



PROFILE OF INTERNAL DISPLACEMENT : ISRAEL

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PROFILE SUMMARY

Summary

Summary

The Global IDP Project has decided to publish a profile on internal displacement in Israel and another one on internal displacement in the West Bank and the Gaza Strip. To view our explanation for this decision, please check our background section "Methodology: who is an IDP in Israel and in the Palestinian territories" [[Internal Link](#)]

Following the United Nations vote on the partition of Palestine into a Jewish and an Arab State in November 1947 and the proclamation of the State of Israel in May 1948, armies from neighboring Arab nations entered the former Mandate of Palestine and fought against Israeli military forces. At the end of the war in 1949, no general peace settlement was achieved (UN GA Resolution 181 of 29 November 1947 & Government of Israel 14 May 1948 & U.S. DOS December 1998).

Between 1948 and 1949, approximately 600,000 to 760,000 Arabs who had lived in the territory which became Israel were driven or fled the country and became refugees (MERIP 2001 & Bligh January 1998, p.124). During this period, another 46-48,000 Arab villagers were displaced within Israel and today this group (including their children) represents about 150,000 to 200,000 persons (Bligh January 1998, p.25, Al-Haj 1986, Nir 2001, Cohen 20 July 2001; BADIL 23 April 2001, p.27). About 70,000 Bedouins, many of whom were displaced in 1949 in the south of Israel, are also counted as internally displaced by organizations defending the rights of Palestinian Arab citizens of Israel (BADIL 23 April 2001, p.27; National Society for the Rights of the Internally Displaced in Israel, February 2000). The Druze community was spared from displacement, and while Christian Arab villagers close to the Lebanese borders were driven south and became internally displaced, many Muslim Arabs were driven or fled into Lebanon and became refugees (Kanaana 2001).

In December 1948, the United Nations established the UN Relief and Works Agency for Palestine Refugees in the Near East (UNWRA). The mandate of the agency was to assist all those who were residents in Palestine in 1946 and who lost their homes and livelihood in 1948. UNWRA assisted the internally displaced within Israel from 1950 to 1952, until Israel took over this responsibility, due to American pressure (UNWRA 2001 & Bligh November 1994). Following the war, the UN General Assembly adopted Resolution 194, which affirmed that "the refugees wishing to return to their homes and live at peace with their neighbors 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" (UN GA 11 December 1948, para.11). Over fifty years later, people displaced from their villages in Israel and resettled in other towns are still hoping to return to their former homes.

The state of Israel created an institutional and legal land regime by which most of the land became state land. Most displaced lost their land, due to the Absentee Property Law of 1950, which declared them "present absentees" since they had left their villages (Arab Association for Human Rights 2001). Based on a British Regulation promulgated in 1945 and in force until 1966, the areas in which 90 percent of the Arabs lived were placed under military administration, which limited their freedom of movement (Canadian Forces College 2001 & Arab Association for Human Rights 2001).

The Israeli government decided in 1949 to rent land to the displaced. The displaced with economic difficulty would be the primary beneficiaries of land allocation, especially those from villages who had surrendered to the Israeli army (Cohen Winter 2000 & Bligh January 1998). The government thought that by renting land where the displaced had resettled, they would think less about their lost villages. While in some cases the displaced did rent land without problem, in many cases, they had to face opposition from their Jewish neighbors, or pressure from the Arab host communities and refused to rent abandoned land; also, many feared that renting other land would hurt their claim on their own land; the proposed land was often of bad quality and too small (Cohen Winter 2000).

While many displaced still had land titles to their property, it was not the case of the Bedouins, since traditionally, their property had not been registered (Abu-Rabia November 1994). In addition, the State of Israel enacted a series of laws and regulations facilitating confiscation of the Bedouin land (Arab Association of Human Rights 2001, "Negev"). These laws were also accompanied by several waves of displacement. In 1949, many Bedouins in the south of the country were ordered to move into a close area under military administration. Following the cancellation of military rule in 1966, most of them continued living in the former closed area (Abu-Rabia November 1994). Many have settled in "unrecognized villages", i.e. villages which were declared illegal by the National Planning and Building Law of 1965 and usually do not receive municipal services (Peled November 2001 & US DOS February 2001).

From the 1970's to the 1990's, the Israeli government planned and built 7 urban-style towns for the Bedouin. According to advocates for the Bedouin community, the Bedouins have not been sufficiently involved in the planning of the towns and not enough consideration was paid to their lifestyle and traditions. Also, the compensation received in exchange for giving up their land and building a new house in the towns is viewed as too low (Al-San'a 26 May 2000 & Peled November 2001). The Israeli government reported to the UN Human Rights Committee that it did try to accommodate the Bedouins' traditional way of life (UN Human Rights Committee 9 April 1998). While the 7 towns built for the Bedouin community do offer better access to services than in the traditional Bedouin settlements, quality and level of services are inferior to those in Jewish towns (Al-San'a 26 May 2000 & Lithwick 2000).

Most of the displaced live, like the rest of the Arab population in Israel, in Arab towns with little or no Jewish population, where they have usually set up their own separate neighborhood or in "mixed" Arab-Jewish towns (Al-Haj September 1986 & Nir 8 January 2001, in Ha'aretz). Many live in the most impoverished and overcrowded neighborhoods of these towns (Schechla October 2001). The level of government services provided to the Arab minority – about 20 percent of the population – is lower than the one offered to the Jewish community (MERIP 2001, "Palestinian Arabs" & U.S. DOS February 2001 & Arab Association for Human Rights 2001, "Land and Planning").

Many displaced have appealed to Israeli courts against land confiscation, but the process is slow and the level of compensation often not considered sufficient by the recipients (Arab Association for Human Rights 2001, "Land and Planning", Al-San'a 26 May 2000 & Lithwick 2000). Supreme Court decisions to allow the villagers of Kafar Bir'em, Ikrit and others to return to their villages were not implemented, according to an umbrella group of displaced (National Committee for the Rights of the Internally Displaced in Israel February 2000). Also, alternative government proposals of compensation and land exchanges have not met the demands of the displaced who want to return to their former homes (see for example, Committee for the uprooted of Kafar Birem 2001).

In 1995, seeing that their situation was not addressed in the framework of the peace process, the displaced founded a committee to advance their goal to return to their villages of origin. The National Council for the Defense of the Rights of Displaced persons in Israel is an umbrella organization uniting thirty local committees of displaced. (National Committee for the Rights of the Internally Displaced Palestinians in Israel February 2000)

Other local associations promoting the rights of the Arab minority in Israel, including those of the displaced, are the Association for Civil Rights in Israel (ACRI), Adalah (Legal Center for Arab Minority Rights in Israel), the Arab Association for Human Rights (HRA) and BADIL (ACRI 1996 Adalah 2001 & HRA 2001, "Homepage", BADIL 2001, "index"). Association 40 aims for the recognition of the Arab unrecognized villages in Israel, while the Committee for the Uprooted of Kafar Birem advocates for the return to its destroyed village (Association 40 2001 & Committee for the Uprooted of Kafar Bir'em 2001). The International NGO Oxfam works with local partners to improve the life of the Bedouin community, including those living in "unrecognized villages" (Oxfam 2001).

(January 2002)

CAUSES AND BACKGROUND OF DISPLACEMENT

Background of the conflict

Methodology: who is an IDP in Israel and in the Palestinian territories (2002)

The Global IDP Project has decided to provide two profiles on internally displaced persons (IDPs): one for Israel and one for the Palestinian territories. The reasons behind this decision are explained below, as our conclusions may be subject to debate. We have looked at the definition of refugees according to UNRWA (United Nations Relief and Works Agency for Palestine Refugees), the definition of refugees in the 1951 Refugee Convention, and the IDP definition according to the UN Guiding Principles on Internal Displacement.

Mandate of the UNRWA

A separate regime was created in December 1949 to provide assistance to the Palestinian refugees. The mandate of UNRWA was to assist all those who were residents in Palestine in 1946 and who lost their homes and livelihood in 1948 (UNRWA Overview). The definition of a Palestinian refugee included the people who lost their homes in 1948 but remained in what became the State of Israel. From 1950 to 1952, UNRWA assisted both the people who had fled or were driven from the State of Israel (1949 armistice line) and those who had lost their homes but stayed in what had become the State of Israel. In 1952, Israel took over the responsibility of the ones who had remained in Israel. Today, UNRWA provides basic services - education, health, relief and social services - to over 3.8 million registered Palestine refugees in the Middle East (as of June 2001).

"Refugee" according to UN 1951 Convention

Article 1 of the UN 1951 Refugee Convention defines a refugee as "a person who is outside his/her country of nationality or habitual residence; has a well-founded fear of persecution because of his/her race, religion, nationality, membership in a particular social group or political opinion; and is unable or unwilling to avail himself/herself of the protection of that country, or to return there for fear of persecution." (UN 1951 Refugee Convention).

"IDPs" according to the UN Guiding Principles on Internal Displacement: "internally displaced persons are persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border." (UN Guiding Principles on Internal Displacement). The Global IDP Project does not cover internal displacement due to natural and human-made disasters.

How to apply the above definitions in the case of Israel and the Palestinian territories

Usually, the main way to distinguish between who is a refugee and who is internally displaced, is to look at whether the displaced have crossed an international border. According to UNHCR, "Refugees are people who have crossed an international border into a second country seeking sanctuary. Internally displaced persons (IDPs) may have fled for similar reasons, but remain within their own territory and thus are still subject to the laws of that state" (UNHCR 2002). This principle is problematic with the Palestinian refugee situation, because of the absence of agreed borders between Israel and some of its neighbors, including the Palestinian territories. Also, the Palestinian refugees were explicitly excluded from the coverage under the 1951 refugee convention, because they were covered under UNRWA (UN 1951 Refugee Convention, Introductory Note).

To determine who is a refugee or an internally displaced person in Israel or in the Palestinian territories, we have compared the IDP definition with the one of refugees from the UN 1951 Convention. Using these definitions, we define four classes of displaced Palestinians:

1. Palestinians, who left homes in 1948 from Israel for Lebanon and other recognized states.

These Palestinians became refugees and not internally displaced since they went from their country of habitual residence, whether considered the British mandate of Palestine or Israel, to Lebanon, etc. Even though they may not have crossed an agreed border, as in the case of Lebanon, they are still clearly outside their country.

2. Palestinians, who left homes in 1948 from Israel for Gaza and the West Bank.

These Palestinians are also refugees and not IDPs. They went from Israel to a different entity, which was never under Israeli sovereignty and is currently under partial Palestinian sovereignty. While there is no agreed border, they are not in their country of origin. Though it is difficult to define the legal status of the Palestinian territories, even the Israeli government has not claimed that these territories are part of the State of Israel, except for East Jerusalem. Israel occupies Gaza and the West Bank which are for a great part under its military jurisdiction but has not annexed them. The Israeli government has not extended citizenship to the Arab inhabitants of the territories, except to residents of East Jerusalem. Finally, while the Palestinian State has not yet materialized, the right of the Palestinian people to a state has been recognized by the international community.

3. Palestinians, who fled or were driven from their homes during the 1948 war, but remained within what became the State of Israel.

These people are clearly not refugees, but they are internally displaced, because they are still seeking to go back to their former homes and have outstanding claims against the State of Israel. They have Israeli citizenship and most of them have joined forces under the National Committee for the Rights of the Internally Displaced in Israel to negotiate directly with the State of Israel.

4. Palestinians, who are displaced from their homes in Gaza and the West Bank due to illegal or discriminatory house demolitions and evictions, but have not left these territories.

These Palestinians are not refugees, since they have not left their country. They are internally displaced, because their displacement was a result of human rights violations. According to the Oslo Accords, Gaza and West Bank are considered as a single territorial unit (see Declaration of Principles on Interim Self-Government Arrangements, September 13, 1993), so movement between the two areas does not create refugee status.

As a consequence, the Global IDP Project considers as internally displaced in Israel those who fled or were driven from their homes during the 1948 war but remained within what became the State of Israel and who are still seeking to go back to their former homes; we also consider as internally displaced those who have been displaced from the Gaza Strip or the West Bank and remained in these areas.

