



FORCED OR DEVELOPMENT INDUCED DISPLACEMENT? OCCUPIED PALESTINIAN TERRITORIES AND INTERNATIONAL CONSCIENCE

AKM Ahsan Ullah, PhD

Abstract

A massive number of displacements in the eastern part of the city occurred by Israel's annexation of occupied East Jerusalem as a means to solidify the unification of Jerusalem. This paper delineates that the forceful annexation of an occupied territory is 'illegal' and that Israel failed to unite the eastern and western parts of Jerusalem due partly to the lack sovereign control over occupied East Jerusalem. Israel's annexation of East Jerusalem is clearly a disregard for international laws and Conventions to which they are party. There are renewed debates about how Palestinian and Israeli societies will deal with the legacy of human rights abuse.

Keywords: Development induced displacement, occupied territories, Palestinian

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Introduction

Forced displacement has a long history in the Occupied Palestinian Territory (OPT), as both a consequence and root cause of the Israeli-Palestinian/Arab conflict over resources and land. In other instances internal displacement is the direct result of violence stemming from incursions and human rights violations. IDMC, 2008

The West Bank and the Gaza Strip were parts of the British Mandate of Palestine until the end of the WWII. United Nations (UN) General Assembly Resolution 181 (November 1947) recommended the partition of the Mandate into a Jewish state and an Arab state. The Arab states rejected the subsequent proclamation of the State of Israel in May 1948. Soon after the British quit Palestine in 1948, the State of Israel was proclaimed and was immediately invaded by armies from neighbouring Arab states (Colin, 2002; Benny, 1988). This conflict, Israel's War of Independence, was concluded by armistice agreements between Israel, Egypt, Jordan, Lebanon, and Syria in 1949 and resulted in a substantial increase in Israeli territory.

At the end of the WWII, Gaza Strip came under the control of Egypt, the West Bank under Jordan, and Jerusalem was divided between Israel and Jordan. Hostilities involving multi-countries erupted in June 1967 between Israel and Egypt, Syria and Jordan resulted in Israel's occupation of the West Bank¹, the Gaza Strip, the Golan Heights and the Sinai Peninsula. East Jerusalem and the Golan Heights were later annexed by Israel, which is said to in violation of existing international laws (IDMC, 2008). The creation of the State of Israel in 1948 was preceded by more than 50 years of efforts to establish a sovereign state as a homeland for Jews (Walid, 1971).

After the failure of several international initiatives in reconciliation between Israel and Palestine, the diplomatic Quartet², issued the performance-based Road Map to Peace on 30 April 2003 which was endorsed by the Security Council in Resolution 1515 (2003) in order to bring an end to the conflict with the creation of a permanent two-state solution, in line with Security Council Resolution 1397 (2002) (IDMC, 2008). In addition, Government in the Occupied Palestinian Territories (OPT) has effectively collapsed following the victory of Hamas in January 2006 in the parliamentary election. Violent confrontations between

¹ Including East Jerusalem.

² The United Nations, The United States, The European Unions and Russia.

militia loyal to Hamas and Fatah, the two largest Palestinian political factions, have brought the OPT close to civil war (Guest, 2007). In February 2005, a ceasefire was agreed at the first Palestinian-Israeli summit. In 2005 (between August and September), Israel unilaterally withdrew military forces and around 7,000 settlers from the Gaza Strip and four settlements in the northern West Bank. However, while internal freedom of movement returned in Gaza, it remained an occupied territory (OCHA, 2006; UNHRC, 2008).

About three percent of the total population in the OPTs-- consisting of the West Bank, East Jerusalem and Gaza, was internally displaced until 2008 (IDMC, 2009). Internal displacement in East Jerusalem commonly consists of displacing East Jerusalemite Palestinians (EJP) for various projects undertaken by the Israeli state. These projects are aimed at uniting the eastern and western parts of Jerusalem (Colin, 2002). In addition, EJPs experiencing displacement are neither protected nor assisted by the Israeli state. This is due partly to the fact that there was a lack of political will and a lack of policy regarding displacement, nor are they protected or assisted by the Palestinian national authorities who, due to political restraints, are limited in their ability to address Israeli projects in the OPTs (IDMC, 2009).

