend Palestinian and Palestine refugee interests.

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See also Greta Gunnarsdóttir's article 'UNRWA: assisting Palestine refugees in a challenging environment': www.fmreview.org/FMRpdfs/FMR26/FMR2604.pdf

1. See article by David Shearer 'Territorial fragmentation of the West Bank' in FMR 26 at www.fmreview.org/FMRpdfs/FMR26/FMR2610.pdf

2. 'Prolonged Crisis in the Occupied Palestinian Territory: Recent Socio-Economic Developments', UNRWA, November 2007 www.un.org/unrwa/publications/pubs07/RecentSoEcDev.pdf

3. The power of informed Palestinian voices was demonstrated in 2004 and 2005 by the Civitas Project www.nuffield.ox.ac.uk/projects/Civitas/index.aspx