Partition plan of the former Mandate of Palestine and 1948 war

- 29 November 1947: UN GA voted partition of Palestine into a Jewish and an Arab State
- 14 May 1948: proclamation of State of Israel
- 15 May 1948: armies from neighboring Arab nations entered the former Mandate of Palestine and fought against Israeli military forces

- At the end of the war in 1949, Israeli territory had increased 50% but no general peace settlement was achieved
- December 1948: UN GA adopted resolution on return and compensation of refugees (UN GA 194)
- Many Arabs, including Bedouins, left or were expelled from the territory which became Israel and others became internally displaced persons
- Establishment of areas under military administration following 1948 war
- 600,000 Jewish refugees arrive in Israel from 1947 to 1950

"On November 29, 1947, the UN General Assembly voted to partition Palestine into two states, one Jewish and the other Arab. The UN partition plan divided the country in such a way that each state would have a majority of its own population, although some Jewish settlements would fall within the proposed Palestinian state and many Palestinians would become part of the proposed Jewish state. The territory designated to the Jewish state would be slightly larger than the Palestinian state (56 percent and 43 percent of Palestine, respectively) on the assumption that increasing numbers of Jews would immigrate there. According to the UN partition plan, the area of Jerusalem and Bethlehem was to become an international zone." (MERIP 2001 "Partition plan")

To view the text of the UN GA Resolution 181 of November 29, 1947 calling for the partition of the British-ruled Palestine Mandate into a Jewish state and an Arab state. see [\[External Link\]](#)

"Violence between Arab and Jewish communities erupted almost immediately. Toward the end of the British mandate, the Jews planned to declare a separate state, a development the Arabs were determined to prevent. On May 14, 1948, the State of Israel was proclaimed. The following day, armies from neighboring Arab nations entered the former Mandate of Palestine to engage Israeli military forces.

In 1949, under UN auspices, four armistice agreements were negotiated and signed at Rhodes, Greece, between Israel and its neighbors Egypt, Jordan, Lebanon and Syria. The 1948-49 war of independence resulted in a 50% increase in Israeli territory, including western Jerusalem. No general peace settlement was achieved at Rhodes, however, and violence along the borders continued for many years." (U.S. DOS December 1998)

To view the text of the declaration of independence of the State of Israel on May 14, 1948, please see [\[External Link\]](#)

Following the war, the UN General Assembly passed Resolution 194, which "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" (UN GA 11 December 1948, para.11)

"Following the 1948 war, only 160,000 of the 700,000 Arabs [*see note below*] who had lived in the territory which became Israel, remained in the country. Of these, 69.7 percent were Moslems, 21.2 percent Christians and 9.1 percent Druze (Ben-Amran, Eliyahu 1965, "A Demographic description of the Arab population"). Among the Arabs who remained in Israel some were compelled to move to other communities after the destruction of their localities during the war, and have become internal refugees. Our definition of the Arab internal refugees is derived from the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA): 'A person whose normal residence was Palestine for a minimum of two years immediately preceding the outbreak of the conflict in 1948 and who, as a result of this conflict has lost his home and his means of livelihood. This definition has been extended to cover the children of such a person [...]' (Al-Haj September 1986, p.654)

Note: The number of Palestinians who left the country is subject to controversy. While M. Al-Haj mentions that there were a total of 700,000 Arabs in the territory which became Israel, the Middle East Research and Information Project (MERIP) states that over 700,000 Palestinian Arabs became refugees (MERIP 2001, "Palestinian Arab Refugees"). According to A. Bligh, the number of refugees was between the general range of 600,000 to 760,000 (Bligh January 1998, p.124)

"At the end of the British Mandate, the Bedouin population of the Negev numbered between 65,000 and 100,000. [...] When the Israeli Army occupied the Negev in 1948, the majority of the tribes were expelled to Jordan, the Gaza Strip, and Sinai. Other Bedouin, who were afraid of the Israeli authorities, especially because they had participated in battles against Israel, left of their own accord. The situation remained unstable until 1953, when only about 11,000 Bedouin were left in the Negev." (Abu-Rabia November 1994)

"After independence the areas in which 90 percent of the Arabs lived were placed under military government [in fact, military administration]. This system and the assignment of almost unfettered powers to military governors were based on the Defense (Emergency) Regulations promulgated by the British Mandate Authority in 1945. Using the 1945 regulations as a legal base, the government created three areas or zones to be ruled by the Ministry of Defense. The most important was the Northern Area, also known as the Galilee Area, the locale of about two-thirds of the Arab population. The second critical area was the so-called little triangle, located between the villages of Et Tira and Et Taiyiba near the border with Jordan (then Transjordan). The thirds area included much of the Negev Desert, the region traversed by the previously apolitical nomadic beduins." (Canadian Forces College, Information Resource Centre 2001)

Between 1947 and 1950, approximately 600,000 Jewish refugees arrived in Israel (Eban 1978, p.144).

Key Historic events: 1956-2001

- October 1956: Suez war (Israel, France, Great Britain against Egypt) and UN SC Resolutions 235 and 236
- May 1967: Six-Day War (Egypt, Syria, Jordan against Israel) and UN SC Resolutions 242
- October 1973: October War or Yom Kippur War (Syria, Egypt against Israel) and UN SC 338
- March 1979: Peace treaty between Egypt and Israel
- 1978 and 1982: Israeli invasion of Lebanon (and withdrawal in May 2000)
- December 1987-1993: Intifada
- October 1991: Madrid meeting of Israeli, Lebanese, Jordanian, Syrian and Palestinian leaders convened by U.S. and Soviet Union Presidents
- September 1993: Israel and PLO signing of declaration of principles on the transfer of authority from Israel to interim Palestinian authority; other agreements (such as Interim Agreement on West Bank and Gaza in 1995) followed
- July 2000, break down of Camp David talks
- September 2000: start of "Al-Aqsa Intifada" and killing of Israeli Arab demonstrators in October 2000

"In October 1956, Israel invaded the Gaza Strip and the Sinai Peninsula at the same time that operations by French and British forces against Egypt were taking place in the Suez Canal area. Israeli forces withdrew in March 1957, after the United Nations established the UN Emergency Force (UNEF) in the Gaza Strip and Sinai. [...]

In May 1967, after tension had developed between Syria and Israel, Egyptian President Nasser moved armaments and about 80,000 troops into the Sinai and ordered a withdrawal of UNEF troops from the armistice line and Sharm El Sheikh. Nasser then closed the Strait of Tiran to Israeli ships, blockading the Israeli port of Eilat at the northern end of the Gulf of Aqaba. On May 30, Jordan and Egypt signed a mutual defense treaty. In response to these events, Israeli forces struck targets in Egypt, Jordan, and Syria on June 5. After 6 days of fighting, by the time all parties had accepted the cease-fire called for by UN Security Council Resolutions 235 and 236, Israel controlled the Sinai Peninsula, the Gaza Strip, the Golan Heights, and the formerly Jordanian-controlled West Bank of the Jordan River, including East Jerusalem. On November 22, 1967, the Security Council adopted Resolution 242, the "land for peace" formula, which called for the establishment of a just and lasting peace based on Israeli withdrawal from territories occupied in 1967 in return for the end of all states of belligerency, respect for the sovereignty of all states in the area, and the right to live in peace within secure, recognized boundaries. [...]

On October 6, 1973--Yom Kippur (the Jewish Day of Atonement)--Syrian and Egyptian forces attacked Israeli positions in Golan and along the Suez Canal. Initially, Syria and Egypt made significant advances against Israeli forces. However, Israel recovered on both fronts, pushed the Syrians back beyond the 1967 cease-fire lines, and recrossed the Suez Canal to take a salient on its west bank, isolating Egyptian troops, who eventually surrendered. The United States and the Soviet Union helped bring about a cease-fire between the combatants. In the UN Security Council, the United States supported Resolution 338, which reaffirmed Resolution 242 as the framework for peace and called for peace negotiations between the parties. [...]

In September 1978, U.S. President Jimmy Carter invited President Sadat and Prime Minister Begin to meet with him at Camp David, where they agreed on a framework for peace between Israel and Egypt and a comprehensive peace in the Middle East. [...] The treaty was signed on March 26, 1979, by Begin and Sadat, with President Carter signing as witness. Under the treaty, Israel returned the Sinai to Egypt in April 1982." (U.S. DOS December 1998)

"As a result of the Camp David Treaty between Israel and Egypt in 1979, Israeli air bases in the Sinai desert had to be evacuated so that the area could be returned to Egypt. A site for the construction of a new airfield was chosen in the Tel al-Malah area, on the eastern portion of the Beer-Sheva basin. The government had to enact a special law that would enable it to start work in the area and settle the Bedouin land problem." (Abu-Rabia November 1994, p.16)

Israel launched a major invasion of Lebanon in 1978 to retaliate against Palestinian attacks and then again **in 1982** following an assassination attempt of an Israeli ambassador (Operation Peace for Galilee); Israeli withdrawal from Lebanon in May 2000 (*compiled from* BBC News 7 December 2000)

"In December 1987, a spontaneous yet well-organised uprising - the "Intifada" - began in Gaza and spread like a fire across the West Bank and into Jerusalem itself." (BBC News 23 April 1998)
"It lasted, with varying levels of intensity, until 1993." (BBC News 8 December 2000)

In 1991 "The coalition's victory in the Gulf war opened new possibilities for regional peace, and in October 1991, the Presidents of the United States and the Soviet Union jointly convened an historic meeting in Madrid of Israeli, Lebanese, Jordanian, Syrian, and Palestinian leaders which became the foundation for ongoing bilateral and multilateral negotiations designed to bring lasting peace and economic development to the region.

On September 13, 1993, Israel and the PLO signed a Declaration of Principles (DOP) on the South Lawn of the White House. The declaration was a major conceptual breakthrough achieved under the Madrid framework. It established an ambitious set of objectives relating to a transfer of authority from Israel to an interim Palestinian authority. [...]

Jordan and Israel signed a historic peace treaty at a border post between the two countries on October 26, 1994 [...].

In 1995 Prime Minister Rabin and PLO Chairman Arafat signed the historic Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip on September 28, 1995, in Washington. The agreement, witnessed by the President on behalf of the United States and by Russia, Egypt, Norway, and the European Union, incorporates and supersedes the previous agreements and marked the conclusion of the first stage of negotiations between Israel and the PLO." (U.S. DOS December 1998)

On November 4, 1995, assassination of Prime Minister Rabin by a right-wing Jewish radical. (from U.S. DOS December 1998)

In 1998 "After a 9-day session at the Wye River Conference Center in Maryland, agreement was reached on October 23, 1998. The Wye agreement is based on the principle of reciprocity and meets the essential requirements of both the parties, including unprecedented security measures on the part of the Palestinians and the further redeployment of Israeli troops in the West Bank." (U.S. DOS December 1998)

In July 2000, breakdown of talks during Middle East Peace Summit at Camp David (see BBC News 26 July 2000)

In late September 2000, started what has become known as the "Al-Aqsa Intifada". "What began as a series of confrontations between Palestinian demonstrators and Israeli security forces, which resulted in the GOI's [i.e. Government of Israel] initial restrictions of the movement of people and goods in the West Bank and Gaza Strip (closures), has since evolved into a wider array of violent actions and responses." (Mitchell Report May 2001)

"On **October 1**, Israeli Arab leaders called a general strike, which received widespread support from Arab citizens, thousands of whom demonstrated throughout the country." *The following days, several Israeli Arab demonstrators were killed by the Israeli police and hundreds were injured.* (U.S. DOS February 2001)

For latest news from Israeli/Palestinian conflict and peace efforts, as well as more background information, please see:

CNN Mideast Struggle for Peace [[External Link](#)]

BBC News Middle East Crisis [[External Link](#)]

Washington Post War and Peace in the Mideast [[External Link](#)]

Ha'aretz (Israeli daily newspaper) [[External Link](#)]

Arabia.com [[External Link](#)]

Palestinian Arab citizens of Israel: identity and location (2001)

- Despite Israeli citizenship, situation of Palestinian Arab citizens of Israel remains precarious
- Most live in the Galilee in the north, in the center close to the West Bank, and in the Negev (mostly Bedouin population)