In fact, displaced East Jerusalemite Palestinians are often times removed from East Jerusalem entirely, losing their residence permits,³ as well as their homes (APJP, 2009). EJPs are then limited in their ability to either prevent home demolition, displacement and deportation, or to advocate for compensation, resettlement and rehabilitation (UNHCR, 1998). Such a disruption in livelihood and a lack of political will to amend this disruption leads to insecurity and threats to individual well-being. However, such projects and plans resulting in displacement within occupied East Jerusalem are highly controversial, not only because of the limited access to rights and remedies offered to the displaced, but also because Israel supports its right to unite Jerusalem and to conduct unification projects by asserting claims to have annexed East Jerusalem in 1967 (Walid, 1971).

³ Israel continues to adopt in a systematic manner long-term policy to get rid of thousands of the Palestinian Jerusalemites, starting with those living outside of the current Israeli defined borders of Jerusalem. The Israeli Segregation Wall in East Jerusalem has set to confine the future development of the Palestinian localities in the city and dramatically hit them, harder than others, and more than 14,000 Palestinian Jerusalemites holding Jerusalem residency cards will be totally isolated by the wall.



Map 1. Map of Settlements around Jerusalem

However, annexation is against international law (Al-Haq, 2007). I am here referring to international human rights law (IHRL). The basic principle of the IHRL is that it is the obligation of the States to respect the laws. By becoming parties to international treaties, States assume obligations and duties under international law to respect, to protect and to fulfill human rights. The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to fulfill means that States must take positive action to facilitate the enjoyment of basic human rights (OHCHR, 2010). Therefore, as an occupier, Israel does not have sovereign control over the OPTs and it cannot annex any part of the OPTs. This puts into question the right of the Israeli state to displace East Jerusalemite Palestinians for their proposed plans since a state cannot claim to undertake any project without having complete sovereign control over the territory (Yarden, 2009). Therefore, before issues regarding remedies to displacement for East Jerusalemite Palestinians are addressed, the root of the problem merits explorations. The Jerusalem Light Rail project (JLR) will be touched upon a bit, which adds to Israel's illegal annexation of occupied East Jerusalem by physically connecting East and West Jerusalem through the construction of a metro system (Tom, 2001; Yarden, 2009).

Systematic exclusions and displacements

...three-quarters of the Palestinian people are displaced. Approximately one in three refugees worldwide is Palestinian. More than half are displaced outside the borders of their historic homeland...
Rempel, 2006

The causes of displacement include military operations, house demolitions and land expropriation, the construction of infrastructure including the Separation Wall, settlements and settler violence, and the closures regime and the establishment of Palestinian exclaves in the West Bank' (IDMC, 2008). Israel began constructing the Separation Wall in 2002. The justification has been that such measures are necessary to prevent terrorist attacks against

their citizens (Joseph, 1996; B'Tselem, 2005). This Wall is from 60 to 100 meters wide, which includes buffer zones, a two-lane patrol road and fortified watchtowers (ICJ, 2004).

Israel maintains that the Wall is a temporary structure; however, the design of construction is not reflective of a temporary one. As of January 2008, 57% of the planned 723 Kilometres wall had been completed (UNRWA, 2008). The completed Wall will enclose 360,000 settlers including 190,000 in East Jerusalem, and an estimated 35,000 Palestinians living in 'closed areas' between the Green Line and the Wall (Map 1), in addition to the majority of estimated 250,000 Palestinians living in East Jerusalem (UNWRA and OCHA, 2008). 'On the eastern side, excluding East Jerusalem, an estimated 125,000 Palestinians in 28 communities live or will soon live in enclaves surrounded on three sides by the Wall, while an additional 26,000 Palestinians will be surrounded on four sides with a tunnel or road connecting them to the rest of the West Bank' (David, 2003; UNWRA and OCHA, 2008).

Generally believed that Israel does not recognize the applicability of Geneva Conventions to the OPT nor human rights law treaties to which it is party. According to the international community, the OPT is territory under occupation, and Israel remains bound by international humanitarian law and applicable human rights law (IDMC, 2008). 'Internal displacement has been a direct and indirect result of both Israeli policies of occupation and generalized violence in OPT. The severity and consistency of some Israeli government activities attest to a policy of forced displacement for the purpose of acquiring land, redefining demographic boundaries, and divesting Palestinians of ownership guaranteed under international law.

In ten years, Israeli authorities demolished more than 2,200 residences for lack of building permits, leaving more than 13,000 Palestinians homeless (B'Tselem, 2008). Seeking a permit for a Palestinian to build on land in East Jerusalem is a notoriously difficult procedure, which generally results in failure of the application (ICAHD, 2007). In addition, land registration has been frozen for thirty years; hence many applications are denied and refused on the grounds of failure to prove ownership of the land ((Benny, 1988; B'Tselem, 2008).

