

# Palestinian refugees and the Right of Return



## Who are the Palestinian refugees?

The Palestinian refugees are the indigenous Arab inhabitants of historic Palestine (what is now Israel, the occupied West Bank and the Gaza Strip), who were displaced or expelled from their homes during or since 1948.

They – and their descendants – have never been allowed to return to their land, and now comprise one of the world's largest and longest suffering refugee populations. There are currently more than seven million refugees, with the majority living in Jordan, Lebanon, Syria, the West Bank, and the Gaza Strip. There are also 338,000 internally displaced Palestinians living in Israel with Israeli citizenship, but who are prevented from returning to their original homes and villages.



## Key facts

- 750,000 Palestinian refugees ethnically cleansed from their homes in 1948 by Israel.
- 7 million Palestinian refugees worldwide today.
- Right of Return reaffirmed by UN Resolution 194 and international law.
- Palestinian refugees face discrimination and hostile living environments.

## Origins of the refugee crisis

The Palestinian refugee crisis is a direct and inevitable consequence of the desire to establish Israel as a Jewish state. Ethnic cleansing of the territory took place, and continues to take place, in order to achieve demographic superiority. Between 1947 and 1949 around 750,000 Palestinians were forcibly expelled or had to flee their homes and villages for fear of violence from Jewish militias.

In 1967, during the 'Six Day War', Israel occupied the Palestinian West Bank and Gaza Strip. 430,000 people became refugees, almost half of them for a second time. Palestinians were fleeing after attacks on civilian areas, but planned to return after the hostilities had ceased. During this time 2% of West Bank and Gazan villages were destroyed as well as several refugee camps.

Palestinians continue to be dispossessed to this day as a result of Israeli policies in the Occupied Palestinian Territories. These include revocation of residency rights, house demolitions and the confiscation of land in order to build illegal settlements. Israel's military onslaught on

Map — Walid Khalidi, *All That Remains: the Palestinian villages occupied and depopulated in 1948*. Institute for Palestine Studies, Washington DC, 1992.

the Gaza Strip in 2014 left 2,200 Palestinian dead, but also completely destroyed 17,000 homes. Thousands remain homeless as Israel prevents essential building material from entering the territory – which has led Oxfam to estimate that it will take over a hundred years to recover from the damage inflicted.

## The Right of Return

The legal basis for the Palestinian right of return is firmly entrenched in international law. It is an inalienable right that the United Nations General Assembly has reaffirmed through Resolution 194 over 135 times. Paragraph 11(a) of the resolution states that the UN:

“Resolves that the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible.”

The refusal to allow Palestinian refugees to return to their homes is based on Israel’s self-definition as a Jewish state rather than a state of and for all its citizens. The apartheid framework means that Palestinian refugees are denied their right of return, while Israel’s discriminatory Law of Return gives any person who is Jewish, or has a Jewish parent, grandparent or spouse, the automatic right to immigrate to Israel and gain Israeli citizenship.

For the last 70 years, a combination of emergency regulations, absentee property laws, military orders and other administrative strategies have transferred the land of the dispossessed Palestinians into the ownership of the state of Israel and the Jewish National Fund as the property of the Jewish people.

Durable peace can only be achieved through justice and the implementation of international law. This includes Israel recognising its responsibility for the violent dispossession of hundreds of thousands of

Palestinians, and subsequent refusal to allow them to return to their homes or provide adequate compensation. The right of return is both a Palestinian individual and collective right, which must be incorporated into any future peace deal.

## The role of UNRWA

The United Nations Relief and Works Agency (UNRWA) provides assistance and protection to Palestine refugees in Jordan, Lebanon, Syria, the Gaza Strip and the West Bank, including East Jerusalem.

Palestinian refugees hosted in foreign countries face ongoing hardship and discrimination. The refugees in Lebanon are not treated as equal citizens, and are forced into overcrowded camps where there are laws preventing them from employment in certain key professions. Similarly, Palestinian refugees in Syria have been particularly affected by the conflict there.

The US decision in 2018 to withdraw funding from this already resource stretched agency is a fundamental threat to the welfare and basic rights of Palestinian refugees already living in perilous circumstances. UNRWA is not a solution to the ongoing refugee crisis, but it does provide essential services such as health and education to Palestinian refugees.



An UNRWA school

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