"The Arabs who remained inside post-1948 Israel became citizens of the Jewish state. They had voting rights equal to the state's Jewish community, and according to Israel's Declaration of Independence were

guaranteed social and political equality. Because Israel's parliament has never passed a constitution, however, Arab rights in the Jewish state have remained precarious. [...] Israel's Arab residents were seen both by Jewish Israelis and by themselves as aliens in a foreign country. They had been waging war since the 1920s against Zionism and could not be expected to accept enthusiastically residence in the Jewish state. The institutions of the new state were designed to facilitate the growth of the Jewish nation, which in many instances entailed a perceived infringement upon Arab rights." (Information Resource Centre, Canadian Forces College 2001)

"Palestinian Arab citizens of Israel have had a difficult struggle to maintain their cultural and political identity in a state that officially regards expression of Palestinian or Arab national sentiment as subversive. Until 1967, they were entirely isolated from the Arab world and were often regarded by other Arabs as traitors for living in Israel. Since 1967, many have become more aware of their identity as Palestinians." (MERIP 2001, "Palestinian Arab")

"The Government does not provide Israeli Arabs, who constitute approximately 20 percent of the population, with the same quality of education, housing, employment, and social services as Jews. In addition, government spending is proportionally far lower in predominantly Arab areas than in Jewish areas; on a per capita basis, the Government spends two-thirds as much for Arabs than for Jews. According to the National Insurance Institute, 42 percent of Israeli Arabs live below the poverty line, compared with 20 percent of the total population. The Government also follows a disproportionately restrictive policy on issuing building permits to Arab citizens, resulting in the issuance of proportionately more building demolition orders against Arab-built structures." (U.S. DOS February 2001)

"The vast majority of the Palestinian population in Israel today resides in all-Arab towns and villages which are located in three main areas:

The Galilee in the north (where Palestinians make up approximately 50% of the population);

The "Little Triangle" in the center, running along the Israeli side of the Green Line, the border which separates Israel from the occupied West Bank. (8)

The Negev desert region in the south."

(Arab Association for Human Rights 2001, "Palestinian Arab Minority")

POPULATION PROFILE AND FIGURES

Global figures

About 150,000-250,000 internally displaced persons in 2000 (2001)

- According to various sources, between 46,000 and 48,000 Arabs became displaced within what became Israel in 1949
- Over fifty years later, this group (including the children of the displaced) represents about 150,000 to 200,000 persons
- Organizations defending the rights of Palestinian Arab citizens of Israel also include the Bedouins who were ordered in 1949 to move into a close area under military rule in the Negev and now for the most part live in "unrecognized villages", and estimate the number of displaced at 250,000

46,000-48,000 IDPs in 1949

"According to the Hebrew University's Hillel Cohen, the author of a study on displaced persons in Israel, refugees from 64 out of 162 villages abandoned in the north in 1948 remained in Israel." (Nir 8 January 2001, in Ha'aretz)

"The vast majority of the internal refugees were villagers who originated in about 370 villages destroyed during the 1948 war [...]" (Al-Haj September 1986, p.657)

"Of the estimated 150,000 Palestinians who remained within Israel proper when the last armistice agreement was signed in 1949, some 46,000 were internally displaced, as per UNWRA's 1950 registry record." (The National Committee for the Rights of the Internally Displaced in Israel February 2000)

"Most figures given for the number of Arab refugees in the Middle East at the end of the war are estimates, which put the number of refugees between the general range of 600,000 to 760,000. In contrast, the number of the Arab citizens living on the results of the first Israeli census, held on 8 November 1948. This census had a clear purpose: to determine to what extent the Arabs living in Israel, the refugees included, threatened Israel's national security. Thus, bearing in mind the method and the purpose it is logical to assume that much effort was invested in trying to reach an accurate calculation. [...] It is clear that the number used by the Israeli Government for internal calculations, as well as for diplomatic approaches, did in fact stand at 48,000 [mid-1952]. [...] [T]he number of Arabs living in Israel as of 31 December 1950 stood at 170,000, comprising less than 50,000 refugees [i.e. internally displaced persons]." (Bligh January 1998, p.124-125)

150,000 -200,000 IDPs in 2000

"The estimation of the internal, as well as the external refugees, is controversial. After the Arab-Israel war in 1948, the estimation of the internal refugees ranged between 31,000-50,000 [...]. At present, roughly one out of four Arabs in Israel is an internal refugee or originated from a refugee family [...]. This would include a population sized of about 150,000. The vast majority of the internal refugees are Moslems (about 90 percent) and a tiny minority are Christians (about 10 percent). No Druze are represented among the internal refugee. Since no Druze village was destroyed as a result of the 1948 war and no Druze left their settlements permanently." (Al-Haj September 1986, p.654)

"The displaced Israeli citizens number 150,000-200,000 are a mere fraction of the world's Palestinian refugees. But with regard to the Israeli Arab population of about 1.08 million [that includes Muslims,

Christians, Druze and Bedouin], they are a significant sector. In some Galilee communities they are a majority. About half of Nazareth's Arab residents are internal refugees and their descendants and more than half of Umm al Fahm's residents belong to this group." (Nir 8 January 2001, in Ha'aretz)

According to Hillel Cohen, a researcher at Hebrew University (Jerusalem), who wrote his master thesis on the internally displaced in Israel, there are 150,000 internally displaced persons in Israel today, not including the Bedouin community (Cohen 20 July 2001, e-mail)

Organizations defending the rights of the internally displaced say that 250,000 are now displaced

"Today, the internally displaced and their descendents number about 250,000 persons." (The National Committee for the Rights of the Internally Displaced in Israel, February 2000)

While about 180,000 internally displaced Palestinians currently live in and around 80 villages and towns, the remaining 70,000 (mostly Bedouins from the northern Galilee region) live in *unrecognized villages*. (BADIL 23 April 2001, p.27)

In the Negev Desert, "There are 45 such villages with 68,000 citizens, living in what is known as an 'unrecognized village.'" (Regional Council of Unrecognized Villages in the Negev 2001)

"According to a Ministry of Interior survey [Government of Israel], it is estimated that there are over 100 illegal settlements, many consisting only of a small cluster of structures, spread over the Negev area alone, involving 108 tribes, over 9,000 housing units, and roughly 50,000 inhabitants, or slightly less than 1 per cent of the national population. Another 3,000 Bedouins live in illegal settlements in the Galilee region." (UN Human Rights Committee 9 April 1998, para.853)

PATTERNS OF DISPLACEMENT

General

Flight or eviction of Arab villagers and resettlement (1948-1960)

- In most cases flight occurred under battle conditions
- In the first decade after the establishment of Israel and in the late 1950's, the displaced were resettled in the communities where they are still today
- Committee of internally displaced persons reports that in the mid-1950's new displacements occurred when people were evicted from their villages
- Druze villages were spared from displacement
- Close to the Lebanese border, Christian Arab villagers often became internally displaced, while Muslim Arabs were driven across the border
- Most of the internally displaced persons were resettled into "shelter villages"

"Our data indicate that the vast majority of the internal refugees [i.e. internally displaced persons] were settled in their current communities during the first decade after the establishment of Israel. The first wave of movement occurred during and immediately after the 1948 war. They fled from their original communities to search for a place of asylum. Their flight was as much a surprise to the Jewish community as a whole as to the Arab community. In most cases flight occurred under battle conditions [...]. The second wave of the refugees movement occurred during the late 1950s, when refugees began to prepare for long term settlement. [...] The re-uniting of the fractionated original communities and kinship groups was an important factor which determined this wave of movement. Since the 1960s, there was but little refugee movement between communities." (Al-Haj September 1986, p.656)

"During the 1947/48 period, about 385 Palestinian villages and towns were evicted. In some cases even after the 1948 ceasefire agreements between Israel and the neighbouring Arab countries, some villages and towns were evicted, as in the case of Majdal Askalan, which was uprooted in 1953.

The process of evictions and demolitions continued to affect Arab communities: in 1951 and 1956 the villages of Krad al Baqara and Al Ghanami in the Al-Hula valley in the North of Israel were evicted; [...]" (National Committee for the Rights of the Internally Displaced in Israel February 2000)

"Within the UN line [i.e. 1947 partition plan] very few Arab localities remained; about 20 of them or about one out of every 20 Arab localities survived. No pattern seems to appear in the geographical or topographical distribution of these villages.

They do, however, seem to share some common characteristics. One thing they seem to share is what they were not; they were not main stream Arab Moslem villages – about half of them were semi-settled Bedouin tribes, two were Druze Arab villages, three were Circassian, one of Albanian origin, and one Ghawarni. [...]

The areas across the UN line, conquered by the Israelis in 1948 (that excludes the towns and villages in the Triangle, which were ceded to Israel during the Armistice agreement with Jordan in 1949) fall into two geographical areas, each manifesting a pattern of its own.

The first area is the fertile, agriculture plane lying between the Jerusalem corridor and the Negev. In this area, similar to most areas within the UN line, no Arab communities survived the war. All the communities in this area were main stream Moslem Arab villages.

The other area across the UN line, conquered by Israeli forces is the Galilee. Unlike any other area in Israel, most of its Arab localities (about two-thirds of them) survived. The Galilee is quite unique. Besides the West Bank, which was not taken by Israel in 1948, it is the only almost totally mountainous area in Mandate Palestine.

The Galilee was densely populated and almost totally Arab. Many of these localities were Druze and Christians including the town of Nazareth.

The Galilee villages that were destroyed were either Moslem or Christian or both but not Druze. Again they were either villages which put up some resistance or those that lie at a short distance from the Lebanese border. Many of the latter were evicted after the end of the war. Moslem inhabitants generally were sent across the Lebanese border, and Christians were generally transferred to surviving Arab villages which remained in Israel." (Kanaana 2001)

"Most of the 46,000 who became internally displaced were herded into what Israeli expulsion schemes euphemistically termed 'shelter villages.'

The geographic distribution of the internally displaced draws a map of mostly forced resettlement that followed three criteria: (1) territory allotted was not within area heavily populated by Jewish settlers; (2) it was never too close to existing Jewish settlements; and (3) it was deemed valueless to Jewish settlement and development. [Hillel Cohen, September 2000]"
(BADIL 23 April 2001)

For more information on the Druze people, please see [\[External Link\]](#)

Several patterns of displacement of Bedouin communities include moving them to military areas and resettlement to urban towns (1949-2000)

- In 1949, Israeli authorities concentrated some Bedouin communities from the Negev in a closed area under military rule
- Between 1948 and 1953, other communities were reportedly evacuated from areas outside the closed zone and relocated
- After the cancellation of military rule in 1966, most of the Bedouin continued living in the former closed area
- Following the peace treaty between Egypt and Israel in 1979, Bedouins who had stayed on their lands had to resettle when a military airfield was constructed in the Negev
- From the 1970's to the 1990's, the Israeli government planned and built 7 urban-style towns for the Bedouin

According to the scholar Aref Abu-Rabia (Ben-Gurion University of the Negev), displacement of the Bedouin community has occurred in three different circumstances:

[At the end of the 1948 war] "The Israeli authorities concentrated the Bedouin under military rule in the northeastern Negev, in a closed area (Sayig) A special permit had to be obtained from the authorities to enter or leave the area or to move within the region between one tribe and another. In this way, the authorities ensured that they had complete control over the Bedouin. Sheikhs, notables, and other friends of the authorities were given special permits which allowed them freedom of movement out of the closed area,

on the condition that they returned to the tribe by evening. It should be noted that, after the cancellation of military rule in 1966, most of the Bedouin continued living in the former closed area. [...]