Israel justifies the demolitions of houses under the guise of security measures undertaken in self-defense and necessitated by terrorist threats and that civilian houses in such context are legitimate military objects (MFA, 2004). The security strategy of Israel has entailed the destruction of homes deemed close to 'Israeli security infrastructure, Israeli byroads and settlements, homes which provide cover for Palestinian militants as well as homes of Palestinian militants on punitive grounds' (HRW, 2004). Demolitions however continued though this has been contested as unlawful under international humanitarian law and human rights law for destruction of private or public property, unlawfully targeting civilian objectives (HRW, 2008; UNSC, 2004; IDMC, 2008).

The Israeli Master Plan 2020⁴ explicitly states that Israel's goal is to unite Jerusalem, to support the growth of Jewish settlements in East Jerusalem, and to restrict growth for Palestinians, which will leave 70:30 ratios of Israeli Jews to Palestinians in occupied East Jerusalem. Even Yashoshua Pollak and David Hadari, both of whom are political figures in Jerusalem, have advocated for the annexation of East Jerusalem (Al-Haq, 2007): "[The] Netanyahu government needs to make clear to the entire world that Jerusalem is our united capital, [and it] will not be divided and [this] is not a subject for negotiations (Tzvi, 2009)."

Therefore, projects in occupied East Jerusalem, such as the JLR, the Ring Road and Israeli Jewish settlements, as well as policies of revoking residence permits and demolishing homes, are highly supported initiatives in the Israeli community, which will help keep East Jerusalem annexed (Haretz Daily, 2009). The JLR supports the 2020 plan by linking illegal Israeli Jewish settlements in East Jerusalem to West Jerusalem and the rest of Israel through the construction of metro line that will go through the East Jerusalem Palestinian neighborhood of Shu'afat⁵, where at least one case of EJP displacement has occurred and at least 75 dunams⁶ of land has been appropriated for different projects (Ingela, 2009). In fact, Shu'afat is the only Palestinian neighborhood that will be served by the metro line, with the primary stops being in the illegal settlements and in West Jerusalem.

This particular metro line is meant to strengthen the 'illegal' annexation of East Jerusalem, ultimately changing the territory in substantive ways, and ignoring East Jerusalem's status as an occupied territory. Similar to the JLR is the Ring Road project that also aims to reinforce the annexation of East Jerusalem by connecting 'illegal' Israeli Jewish settlements to the West of Jerusalem. So far over 1,237 dunams have been appropriated for the project, which comprised Palestinian land involves the demolition of Palestinian homes (Tom, 2001; Passia, 2009).

The revocation of residence permits and the demolition of EJP homes are the principal means by which Israel initiates involuntary displacement for these development purposes. From January to July 2009 alone, 107 EJPs were displaced due to the demolition of forty-one structures, and 1,500 homes were pending demolition (EMHRN, 2009). This is done the pretence that they were built without proper permits. Israel also justifies demolitions and private land confiscation by using military and punitive reasons, even when private ownership of land is documented (Ingela, 2009).

However, international law only recognizes land appropriation in occupied territory when it is a military necessity. However, obviously the development of Israeli Jewish

⁴ It is an integrated economic, social and environment plan for the development of Israel in the 21st century implementing policies for its realization.

⁵ Located on the old Jerusalem-Ramallah road about three miles north of the Old City, Shuafat has a population of 35,000 residents.

⁶ A dunam (1,000 square metres) is a unit of area used in the Ottoman Empire and still used, in various standardized versions, in many countries formerly part of the Ottoman Empire.

settlements, the JLR and the Ring Road are clearly not military necessities (ICRC, 1949). Regarding residence permits, their revocation for East Jerusalemite Palestinians can be initiated under a number of reasons that do not apply to Jewish residence permit holders (Passia, 2009). Revocation can be processed in situations where an EJP has lived abroad for an extended period of time or if an application for citizenship has been submitted in another state (Al-Haq, 2007).

These are numbers that clearly indicate Israel's determination to reach its 2020 goal by solidifying the 'illegal' annexation of East Jerusalem through projects undertaken, which are facilitated by policies implementing home demolitions and residence permit revocations. However, the international community has in fact failed to exert pressure on Israel to adhere to the commitments it has made to international laws and Conventions, hence the demolition of homes, the revocation of residence permits and development schemes supporting annexation continue to take place.