The recognition of the problem as relating to three different categories within the Bedouin population is important. As with the consequences of the forced evacuation and concentration of the Bedouin following the war of 1948, tribes from different areas have lived in different circumstances. Those Bedouin who have stayed on their lands, and are the subjects of the present land settlement attempts at Tel al-Malah [i.e. where the military airfield was constructed following the peace Treaty between Egypt and Israel in 1979], differ from those whose land was confiscated or its use restricted. And these two groups are different from those that were evacuated between 1948 and 1953 from areas outside the closed zone and were relocated." (Abu-Rabia November 1994, pp. 15-16)

According to the coordinator of social rights and outreach for the Bedouin community in the Advocacy Center in Beer-Sheva:

"Following the war, the majority of the Bedouin Arabs were moved off their traditional land holdings to a closed military area (Siag) in the Beer-Sheva region. From the 1970's-1990's, the Israeli government planned and then built 7 urban-style towns, without the participation of the Bedouin population or consideration for Bedouin lifestyle, traditions, or social (family, tribal, etc.) relations." (Al-San'a 26 May 2000)

"The seven Bedouin towns in the Negev [...] are the result of an explicit governmental program over the past two decades to relocate the Bedouins in more concentrated 'urban' areas. Ostensibly to provide health, education and social services more efficiently, in reality the objective was to acquire for the State much of their extensive but incompletely documented land holdings in the Negev. The towns were 'planned' with nicely subdivided lots, rights of way for infrastructure, schools, clinics, and public spaces. [...]

Compensation was promised, but the terms were unacceptable to most of the land-owning Bedouins. Restriction of herds, of water, and of other services, together with forced evacuation, succeeded in moving large numbers to these towns. This process led to a widespread sense of having been treated unfairly and illegally. Bedouins were moved from the lands east of Beer Sheva to enable construction of the Nevatim military air base after the withdrawal from the Sinai. Compensation for the move and for their lands was deemed to be unjust. They look at the generous compensation paid to Jewish Israelis who were moved from their homes in Yamit, at the same time and for similar reasons, and feel, not unreasonably, that they have been treated as second class citizens." (Lithwick 2000, pp.9, 25)

According to R. Peled, former adviser to the chairman of ministerial committee on Bedouin affairs in Israel, "It is at least inaccurate to say that it [the resettlement into towns] was done without the consent of the Bedouin inhabitants. No one was forced to move into a town. It is true that in these towns services were offered that were not available in the unrecognized villages, and one could claim (rightfully) that the government avoided supplying services in the unrecognized villages as a mean of pressure on the population to move into the towns more quickly. On the other hand the truth is that with all respect to the Bedouin tradition, the vast majority of Bedouins today prefer to live in a town than in the traditional tents.

The process of moving into a town is a sort of business deal in which the Bedouin "sells" 80% of his land to the state, in fixed and state-controlled prices (often way too low) and gets money to build a house. The other 20% he gets in land in the new town. The dispute over the price for the land and the percentage of land exchanged is the main reason for preventing Bedouins today from moving into towns. So it is hard to say that people were moved to towns without their consent, everyone who moved did so under no physical threat or pressure. As to the respect to their tradition – again this is complicated. On one hand, the state thinks much respect was given [...]. For instance – when the new towns were built, each neighborhood was kept for a certain family. If a neighborhood was built for 100 households of the Al-Kian family, and only ten of them moved in, the other 90 pieces of land are still being kept for the family, at the same time that other neighborhoods are being developed. [...] On the other hand, I am sure that much more could have

been done, and for sure there was not enough involvement of the Bedouins in the planning." (Peled November 2001)

"The process of evictions and demolitions continued to affect Arab communities: [...] tens of Arab villages in the Negev; in 1974, the village of Arab al Mafjar (near Hadera) was uprooted to build the national electricity company; in 1981, after the Camp David Agreements with Egypt, thousands of Arab families in the Negev were evicted to make way for military airfields on their lands: in 1987, the government formulated a committee to investigate 'illegal' buildings in the Arab community, called the Malkovitch Committee: this committee recommended in 1989 to demolish more than 11,000 Arab houses, including entire villages. These villages were later called 'unrecognized villages'. It is important to mention here that since the creation of the State of Israel, no Jewish settlement was ever evicted to make way for a building project." (National Committee for the Rights of the Internally Displaced in Israel February 2000)

Illustration of patterns of displacement: the account of the displaced from Kafar Bir'em, Upper Galilee (2001)

- Temporary displacement of the villagers of the Christian village of Kafar Bir'em, close to the Lebanese border, has lasted over fifty years
- Village was declared a close military area in 1951 by the military governor
- In 1952, the Israeli Supreme Court ruled that the villagers could return to their village with the permission of the military governor but permission was never granted and the village was destroyed in 1953 by the Israeli army
- Over fifty years after displacement, they are still trying to return to their destroyed village

"Kafar Bir'em is an Arab Christian village in Upper Galilee of Israel. Its inhabitants were ordered in 1948 to leave their villages for two weeks. Until now, they are uprooted in their country. Their land was confiscated and the village was demolished in 1953. Until now the Israeli authorities insist not to let the uprooted return to their village and lands. [...]

[In November 1948], Residents of Kafar Bir'em, citizens of the new state, are ordered to leave the village to the nearby village Al-Jish, a distance of 5 KMs South of Kafar Birem, Also to Rmaish (4 KMs North into Lebanese territory). The Minister of Minorities, Bechor Shitrit, the Military Commander for the Galilee district Elisha' Sultz, and Emanuel Friedman. Explicitly promised the residents that they would be able to return to their homes and lands within 2 weeks. And that their temporary relocation is solely for guaranteeing their safety until the security conditions in the region stabilize. The army agrees to permit ten guards, chosen by the residents, to remain in the village to protect the homes and property of the residents during the temporary relocation.

In April 1949, The government leases the lands and crops – disregarding the uprooted to a Jewish company, in which the workers are Arabs from northern Galilee (north of Israel). Despite the alleged security needs used, it still prevented the uprooted of Kafar Birem from returning to their homes and property. [...]

As citizens of Israel, they turned to the Supreme Court of Justice in 1951 for redress of their grievances. The government responded by declaring of [sic] Kafar Bir'em a 'closed military area' and issuing a Post-Datum expulsion order in an attempt to legalize retroactivity [sic] what had been illegal in the past three years (1948-1951). The Court ruled in January 1952 that: the villagers were indeed entitled to return to their village, as had been promised. But they could only return with the permission of the military governor. Permission was denied until now, forcing the villagers to remain as uprooted refugees. In August 1953 the government declared that the lands of Kafar Bir'em had been uncultivated by their legal owners (the uprooted) therefore the government confiscated it and gave parts of the lands to nearby Israeli settlements.

The following month, in a deliberate attempt to thwart the high court's verdict, the military forces bombed and dynamited the village of Kafar Bir'em, reducing it to rubble as its people tearfully looked on. The people of Kafar Bir'em have continuously sought the enactment of the promise made to them repeatedly over the past five decades." (Committee for the Uprooted of Kafar Birem 2001)

It should be noted that the inhabitants of the nearby village of Ikrit and others were evacuated at the same time than the villagers of Kafar Bir'em and are going through the same legal and administrative procedures.

PHYSICAL SECURITY & FREEDOM OF MOVEMENT

Freedom of movement

The displaced from Kafar Birem cannot go back to their village since it is still a closed zone (2001)

- Arab citizens of Israel under military rule until 1966
- The village of Kafar Bir'em (northern Galilee) remained however a closed zone
- According to the Israeli government, emergency regulations such as Regulation 125, declaring territories as "closed military zones", are employed sparingly and can be appealed to the High Court of Justice

"The establishment of Israel was accompanied by placing the Arab citizens under a military rule. The Arab population was subject to a military command that controlled their political, economic, social and about all aspects of their daily life and movements. As a result, the regions with Arab population were divided into small districts to which people were confined unless special, military-issued, permits were obtained. These permits, of course, became a tool of control to the population. So much, that movements between villages within a region required these special permits. At the same time the Jewish population had no movement restrictions at all.

Kafar Birem was declared as a closed military region based on emergency rules created by the British Mandate in 1945. The military rule was removed in 1966, however, the Arab population remained under security-region rules that were declared in 1949. Finally, in 1972, the defense minister, Moshe Dayan, cancelled all aspects of military and security-region rules with exception to the area of Kafar Birem. On December 27th 1972, Kafar Birem was re-declared as a security-region subject to the Northern Israeli Military Command. Until now Kafar Birem is a closed zone. It is well recognized that the security classification of Kafar Birem is but a cover to the Israeli government to avoid carrying out the Supreme Court order of 1952. A fact that is protested by many mainstream politicians and thinkers." (Committee for the uprooted of Kafar Birem 2001)

According to the Israeli government:

"For all persons who are lawfully within the territory of the State of Israel, there is no requirement of registration in particular districts, and movement within the State is generally unrestricted. [...]"

The Mandatory Defence (Emergency) Regulations, 1945, grant military commanders or ministers broad powers to limit freedom of movement by a variety of means for the purpose of ensuring public safety, national security, public order, or for quelling of riots and insurgencies [...]. Such measures include curfews (regulation 124), declaration of closed military zones (regulation 125), orders prohibiting an individual from entering specified places or areas or requiring a person to notify the authorities of his whereabouts (regulation 109), orders placing a person under police supervision and restricting a person's place of residence or movement outside of a specified place or area (regulation 110). The above measures are employed very sparingly within the State of Israel. [...]"

All orders restricting freedom of movement issued under these emergency regulations are appealable to the High Court of Justice [...]" (UN Human Rights Committee 9 April 1998, para. 370-373)

For more on the displacement of the villagers of Kafar Bir'em, please see [[Internal Link](#)]

SUBSISTENCE NEEDS (HEALTH NUTRITION AND SHELTER)

Shelter

The displaced usually set up their own separate neighborhoods within the Arab towns of Israel (1986-2001)

- In many towns and villages, the displaced persons live in separate neighborhoods, segregated according to their original native village
- Many live in the most impoverished and overcrowded neighborhoods
- According to the Secretary of the NGO Association for the Defense of the Rights of the Internally Displaced in Israel, pressing housing needs of the third generation of displaced

"Most of the internal refugees, as well as the Arab population in Israel, live in homogenous Arab localities. The vast majority are villages and only two are Arab towns: Shefar-Am and Nazareth. Even those who live in mixed Jewish-Arab cities usually have separate neighborhoods." (Al-Haj September 1986, p.656)

"In many towns and villages, the displaced persons live in separate neighborhoods, segregated according to their original native village. In Arrabe for instance, natives of Mia'ara, an abandoned Western Galilee village, set up their own neighborhood after 1948. Similarly, refugees from the Zipporiah village (on whose ruins today's Zippori community was built) created their own neighborhood in nearby Nazareth." (Nir 8 January 2001, in Ha'aretz)

"Many of the internally displaced today live in the most impoverished and overcrowded neighborhoods of what are now 'mixed towns' - the previously Arab towns of Acre, Jaffa, Lydda, and Ramla. For example, the ancient coast town of Acre, attacked by Israeli forces and largely depopulated in 1948, became a magnet for Palestinian survivors of outlying village depopulations." (Schechla October 2001, p.22)

According to Wakim Wakim, secretary and spokesman of the NGO Association for the Defense of the Rights of the Internally Displaced in Israel, "The internal refugees [i.e. IDPs] are [...] disadvantaged there, since they also had no land to build on. The first generation simply built on top of the homes their parents had acquired, but what of the second generation? There's an entire quarter in Nazareth that's inhabited by displaced people from Saffuriyya, a destroyed village which is right next door. Many of these people are from families that owned hundreds of dunams a few kilometers away, but today they can't find 200 square meter in Nazareth to build on. So the drive for return is not based on nostalgia or yearning but on an existential problem: the pressing need for housing and available surface area. The problem is even more acute for the third generation. This is what has given our cause great momentum and support." (Wakim Wakim October 2001, p.34)

Many displaced Bedouins live in settlements not recognized by the State of Israel (1999-2001)

- Many internally displaced Bedouins now live in "unrecognized villages", i.e. villages which were declared illegal by the National Planning and Building Law of 1965 and usually do not receive municipal services

- According to a Bedouin organization, many of these villages existed before the creation of the state of Israel
- A few villages were recognized by the labor government of Yitzhak Rabin but it is not the case for hundred more

According to R. Peled, former adviser to the chairman of ministerial committee on Bedouin affairs in Israel, many now living in "unrecognized villages" were displaced in 1949 when "they were ordered by the military administration to move into a specific region it decided all Bedouins should be concentrated it." (Peled November 2001)

"Unrecognized Village: a term that the Palestinian community adopted in describing the villages which the Israeli government refer to as scattered settlements or populations. Many of these villages existed long before the establishment of the State of Israel. [...]

"The Negev is 60% of the total land area within the green line. The 120,000 Arab Palestinian Bedouin (25% of the Negev population of which approximately 50% live in 'settled localities' while the remaining residents are living in the unrecognized villages) are a marginalized population in the south [...]" (Regional Council of Unrecognized Villages in the Negev 2001)

"Since 1965, the problem of the unrecognized villages in Israel has become increasingly aggravated. During that year, the government legislated the law of planning construction as well as an outline plan, which included only 123 Arab villages. Thus, hundreds of Palestinian Bedouin villages and localities were deliberately ignored and according to the Planning and Construction Law, were considered not to exist. All the land upon which the Palestinian Bedouin Unrecognized Villages are situated have been classified as agricultural land, therefore, according to this classification all buildings erected are illegal, i.e. the villages are considered to be completely illegal entities." (Regional Council of Unrecognized Villages in the Negev 2001)

In 1986 the Interministerial Commission concerning Illegal Construction in the Arab Sector, better known as the Markowitz Commission, was appointed. "It was this commission that first applied the term 'unrecognized' to entire villages and neighborhoods of 'recognized' Arab towns where the buildings were 'unlicensed,' thereby giving a name to an extant but previously ambiguous category." (Schechla October 2001, p.24)

"The unrecognized villages were declared illegal by the National Planning and Building Law of 1965 when the lands on which they sit were rezoned as nonresidential and the Government claimed ownership. According to the Government, recognizing these villages would conflict with its attempts to establish new villages in 'an orderly manner, and would leave disputes over the land unresolved.' Residents of the unrecognized villages pay taxes to the Government; however, they are not eligible for government services. Consequently, such villages have none of the infrastructure, such as electricity, water, and sewers, provided to recognized communities. The lack of basic services has caused difficulties for the villagers in regard to their education, health care, and employment opportunities. New building in the unrecognized villages is considered illegal and subject to demolition. Private efforts have supplied some unrecognized villages with water, and the courts have ordered the provision of limited health and education services. The Government has yet to fulfill its commitment to resolve the legal status of unrecognized Arab villages. Eight villages have been recognized officially since 1994, but nearly 100 more, of varying size and with a total population of nearly 70,000 persons, remain in limbo. Of the eight villages that have been recognized, the Government has yet to actually implement the decisions." (U.S. DOS February 2001)

According to J. Schechla, Middle East/North Africa Coordinator of the Housing and Land Rights Committee of Habitat International Coalition, the inhabitants of 'unrecognized villages' "are under continuous - and ongoing - processes of dispossession and displacement." (Schechla October 2001, p.23)

Living conditions in the 7 towns where the Bedouins were resettled are lower than for the rest of the population (2000-2001)

- While Bedouins in towns have a better access to services than in the traditional settlements, quality and level of services are inferior to those in Jewish towns

"57,200 people (Bedouin) live in 7 villages, planned and built by the Israeli government: Rahat, Tel Sheva, Segev Shalom, Arrara, Hura, Kaseifa and Lakiya.(Regional Council of Unrecognized Villages in the Negev 2001)

"A substantial body of evidence [...] indicates that the towns have failed to meet the basic needs of an urbanizing population. The towns are socially, economically and politically dysfunctional, ranking as the most disadvantaged settlements in Israel by a significant margin. [...]

The towns did offer prospects for acquiring better public services. Dispersion across the Negev made it difficult to provide quality education and health services, let alone modern infrastructure for the Bedouins. They can be little doubt that these services are now more accessible than they were formerly. But what is also undoubted is that the level and quality of these services in the Bedouin towns continue to be for inferior to those provided to the Jewish towns." (Lithwick 2000, "Executive Summary & p.26")

"The Bedouin diet is changing. Although bread was, and remains, the dietary staple, Bedouin are now freed from their previous dependence on seasonal produce. [...]

There are ten modern clinics serving the Bedouin population, in the urban and tribal settlements. [...]

There has been progress in the number of schools and teachers provided, the number of children in the schools, the attendance of girls, the awareness of parents of the importance of education, and the willingness of parents to send their children to schools." (Abu-Rafia November 1994, p.16)

For a discussion on whether the resettlement of the Bedouin population into the seven towns described above had been done with their consent, please see [\[Internal Link\]](#)

ISSUES OF SELF-RELIANCE AND PUBLIC PARTICIPATION

General

Slow adjustment of the displaced as a minority in Israel and as newcomers in host communities (1986)

- The internally displaced had to adjust as part of the Arab minority in Israel society, while they also face problems of adjustment in local communities
- Before displacement, they worked in agriculture, mostly in their own lands
- Once displaced and deprived of their land, their economic situation was very difficult, especially until the late 1950's
- Intergenerational differences were observed among the displaced: the young are more educated and there are less differences between them and the locals; many have ceased to perceive their uprootings as temporary and have established stable relations with locals

"The adjustment problem for the internal refugees is twofold. On the one hand, they are part of the Arab minority in Israel and thus they have to face the problems of integration and adjustment of the Arabs as a whole in Israeli society. On the other hand, they have to face the problems of refugee adjustment in the local host communities [...]

The problem of refugee adjustment in the host community is mainly social, since refugees as well as locals are dependent economically and politically on the Jewish sector. The refugee status is evident only at the local level. [...]

"Before the displacement they worked in agriculture, mostly in their own lands. During the first decade after the establishment of Israel in 1948, refugees [i.e. internally displaced persons] suffered the most as a result of the difficult economic situation of the country. The Israeli economy witnessed high unemployment [...]. The first priority for the Israeli Government was to secure employment for the new Jewish immigrants, who came as part of the mass Jewish immigration to Israel during the early 1950s and doubled the population of the country within a few years. [...] The internal refugees had to compete with locals for any employment at hand within the poor economic local system. This compensation was asymmetric because refugees had no property or any economic resources. Their lands were entirely expropriated, since they were defined officially as absentees. [...] The Government allocated a special budget to secure employment for the internal refugees. Evidence in several documents in the Shefar-Am municipality showed the allocation of a number of 'work days' for the municipality which were intended to provide employment on local projects for the heads of refugee households, supervised by the local authority. However these projects engaged only a small segment of the refugees. [...] In the late 1950s, there was a noticeable improvement in the economic situation of the country. The demand for Arab labor accelerated. [...] [In the mid-1980's], about 22 percent of refugees [i.e. internally displaced persons] have secondary or post secondary education and about 10 percent work at high level of occupation (Academic, professional,...). [...]

"At the communal level, intergenerational differences are observed, both in social and in psychological adjustments. The young generation has not experienced the difficulties of flight and settlement in the new environment with no property or means of livelihood at hand. Moreover, the younger generations are more educated and differ from the older generation in the competition for economic and political positions within the community. The narrowing of the class differentiation between locals and refugees, particularly for the

young generations, has contributed to their adjustment. Several political and economic changes which occurred during the first decade have put an end to the 'waiting and expectation period', where refugees expected their problem to be settled and to be able to return to their original communities. In the early 1980s refugees began to prepare for long term settlement, when they ceased to perceive their uprootings as temporary. This encouraged their social adjustment and established more stable relations with locals." (Al-Haj September 1986, pp. 656-661)

For more on land issues, please see [\[Internal Link\]](#)

PROPERTY ISSUES

General

Difficulty for the Bedouin community to have their property recognized (2001)

- Historically most of the Bedouin property was not registered with the British Land Registry Office
- Three principal Israeli laws impacted on Bedouin land claims and facilitated confiscation: The Land Acquisition Law of 1953, the Land Rights Settlement Ordinance of 1969, and the Negev Land Acquisition Law of 1980
- While certain claims have been settled by Israeli government, many remain outstanding

"The Bedouin land ownership has been a legal issue at least since the days of the Ottoman rule in the Negev and the Palestine. The Bedouin did not know then that the legal status of lands as laid down in Turkish law would be of significance one hundred years after it was originally defined by the Turks. The lands taken by the government were considered to be its property or under its control and administration. [...] A law enacted in 1956 classified the land into five categories: private lands (mulk); lands for agriculture or pasturage, but not for building purposes (miri); lands of the Moslem religious institutions (waqf); lands for public purposes such as crossings and public roads (matruka); and waste or lands which were not owned by anyone (mawat). To work mawat lands, permission had to be obtained from the Government, and the lands had to be registered. [...] When the legal definition was amended in 1921, it was no longer possible to purchase or obtain rights to these lands, even by working them.

Nevertheless, in practice, the British Mandatory authorities recognized the ownership of land by the Bedouin, and levied taxes on them on cultivated lands. [...] But most Bedouin lands were not registered with the Land Registry Office, and the authorities classified the lands as mawat. According to al-Aref, the reasons for non-registration of lands were fear of the burden of government taxes, abhorrence of revealing details of private property, and the fact that the Bedouin saw no sense in registering their property on paper as proof of ownership. At that time proof, quite simply, lay in the sword. So in practice, most of the lands of the Negev were defined as mawat. [...]

The Israeli authorities adopted Ottoman law, especially in connection with mawat lands." (Abu-Rafia November 1994, pp.15-16)

"The state has been able to develop a legal process that makes Bedouin land claims invisible. This process has been achieved through 3 principal laws:

The Land Acquisition (Validation of Acts & Compensation) Law (1953) states that land that was not in the possession of its owner in April 1952 could be registered as state property. It facilitated a massive transfer of lands in the Negev, since at the time the Bedouin had been transferred by the state into the enclosure zone. Although some tribes returned to their lands after the enclosure zone was lifted, they found that, since the land was now registered with the state, they either had to lease it or 'trespass.' Consent to lease has been taken in court as proof that the land was never theirs.

The Land Rights Settlement Ordinance (1969) classified all mawat lands (Ottoman term) as state property, unless a formal legal title could be produced. Mawat (literally dead) land was defined as unworked and more than 1.5 miles from the nearest settlement. The last opportunity for the Bedouin to

register their lands against mawat status had been in 1921, at a time when their rights were not challenged by anyone. The category became a major means for expropriation in the Negev because although Israeli courts acknowledged that Bedouin had been living in the areas they claimed, they did not recognise Bedouin tents as constituting settlements in terms of the law. Further, they defined working the land as changing it; pastoralism was an unrecognised form of living. The law abolished all previous conflicting registrations.

The Negev Land Acquisition (Peace Treaty with Egypt) Law (1980) facilitated large scale confiscation orders of Bedouin lands to build military bases and an airport in the wake of the peace treaty with Egypt. No appeal against the confiscation was allowed [...]. The military base at Im Tinan (56,000 dunams taken) was never built, and in 1994 was turned over for use by Jewish farmers.

In 1976 the Land Settlement Department opened to finally settle Bedouin land claims, according to the following deal: it would recognise 20% of the total claim (with documented proof), would offer compensation for 30% (at 65% its value) and would expropriate 50%. To date agreements on these terms have been reached for 160,000 dunams; claims on 743,327 dunams still remain outstanding." (Arab Association of Human Rights 2001, "Negev")

The Israeli government enacted a series of laws by which it acquired land or prevented access to it (1950-1980)

- The Israeli government used some regulations already enacted by the British government, such as the law allowing to declare "closed" areas
- According to the Absentee Property Law of 1950, the internally displaced became "present absentees" and lost their land

"Legal unidirectionality was a central aspect of Jewish land transfer as Israel created an institutional and legal land regime whereby confiscated land did not merely become state land, but jointly belonged to the entire Jewish people, and was prohibited from being sold. This ensured that all land transfers moved in one direction – from Palestinians to the state – and never vice versa." (Yiftachel Summer 1998)

Main laws:

"Absentee Property Law (1950): by which the State acquired control of all the property (inc. land) left behind by those persons who were expelled or fled their homes during the 1948 war. The absentee status does not change should the person come back or actually still be in the country. Then they are known as 'present absentees.'