Widely believed that, there are two substantial issues related to occupation: firstly, Israel blatantly rebuffs some of the international conventions, principles, customary norms and United Nations resolutions that deal with occupation, human rights and protecting and assisting occupied peoples (HCPR, 2004). Laws are passed to serve the best interests of the global community; therefore, in order to retain the membership of the UN the member states must respect these laws. One can question, of course, about the *bona fide* intention to establish peace when member state does not respect those laws. Noteworthy, the official dialogue between Israel and the Palestine came to a halt following Hamas' election victory in 2006. Palestinians are as well disillusioned with the current peace model, which is based on the Oslo Accords⁷ (David, 2003; Guest, 2007). The second problem concerning Israel and international law is that Israel contests that East Jerusalem is no longer occupied territory, but that it is a legal appendage of Israel that was annexed in 1967. However, as a member of the global community, Israel is obligated to recognize all international laws it is party to. Israel must contain that occupation is never a permanent solution to a conflict; instead, occupation is viewed as a temporary arrangement (HPCR, 2004).

However, obviously occupations take place because of military interests, but the ultimate outcome is that the military necessity of occupation will eventually dissipate and the occupier will eventually relinquish control over the territory. Therefore, the occupier is the main temporary caretaker of the territory in question, and as such the occupier has responsibilities towards maintaining conditions that existed within the territory prior to occupation. In addition, the occupier must uphold rights to self-determination⁸ for the occupied territory. That is, since the occupier does not have sovereignty over the territory and the territory has a right to self-determination. It is also paramount that the occupier

⁷ On September 13, 1993 representatives of the State of Israel and the Palestine Liberation Organization (PLO) signed the "Declaration of Principles on Interim Self-Government Arrangements", a document also known as the "Oslo Accords"

⁸ Self-determination embodies the right for all peoples to determine their own economic, social and cultural development. The right of self-determination of peoples is a fundamental principle in international law. It is embodied in the Charter of the United Nations and the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

does not undertake substantive changes to the territory it occupies such as building the Ring Road, settlements and the JLR, unless it is deemed by military necessity. Therefore, Israel extends its rights to annexing occupied territory and developing East Jerusalem by means of ignoring IHRL. Such conduct leads to the inequitable displacement of East Jerusalemite Palestinians and denies them the protection, assistance and security.

Israel seems not to fully recognize the Convention, which is relative to the Protection of Civilian Persons, commonly referred to as the Fourth Geneva Convention (GCIV), one of the four treaties of the Geneva Conventions. The Article 27 of the convention deals with non-discrimination and calls for respect for persons under occupation and for protection against acts of violence and threats (ICRC, 1975). Therefore, inequitable policies of home demolition and the revocation of residence permits for EJPs are in clear violation of Article 27. According to Articles 55 and 59 occupiers has a duty under Geneva Convention to ensure that the health and wellbeing of the occupied are guaranteed. In Article 49 issues regarding the displacement that brings Israeli settlers into East Jerusalem are addressed. The article indicates that not only is the occupying power prohibited from displacing occupied peoples for reasons other than military necessity, but that the occupying power is also prohibited from transferring its own population into occupied territory, limiting Israeli state sovereignty over the OPTs.

This is, for instance, what happened with the French company Veolia who agreed to operate the trains of the JLR and who was subsequently told by a French court that altering the status of occupied East Jerusalem is against international law. Therefore, by means of operating the JLR, Veolia was also in violation of international law. After the court ruling, the company was attempting to find another company willing to operate the JLR and trying to sell its shares in the JLR (Ingela, 2009). Also, an organized boycott protesting Veolia's involvement in the JLR led to the company losing a variety of other lucrative contracts (Omar, 2009). This means that not only are Israeli settlements and transportation projects illegal because they are for the sole purpose of uniting Jerusalem by supporting the transfer of Israeli Jewish settlers onto occupied territory, but that complicity in helping sustain such efforts are also against GCIV. In addition, Article 49 clearly indicates that it is illegal to displace EJPs from East Jerusalem for reasons other than military necessity, such as home demolition and the revocation of residence and building permits are therefore illegal as well. In addition, The Hague Convention⁹ also prohibits the destruction or seizure of property belonging to the occupied in Articles 23 and 46 (ICRC, 1907).

A number of United Nations resolutions concerning Israel's occupation of the OPTs, addresses not only the occupation itself, but some specifically address the annexation and land appropriation underway in East Jerusalem. General Assembly Resolution 2625 (XXV) of 1970 reiterates the illegality of annexation by stating that,

⁹ International Humanitarian Law - Treaties & Documents. Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land. The Hague, 18 October 1907 (ICRC, 1907).

States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations (Yarden, 2009).