Land (Acquisition for Public Purposes) Ordinance (1943): which authorises the government to confiscate land for public purposes with minimal compensation. 40% of the owner's land can be confiscated without compensation. Public purposes are usually Jewish: From 1200 dunams confiscated in Nazareth for public purposes, 80 dunams were used for public buildings and the rest to build Jewish housing. [NB: 1 Acre = 4 Dunams]

Defence (Emergency) Regulation 125 (1945): which grants military commanders the authority to forcibly declare areas "closed" and so prevent anyone from entering or leaving them without special permission. This regulation is used to evacuate areas, and on occasions entire villages, so as to facilitate the transfer of ownership with minimised resistance. No compensation is ever offered." (Arab Association for Human Rights 2001, "Land and Planning")

"Regulation 125 has never been used to close Jewish settlements in Israel, even where these communities are located in dangerous areas. Moreover, Jewish settlements adjacent to these uprooted villages have used these lands for their own purposes." (Adalah 5 February 2001)

"Agricultural Settlement (Restrictions on the Use of Agricultural Land and Water) Law (1967): which prevents Jewish leaseholders of State lands from subleasing them back to Palestinian Arabs." (Arab Association for Human Rights 2001, "Land and Planning")

The displaced faced many obstacles when they had to rent abandoned land in their place of refuge starting 1949 (2000)

- Two ground rules of Israeli government in 1949: first, only abandoned land in inhabited villages should be rented to the Arab population; second, the displaced with economic difficulty would be the primary beneficiaries of land allocation
- The process was marked by tension between the different departments of the Israeli governments in charge of allocating land, and the Jewish settlement movements asking for more land
- The Israeli government thought that by renting land where the displaced had found refuge, they would think less about their lost villages
- While in some cases the displaced did rent land without problem, in many cases, they had to face opposition from their Jewish neighbors, or pressure from the host communities and refused to rent abandoned land; also, many feared that renting other land would hurt their claim on their own land; the proposed land was also often of bad quality and too small

"[...] [A]u début de 1949 commença l'allocation de terres aux Arabes. Ainsi furent également établies les deux règles fondamentales qui allaient accompagner la politique de mise en affermage des terres pendant toutes les années suivantes: a. Dans la mesure du possible, on n'allouera aux Arabes que des terres abandonnées dans des villages habités, et b. les réfugiés démunis et sans moyens d'existence seront les bénéficiaires prioritaires de ces allocations. [...]"

L'allocation de terrains commença la même année sur l'arrière-plan de luttes de pouvoir et d'influence entre les diverses instances qui se considéraient comme responsables du dossier, à commencer par le préposé à l'administration des Biens des absents, et le département des terres agricoles, tandis qu'une autre lutte se déroulait entre les divers mouvements de colonisation qui réclamaient des terres pour leurs implantations. [...]"

Selon un rapport du ministère des Minorités, ces diverses instances finirent par se mettre d'accord pour coopérer et, en février 1949, 28 000 dunums avaient été alloués à des Arabes, dont 20 000 dans le nord du pays. Toutes les terres ne furent pas allouées à des réfugiés: un grand nombre le furent à des Druzes, qui les louèrent autour des villages abandonnés, ainsi qu'aux proches du gouvernement militaire. Le ministère des Minorités, cependant, parmi les diverses tâches qu'il s'était assignées, considérait qu'il était nécessaire de faire en sorte que les réfugiés fussent prioritaires pour obtenir des terres en affermage.

Une autre institution centrale active parmi les réfugiés était la commission pour les Affaires des réfugiés, qui discuta abondamment de la question des terres. [Selon un membre de la commission, Yossef Weitz] 'les lots de terre dans les villages ne dépasseront pas 20 dunums [...]. L'Etat les [i.e. les déplacés intérieurs] aiderait à acquérir du matériel agricole'. [...] L'installation des réfugiés dans les lieux où ils avaient trouvé refuge, pensait Weitz et les autres membres de la commission, affaiblira leur nostalgie pour les villages abandonnés, et permettra la poursuite du partage des terres au profit de la colonisation juive.

C'était le fondement de la règle d'airain établie par la commission [...]: en aucun cas il ne faudra louer aux réfugiés des terres dans les villages où ils habitaient auparavant. [...]"

Les réfugiés qui s'étaient installés à Maker et à Jdeideh restèrent sur place, louèrent des terres et construisirent des maisons, avec l'aide de l'autorité préposée à la réinsertion des réfugiés. De même à

Akrabeh, village voisin de Safad, et à Wad Hamas, sur les pentes du mont Arbel, des réfugiés s'installèrent sur les terres de l'Etat, et là aussi se heurtèrent à l'opposition de leurs voisins juifs. Mais les plans de l'autorité ne furent pas toujours couronnés de succès. Dans de nombreux cas les réfugiés, du fait de leurs positions politiques ou des pressions exercées par les habitants des villages d'origine, refusèrent de louer des terres abandonnées. [...]

"Dotan [Alexander Dotan, du ministère des Affaires étrangères] énumère ensuite d'autres problèmes au sujet de l'allocation de terres aux réfugiés, et les raisons du refus d'un grand nombre d'entre eux de demander des terres en affermage: a. Ils voulaient cultiver leur propre terre, et craignaient que la location d'autres terres ne porte atteinte à leurs droits sur celles dont ils étaient les propriétaires. b. Les réfugiés, dont l'écrasante majorité se trouvait dans une situation économique difficile, ne disposaient ni de bêtes de somme ni d'un fonds de roulement leur permettant d'attendre la récolte. c. L'exiguïté des terres qui leur étaient proposées et la mauvaise qualité du terrain. [...]

Il arrivait aussi parfois que des réfugiés (ou des membres d'autres groupes prioritaires, comme les soldats druzes démobilisés) signent un contrat en présence de l'administrateur des Biens vacants, mais que les propriétaires originels de la terre, leurs parents ou d'autres personnes prétendant avoir des droits sur ces terres les empêchent physiquement de s'y installer et de les cultiver. " (Cohen Winter 2000, pp.53-56)

Arab association denounced discrimination between Jewish and Arab communities regarding land and housing (2001)

- Difficulty to appeal against land confiscation, low level of compensation offered, new Jewish towns established but no new Arab town; houses built without permit are tolerated in Jewish communities but demolished in Arab communities
- Recent court decisions have made some attempt to lessen discrimination

According to the Arab Association for Human Rights:

"There is little possibility of legal appeal at these confiscation orders since wide powers are given to the executive authorities. Equally, the terms of the expropriation are unreasonable since the compensation levels offered are low and the government determines the value of the land. These terms are often refused, and the land is expropriated without settlement. At all times, a punitive system of land taxation is maintained to encourage private owners to sell their lands incrementally." (Arab Association for Human Rights 2001, "Land and Planning")

In fact, the property law encouraging such a punitive system of land taxation was cancelled in 1999. (Peled November 2001)

"To further the goal of dispersing the Jewish population, the state has maintained a policy of continually establishing new settlements for Jews only. [...] The establishment of these settlements is coordinated principally by the Jewish Agency, rather than the government, which provides houses, infrastructure and also the facilities for basic services. [...] There are no parallel settlements established for Palestinian Arab citizens. [...]

Houses built outside the planning framework or without the appropriate permit are subject to demolition. Yet planning laws are enforced unequally: while illegal building is tolerated in Jewish communities, it is harshly punished among Arab communities. (Arab Association for Human Rights 2001, "Land and Planning")

It should be noted that while the state has indeed maintained a policy of establishing settlements for Jews until very recently, the Israeli Supreme Court ruled in March 2000 that settlements founded by the Jewish community could not prevent Arabs from living in them. (Peled November 2001)

Since 1976 yearly demonstration against land expropriation has become National Day for Palestinian Arab citizens of Israel (2000)

"Since 1967, many [Palestinian Arab citizens of Israel] have become more aware of their identity as Palestinians. One important expression of this identity was the organization of a general strike on March 30, 1976, designated as Land Day, to protest the continuing confiscation of Arab lands. The Israeli security forces killed six Arab citizens on that day. All Palestinians now commemorate it as a national day." (MERIP 2001, "Palestinian Arab Citizens of Israel")

"On March 30, 1976, Palestinian citizens of Israel coordinated mass demonstrations against the state's ongoing land expropriations in the Galilee. Since that year, Land day is observed every March 30 to commemorate the six unarmed Palestinian protesters who were shot dead by Israeli internal security forces in the Galilean village of Sakhnin. Each year, Land Day provides Palestinian citizens of Israel with their one and only trans-confessional, *national* holiday: a day to identify with the land and to show solidarity against the enforced expropriations of communal land." (King-Irani Fall 2000)

PATTERNS OF RETURN AND RESETTLEMENT

General

Compensation or land exchange proposed by the government but not accepted by the displaced of Kafar Bir'em (2001)

"The Israeli government pursued, simultaneously, two policies in the years after the deportation of the population of Kafar Birem and the demolition of the homes of the residents and seizure of the land. On one hand, the government continued to suggest that once the security needs are changed, the population of Kafar Birem will naturally be allowed to return to the village. On the other hand, various proposals for settling the demands of the residents were made. Some of these proposals included:

1. The military commander proposed on October 22nd 1953 (a mere 38 days after the demolition of the village)
Exchange of the lands of Kafar Birem with land elsewhere, including the lands and homes of communities of refugees of the 1948 war.
Emigration of the residents abroad.
Compensations.
2. On April 19th 1954, a proposal that would have allowed the Kafar Birem uprooted to:
Build homes in Jish (where they took refuge), and return some of their lands from before November 1948 (those bordering Jish).
3. On June 15th 1956, a proposal was made that included:
Build homes in Jish,
Be provided with new land in Jish.
Compensations.
4. On January 26th 1958, proposal for re-settlement in Jish was made.
5. On April 11th 1965, a proposal for resettlement at any location except Kafar Birem was made.
6. On June 17th 1966, a proposal for resettlement in Jish was made.
7. In 1985 a proposal for establishing a shared village for the uprooted of Kafar Birem and Iqrit outside their respective expropriated land was made .

All these proposals shared one objective: that of solidifying the expropriation of the lands and properties of the Kafar Birem deportees and substituting their properties by properties of absentees of the 1948 war." (Committee for the uprooted of Kafar Birem 2001)

It should be noted that the inhabitants of the nearby village of Iqrit were evacuated at the same time than the villagers of Kafar Bir'em and are going through the same legal and administrative procedures. According to Wakim Wakim, Secretary of the NGO Association for the Defense of the Rights of the Internally Displaced in Israel, a third Court decision was also issued in favor of the inhabitants of Ghabsiyya (Wakim Wakim October 2001, p.36)

NATIONAL AND INTERNATIONAL RESPONSES

National response

Israeli Government has not solved yet the claims of the displaced (2001)

- 1997 interministerial agreement and 1950's Supreme Court decision to allow the villagers of Kafar Bir'em and Ikrit to return home have still not been implemented
- An Israeli High Court of Justice's order of 25 November 2001 gave the government three months to submit a detailed plan for compensating the displaced villagers of Ikrit and Bir'am

"The Government has yet to agree with the pre-1948 residents of the northern villages of Bir Am [or Kafar Birem] and Ikrit, and their descendants, regarding their long-term demand to be allowed to rebuild their houses. In 1997 a special interministerial panel recommended that the Government allow the villagers to return to Bir Am and Ikrit. The High Court has granted the Government several extensions for implementing the recommendation, including 2 extensions during the year [2000]." (U.S. DOS February 2001)

"The High Court of Justice's order of November 25 [...] gave the government up to three months to submit a detailed plan for compensating the displaced villagers of Ikrit and Bir'am [...]. [...]"

"[O]ne can interpret the court's demand for 'a concrete proposal, not general statements,' to include collective, not only individual reparations. It wasn't individuals who petitioned the court against the government, but rather an entire community whose collective interests – including the right to their birthplace, institutions, and intimate relations between individuals who were dispersed after they were evicted – were harmed.

The government tried to horrify the court by raising the specter of '200,000 absent present' people and stubbornly insisted on turning the Ikrit and Bir'am case into a 'dangerous precedent.' But now, many dozens of communities that were evicted between the end of the hostilities until 1952 can also claim they are included in the 'civilian route' without their demands for compensation being turned into 'a conspiracy to realize the right of return.' Indeed, many of them surrendered to brutal pressure by the authorities and accepted compensation or alternative land that was far from fair considering that for each dunam they received they had to give up five from their abandoned village. The civil route should include all those 'unrecognized villages', most of whose residents are 'present absentees' and whose recognition is an elementary duty of a state toward its citizens." (Benvenisti 29 November 2001 in Ha'aretz)

According to the National Committee for the Rights of the Internally Displaced in Israel,

"The Israeli government [...] did not respect or implement its own Supreme Court decisions which ordered for the return of the villagers of Ikrit, Kufir Birem, Al-Farada, Kufir Anan, and Al Ghabislyya. All these court decisions were issued in the early fifties and still have not been implemented." (National Committee for the Rights of the Internally Displaced in Israel February 2000)

Israel's take over from UNWRA of the internally displaced in 1952 (1998)

- Following American pressure, Israel took over the responsibility of the displaced from UNWRA

- The Israeli government decided not to create a special government body to take care of the displaced but that they would be cared for by existing governmental departments, and that no organization representing the displaced would be recognized

"On May 1952, largely as a result of American and UNWRA pressure, Israel notified the Director General of UNWRA, Ambassador Blandford, that it agreed that UNWRA would be relieved of further responsibility for the refugees in Israel. [...]"

UNWRA officially ended its activities in Israel on 1 July 1952." (Bligh November 1994)

"On 31 August 1952 the Israeli Government in resolution 575 established a ministerial committee to examine the question of how to deal with the Arab refugees in Israel, and to present the Government with a policy proposal. [...]"

[S]ome official policy guidelines for the period after Israel would take over from UNWRA were adopted:

- (1) A general survey of the refugee problem should be carried out
- (2) The Israeli Government would temporarily provide welfare and jobs to the refugees until the upcoming final resolution of the problem.
- (3) No special Governmental body would be established to take care of the refugees; they would be cared for by the appropriate Governmental Departments.
- (4) Those agencies, referred to above, would cooperate and coordinate activities with one another.
- (5) No other representative organization of refugees would be allowed to function. If created it would not be recognized by the Government.
- (6) The Government's policy would be widely publicized to the Arab community." (Bligh January 1998, p.129)

Israeli government's perception in 1949 regarding the problem of displacement (1998)

- The government concentrated on resettling the Jewish refugees
- At the time, the government feared that the displaced would join hostile armies in a future war against Israel, therefore it tried to limit the areas inhabited by the Arab population
- Priority among the internally displaced persons would be given to the villagers who surrendered to the Israeli army

"In June 1949 Prime Minister Ben Gurion reacted both to the international concern mounting over the situation of the Arab refugees and to a strongly worded letter from President Truman by specifying the general elements of Israel's policy regarding the refugee problem. Ben Gurion's letter addressed the moral factor first, indicated that Israel never promoted the idea or actively took part in forcing the Arabs out of Palestine. Furthermore, the Arab exodus from the future Jewish state was on one hand a spontaneous reaction to the war, and a response to the calls of Arab leaders to leave. [...]"

A second point emphasized by Prime Minister Ben Gurion was that the State was already involved in one resettlement effort, that of the Jewish refugees returning mainly from Europe. Thus, it would be unfair to expect the beleaguered state to engage in two such efforts simultaneously." (Bligh January 1998, p.128)

Between 1947 and 1950, approximately 600,000 Jewish refugees arrived in Israel (Eban 1978, p.144)

"The main preoccupation of Israel since inception has been security. One dimension of Israel's main security concerns involved the Arabs living in Israel, who might one day decide to join forces with hostile armies in a future invasion of the Jewish State. This source of concern influencing Israeli policies has since

vanished throughout the years. Nevertheless, in the early 1950s with the memories of the 1948 war still fresh, this was a very valid consideration for whoever was concerned with Arab questions. [...] Simply put, Israel considered the questions relevant to her survival first, before dealing with the concerns of the Arab minority in the country. Hence, every solution ought to represent a security oriented approach and should include the following elements:

- (1) To limit, as much as possible, the area inhabited by Arabs.
- (2) To avoid reconstructing destroyed Arab villages.
- (3) To refrain from establishing new Arab villages.

The inevitable outcome of these ideas would be the assimilation of the refugees into the already existing Arab communities and villages." (Bligh January 1998, pp.129-130)

Types of Arab refugees according to Israeli authorities in the early 1950's

"The speakers [from the government] defined two types of Arab refugees: (1) those who left Palestine for enemy countries during the fighting – they would not be allowed back; and (2) those who moved from their original places of residence but stayed within Israel; here again two types of refugees were identified: (a) those from villages which surrendered to the Israeli army, and (b) those from villages which had fought the Israeli forces. No clear decision was made on the operational steps to be taken, but the impression created by the document implied that the two categories would be allowed back; group (a) first and group (b) last." (Bligh January 1998, p.127)

Israeli government recognized the serious disparities between the Jewish and Arab populations in terms of housing and land (1998)

- Development of Jewish towns and settlements has not often been matched by similar steps for the Arab towns
- Starting the end 1980's, government approval of town plans for Arab localities, and measures to make it easier for them to receive public and private development funding

"Over the course of Israel's history, serious disparities between the Jewish and Arab populations in the availability of housing and of land for development have become entrenched. A significant part of the problem derives from expropriation of land in the aftermath of the War of Independence [1948]. Only 7 per cent of all land in Israel is privately owned, 4 per cent by Arabs and 3 per cent by Jews. The remaining 93 per cent is managed by the Israel Lands Administration (ILA) on behalf of the owners of the land: the Keren Kayemet Leyisrael, an organization funded by private Jewish donations (10 per cent of ILA-managed land); the Development Authority (10 per cent), and the State (80 per cent). The ILA has, over the years, leased or transferred significant land holdings for development of Jewish towns and settlements, while for the most part new Arab localities have not been established through similar arrangements, except for the eight Bedouin towns [in fact seven] established in the southern Negev region. Another source of the gap in housing and development is the historic lack of approved town plans in the Arab sector, which made it exceedingly difficult to develop existing Arab localities to meet the needs of the Arab population, which has grown sixfold since 1948.

Over the past decade, the Government has taken measures designed to reduce the considerable differences in housing and development between the Jewish and Arab sectors. Among others, the ILA has allocated land for residential projects, industrial areas and public buildings in several Arab localities; the Ministry of Interior has approved town plans for 29 Arab local authorities (out of 81), is close to approval of five other town plans, and has begun expedited development of town plans for 41 more localities; the land area of several localities has been enlarged for use in development, and plans for the enlargement of nearly 20 other Arab localities are currently under review; many Arab localities have been included in highest-priority development areas, which enables entrepreneurs to develop land and, in appropriate circumstances,

to lease land at a fraction of its real cost; government ministries have increased their funding for development of residential and industrial infrastructure considerably over the last five years; the Interior Ministry has initiated a variety of programmes aimed at improving the effectiveness of Arab local authorities in spurring and managing development in areas under their jurisdiction, and actively encourages the formation of economic corporations which make it easier to receive public and private development funding (thus far 17 such corporations have been formed)." (UN Human Rights Committee 9 April 1998, para.849-850)

According to Israeli government, efforts are made to improve the situation of the Bedouins, including those deprived of their land (1998)

- According to government, compensation to Bedouins for lost property was done in very favorable terms
- Government provided services to some unlicensed settlements and says to want to accommodate the Bedouins' traditional way of life, while not fulfilling all their demands
- Eight settlements were recognized by the government and funding to Bedouin communities increased

"The Bedouin population in Israel, particularly in the Negev Desert area, is perhaps the most disadvantaged single community in Israel in terms of per capita income, unemployment, and the level of infrastructure and services in their communities. There are approximately 100,000 Bedouins in the Negev, and roughly 38,000 in the Galilee. For most of Israel's history, the Bedouins have been engaged in a dispute with the Government over possession of lands and housing rights, which recently appears to be significantly closer to its resolution. [...]

The Bedouins were originally nomadic tribes, whose economy was based on camel and sheep herding. [...] Among themselves, land possession and ownership was determined by internal custom, which did not involve any written deeds of sale or ownership. [...]

Beginning in the 1950s, the Government pursued a policy of concentrating the Bedouins in the northern Negev, particularly in the *Sayig* area, which covers roughly 1.5 dunams, 40 per cent of which is used by the Bedouins for habitation, agriculture, and animal grazing; and of settling them in new government-planned towns, which had the unfortunate effect of uprooting them from their traditional way of life. Much of the hundreds of thousands of dunams over which Bedouins claimed ownership by force of possession and cultivation was transferred to State ownership. Seven towns were built in the Negev area, which today are the homes to roughly 50,000 persons, or half of the Negev Bedouin, who received compensation and very favourable terms for building or purchasing housing. The others live in unplanned, unlicensed homes and settlements, often without basic services such as water, electricity, roads, health care and educational facilities. In some cases, the Government provides these services without proper planning and legal arrangements. In other cases, the Ministry of Interior demolishes homes which have been built without permits. The Bedouins wish to be permitted to form rural settlements, where they can maintain their traditional way of life, and demand that the Government recognize existing structures and settlements, sanction the establishment of local authorities and town planning councils, and fund the development of infrastructure. The Government's position has been to find a workable solution within the framework of the law which will not force upon the Bedouins a housing solution inimical to their traditional way of life, but will also not involve a duty to create local government institutions and fund infrastructure in every place where members of the Bedouin community wish to live. According to a Ministry of Interior survey, it is estimated that there are over 100 illegal settlements, many consisting only of a small cluster of structures, spread over the Negev area alone, involving 108 tribes, over 9,000 housing units, and roughly 50,000 inhabitants, or slightly less than 1 per cent of the national population. Another 3,000 Bedouins live in illegal settlements in the Galilee region.

Over the past five years, the Government has taken important steps towards solving the land and housing problem in the Bedouin communities and towards bringing their quality of life to a level closer to that of the rest of the population, while preserving their way of life. Eight Bedouin settlements were recognized by the Government during 1994-1996, and consultations are currently taking place between the Government and Bedouin representative organizations regarding the recognition of a ninth settlement. Official recognition allows these settlements to receive government funding prior to the approval of town development plans. Consultations over other, smaller illegal settlements, mostly comprised of single families, are continuing, with the intention of integrating these settlements into larger, recognized settlements. Zoning and development plans for these newly-recognized settlements are being prepared, and the Government made a special allocation of NIS 5 million in 1996 for immediate infrastructure development in these settlements. In addition, plans developed by the Housing Ministry call for the construction of two or three new urban localities (each accommodating 600-800 families), two or three agricultural settlements (each containing up to 600 families), 10 agricultural farms (to be inhabited by 30 families each), and five to seven shepherding settlements for a total of roughly 100 families. In 1996, a parliamentary commission which reviewed the condition of the Bedouin communities recommended that sufficient resources be allocated for the development of these new localities, and that arbitrators be appointed to expedite processing of Bedouin land claims.

Government investment in the Bedouin sector has increased markedly over the last several years. Overall funding by the Housing Ministry increased from NIS 50 million in 1989-1992 to NIS 138 million in 1993-1995. Several years ago, the Minister of Housing issued guidelines requiring that investments in infrastructure in the Bedouin communities be allocated on a level comparable to those granted to Jewish localities. The Israel Lands Administration invested NIS 128 million in infrastructure between 1991 and 1995, as well as NIS 50 million in compensation for Bedouin land claims. As part of the settlement of such land claims, the ILA also subsidizes 80 per cent of the cost of plots sold to Bedouins. In addition, the ILA has approved an NIS 280 million sewage-system installation project, has developed industry and crafts areas in three Bedouin localities, and, together with the Agriculture Ministry, has funded the construction of several commercial greenhouses.

The Ministry of Interior has approved outline development plans during the past five years for each of the seven existing Bedouin towns, which will facilitate the construction of housing, industrial areas, public institutions and public works. In addition, the Interior Ministry has significantly increased its regular allocations to Bedouin local and regional authorities, as part of its campaign to eliminate the disparity in allocations between Arab and Jewish municipal authorities generally. [...]

In 1996, an interministerial committee was established to oversee and implement all government programmes related to the Bedouin communities. Within the National Infrastructure Ministry, a Directorate for the Advancement of Bedouins has also been set up, and has begun developing new plans for continued resolution of housing, land and development problems." (UN Human Rights Committee 9 April 1998, para.851-856)

According to the Adviser to the Israeli Prime Minister on Arab Affairs, Mr. Zaken, "During the previous 25 years, 60,000 inhabitants had gradually settled in 7 Bedouin villages having the necessary infrastructure, and he added that it was difficult to provide infrastructure for nomadic populations. He categorically refuted the fanciful statement made the previous day that the Bedouin were being forced to settle down; not a single one had been forced to do so." (CERD 11 March 1998, para.69)

UN Response

UNWRA took care of the internally displaced within Israel from 1950 to 1952 (2001)

- The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNWRA) was established under UN GA Resolution 302 (IV) in Dec 1948

"Immediately after the Arab-Israeli hostilities of 1948, emergency assistance to Palestine refugees was provided by international organizations such as the International Committee of the Red Cross, League of Red Cross Societies and the American Friends Service Committee. In November 1948, the United Nations established the United Nations Relief for Palestine Refugees (UNRPR) to extend aid and relief to Palestine refugees and coordinate efforts of NGOs and other UN bodies such as the United Nations International Children's Emergency Fund (UNICEF), World Health Organization (WHO) and Food and Agriculture Organization (FAO) and the International Refugee Organization. The United Nations established the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) under UN General Assembly Resolution 302 (IV), of 8 December, 1949, as a temporary specialized Agency. UNRWA's mandate has been renewed every three years since 1949, and is expected to continue to be renewed pending a just settlement of the refugee problem.

UNRWA began its field operations on 1 May 1950. The Agency inherited the assets of the UNRPR and took over the ICRC's refugee registration records. [...]

There are several groups and categories of Palestinian refugees and internally displaced persons (IDPs): UNRWA-registered 1948 refugees and their descendants, unregistered 1948 refugees and their descendants, internally displaced Palestinians in Israel, and persons displaced as a result of the June 1967 war and their descendants. UNRWA coverage extends to registered Palestine refugees residing in UNRWA's areas of operation in the occupied Palestinian territory, Lebanon, Jordan and the Syrian Arab Republic only, who number 3.8 million in 2001.

For operational purposes, UNRWA has defined Palestine refugee as any person whose "normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948 and who lost both home and means of livelihood as a result of the 1948 conflict." Palestine refugees eligible for UNRWA assistance, are mainly persons who fulfill the above definition and descendants of fathers fulfilling the definition." (UNWRA 2001)

"On May 1952, largely as a result of American and UNWRA pressure, Israel notified the Director General of UNWRA, Ambassador Blandford, that it agreed that UNWRA would be relieved of further responsibility for the refugees in Israel. [...]

UNWRA officially ended its activities in Israel on 1 July 1952, but continued providing supplies to refugees in Israel until 1 September, and partially operated even during October of that year." (Bligh November 1994)

UN Committee inquired about the resettlement of the Bedouins and the loss of property of the people displaced in 1948 (1998)

Question by the Committee on the Elimination of Racial Discrimination:

"Was it true that the authorities had removed some of the Bedouin from their traditional lands and forced them into Government-planned townships that were incompatible with their customs and lifestyles?"

Some of the roughly 200,000 Palestinians displaced within Israel since the events of 1948 had sought to recover their property but most requests had been rejected by the Supreme Court. What type of compensation had they received and had they been offered alternative housing and settlement facilities?" (CERD 9 March 1998, para. 85-86)

NGO response

The National Council for the Defense of the Rights of Displaced persons in Israel (2000-2001)

- Because the 1991 Madrid Conference did not address the situation of the Palestinian Arab minority in Israel, the displaced founded in 1995 a committee to advance their goal to return to their villages of origin
- The committee is an umbrella organization uniting thirty local committees of displaced
- Activities are organized to strengthen the displaced sense of identification with their abandoned villages
- The committee has decided to negotiate directly with the Israeli government and not through the Palestinian Authority

"The 1991 Madrid Conference excluded reference to UN resolution 194, which emphasizes our right of return and neglected the existence of the Palestinian Arab Minority in the homeland. In response, the internally displaced set an initiative, in 1992, to gather and unify our struggle for the right of return to our villages and towns of origin.

The first popular meeting of the internally displaced at Qasr al-Salam/Tamra on March 11, 1995 resulted in the establishment of the National Committee for the Rights of the Internally Displaced Palestinians in Israel mandated "to follow up, and lead the struggle for return." (National Committee for the Rights of the Internally Displaced Palestinians in Israel February 2000)

"The National Council [for the Defense of the Rights of Displaced persons in Israel] is an umbrella organization uniting thirty local committees of refugees [i.e. internally displaced persons] from abandoned villages within Israel.

The Council is legally registered as a non-profit organization. Its members organize activities to strengthen the displaced persons' sense of identification with their native abandoned villages. These include picnic outings to village grounds on Independence Day (that Palestinians refer to as the 1948 'Nakba', or catastrophe), renovation of mosques, churches and cemeteries, and compiling documentary material on their villages. [...]

In dealings with Israel Arab public, one problem the National Council faced was Wakim's own reputation as a political radical. Many internal refugees would rather not be represented by a man or organization of radical image, whose declared goals are uncompromising – demanding a complete return to all abandoned lands and houses.

[...]

Israel's 'internal refugees' – Arab citizens of the state who come from villages that were abandoned in 1948 but who remained in the country – recently told the Palestinian authority [PA] not to negotiate with Israel in their name.

They don't want the PA to assume responsibility for their demands to return to their native homes. Attorney Wakim Wakim, secretary of the National Council for the Defense of the Rights of Displaced persons in

Israel, said he and his colleagues are afraid Yasser Arafat will make far-reaching concessions on the right of return issue.

For this reason, they don't want the PA to incorporate their cases into the peace talks. Instead, they want the internal refugees themselves to wage their own legal, public and political struggle within the framework of the state of Israel.

Wakim said the displaced persons believe they have a better chance of realizing an internal right of return to their abandoned villages than do 1948 refugees living outside Israel.

As Israeli citizens they can wield all legal tools available to the public. 'The government of Israel should understand if it manages to impose some sort of quasi-agreement which defuses the question of the right of return, it will still have to confront our own demands that our rights as citizens be redeemed.'

After the 1993 Oslo accords, the internal refugees decided to divorce their case from the PLO's political campaign for recognition of the Palestinian refugees right of return. The Oslo agreement held that discussion of the right of return should be deferred to final status negotiations.

PLO officials asked this group of displaced Israelis to suspend public activity on their case. But the delegates rejected the PLO request and created the National Council to champion their rights as displaced persons. The National Council is an umbrella organization uniting thirty local committees of refugees from abandoned villages within Israel." (Nir 8 January 2001 in Ha'aretz)

Wakim Wakim said in an interview for the Journal of Palestine Studies that the National Committee is planning to conduct a field survey, which it has not been able to carry out so far due to lack of financial resources (Wakim Wakim October 2001, p.33)

Other organizations defend the rights of the displaced (2001-2002)

- The Association for Civil Rights in Israel (ACRI) has projects to promote the rights of Arab citizens of Israel, including regarding land issues
- Adalah (Legal Center for Arab Minority Rights in Israel) and the Arab Association for Human Rights (HRA) aim to achieve equal rights and minority rights for Arab citizens of Israel, including in the fields of land and housing rights, mainly through advocacy
- The Committee for the Uprooted of Kafar Birem is an association of displaced persons aiming to return to their village in northern Galilee
- Association 40 aims for the recognition of the Arab unrecognized villages in Israel
- Badil is a Resource Center for Palestinian Residency & Refugee Rights, and also advocates for the right of return of the displaced within Israel

ACRI (Association for Civil Rights in Israel) (1996)

"Arab citizens face inequality in a wide range of spheres, including the allocation of public resources, problems of land ownership resulting from widespread confiscation in the past of Arab-owned land, and discrimination in housing and employment. During 1995, ACRI is establishing a special project to promote the rights of Arab citizens of Israel. [...]"

ACRI submitted an objection to a regional plan for the southern part of the country. The plan perpetuates the long-standing policy of obliging Bedouin Arabs in the Negev to settle in a limited number of urban centers. ACRI argued that there was no justification for limiting this population to one form of settlement, while Jews in the same region can choose from a variety of urban and rural settlements." (ACRI 1996)

Adalah (Legal Center for Arab Minority Rights in Israel)

"**Adalah** (*Justice*) is the first non-profit, non-sectarian Arab-run legal center in Israel. Established in November 1996, Adalah serves the Arab community nationwide, close to 20% of Israel's population.

Adalah's legal work draws on Israeli law, comparative constitutional law, and international human rights standards. The main goal of Adalah is to achieve equal rights and minority rights protections for Arab citizens of Israel in the fields of Land and Housing Rights, Education Rights, Employment Rights, Language Rights, Political Rights, Women's Rights, Prisoners' Rights, Culture Rights, and Religious Rights.

In order to achieve this goal, Adalah:

brings cases before the Israeli courts that raise issues of group discrimination and Arab minority rights through legislative advocacy;

promotes Arab equal rights and minority rights through legislative advocacy;

provides consultation to Arab NGOs, CBOs, and other public institutions;

organizes and facilitates panel discussions, study days, and workshops, and publishes topical reports on current legal issues concerning the Arab minority in Israel" (Adalah 2001)

Arab Association for Human Rights (HRA)

This association promotes the rights of the Palestinian Arab minority in Israel, through advocacy. It examines issues such as land property and the situation of the Bedouin community in the Negev. (HRA 2001, "Homepage")

Committee for the Uprooted of Kafar Birem

The people displaced from Kafar Birem in 1948 joined in a committee to obtain to return to their village in northern Galilee. Despite many appeals to Israeli courts and authorities, they have not been able to return to their village. The Israeli government made various proposals for settling the demands of the displaced, like land exchange and compensation but the displaced will accept to return to their former land. (Committee for the Uprooted of Kafar Bir'em 2001)

Association 40

"The association for the recognition of the Arab Unrecognized Villages in Israel, was formally established in 1988 in the Unrecognized Village Ein-Hod, by the local committee of the village, by the inhabitants of unrecognized villages and also by Arab and Jewish Volunteers from all over the country. [...]"

The Association of Forty is a grassroots non-governmental organization in Israel. It has committed itself to the promotion of social justice in the Arab sector in Israel, and to gaining recognition for the unrecognized villages in this sector." (Association 40 2001)

To know more on the creation of Association 40, see the interview with its founder and director, Muhammad Abu al-Hayja, in "Ayn Hawd and the 'Unrecognized Villages'", Journal of Palestine Studies, Autumn 2001 (Vol.31, No.1, Issue 121), pp.39-49

Badil (Resource Center for Palestinian Residency & Refugee Rights)

Palestinian organization promoting the rights of the Palestinian refugees through advocacy; also advocates for the right of return of the displaced within Israel. (BADIL 2001, "index")

Oxfam

The international non government organization, Oxfam, works with local partners (SIDREH, ADALAH) to improve the life of the Bedouin in the Negev, both of those living in the new towns built by the State, and those living in the "unrecognized villages". (OXFAM 2001)

Reference to the Guiding Principles on Internal Displacement

Known references to the Guiding Principles (as of January 2002)

Reference to the Guiding Principles in the national legislation

None

Other References to the Guiding Principles (in reverse chronological order)

The NGO BADIL (Resource Center for Palestinian Residency and Refugee Rights) referred to GP 28, para.1 to call for the return of the IDPs in Israel to their homes, in a report to the UN Committee on Economic, Social and Cultural Rights

Date: 23 April 2001

Document: Report to the Committee on Economic, Social and Cultural Rights, General Item: Follow-Up Procedure (Israel), Annex B [Internet]

Availability of the Guiding Principles in local languages

The Guiding Principles have been translated into Arabic

Document: GP in Arabic [Internet]

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None

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