Clearly, UN Resolutions oppose annexation, and support peaceful resolution of conflicts, and underlines the importance of self-determination for all states. Along the same line, UN Security Council Resolution 2625 indicates that Israel's annexation of East Jerusalem and of any other territory belonging to the OPTs is against international law. Israel's actual official proclamation of illegal annexation came in 1980, under what is known as the "Basic Law", and states that, "Jerusalem, complete and united, is the capital of Israel (Yarden, 2009)." This was soon followed by United Nations Security Council Resolutions 478 and 476. Resolution 478 states that the "Basic Law" is a violation of international law and that it does not override the application of the Geneva Convention in the OPTs. It also indicates that any claims made under the "Basic Law" to alter the character and status of Jerusalem is, "null and void." Meaning that the United Nations recognizes East Jerusalem as occupied Palestinian territory and Israeli projects like the JLR, the Ring Road and the settlements all of which are meant to annex East Jerusalem and displace East Jerusalemite Palestinians are not consistent with any international human rights standard.

United Nations Security Council Resolution 242 also calls for an end to occupation, and for the "establishment of a just and lasting peace in the Middle East," as well as an acknowledgment of Palestinian state sovereignty and the existence of state boundaries to be "free from threats or acts of force" (UNSC, 1967). As a result, the United Nations has not only called for self-determination and sovereignty for the OPTs, but it has explicitly stated that it does not recognize acts of annexation by Israel.

In other words, East Jerusalem is an occupied territory that cannot be annexed and any projects that change the nature of the territory that are not of military necessity are illegal. In addition, as mentioned before, occupation is temporary and Israel should withdraw from its occupation of the OPTs in a timely fashion in order to help create stability and support sovereignty and self-determination for the Palestinian state.

Aside from conventions and United Nations resolutions concerning occupation, self-determination and sovereignty, other human rights conventions and humanitarian conventions also apply to Palestinians within the OPTs, as ruled by the International Court of Justice (ICJ) (Ingela, 2009). The social, economic, cultural and political rights of EJP are often discriminatorily¹⁰ denied under Israel's national framework. For instance, General Recommendation No. 30 calls on states to reinforce Article 5 of the Convention on the Elimination of Racial Discrimination against Non-Citizens, which indicates that states are obligated to,

¹⁰ The Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind.

prohibit and eliminate racial discrimination in the enjoyment of civil, political, economic, social and cultural rights. Although some of these rights, such as the right to participate in elections, to vote and to stand for election, may be confined to citizens, human rights are, in principle, to be enjoyed by all persons. States parties are under an obligation to guarantee equality between citizens and non-citizens in the enjoyment of these rights to the extent recognized under international law, and to remove all obstacles that prohibit the enjoyment of cultural, social and economic rights for non-citizens (UNHRI, 2005)

Israel's policy of denying fundamental rights to EJPs, especially when the denial of rights are based off of discriminatory policies that are tied to annexation, such as enacting differing guidelines for residence permits between Jews and non-Jews, is against customary law.¹¹ In addition, according to the human rights and humanitarian conventions discussed above, Israel, although it does not exhibit sovereignty over the OPTs, has responsibilities to uphold the social, economic, political and cultural rights of EJPs. However, the importance of the above conventions is secondary to Israel's primary need to recognize and adhere to the appropriate UN resolutions and conventions concerning occupation and self-determination.

Many EJPs are eligible to receive protection and assistance under the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). As an agency aiming to protect and assist East Jerusalemite Palestinians who qualify as refugees under its guidelines, UNRWA should safeguard the rights of qualifying individuals who are also threatened by displacements. However, UNRWA has only been effective in ensuring minimal rights to persons under its mandate and claims to not be a political entity, which means that UNRWA cannot challenge Israeli annexation claims. One then may question the usefulness of its protection mandate if it allows Israel to defy international law. In addition, UNRWA does not have a mandate that is specific to internally displaced persons (IDPs) and there is not an agency within the OPTs that has an exclusive IDP mandate, leaving advocacy for IDPs to non-governmental organizations (NGOs).

With the current on-going plans and projects in East Jerusalem, UNRWA's lack of protection for its constituency and Israel's refusal to relinquish aspirations of annexation, it seems that international protection mechanisms will have a difficult time protecting East Jerusalemite Palestinians if no other corrective actions are taken against Israel. In other words, Israel's blatant actions of defying international norms combined with little condemnation from the international community, aside from the United Nations resolutions which are poorly implemented, leaves the enforcement of rights that are granted to EJPs in a real precarious situation.

Conclusions

¹¹ Customary human rights law are applicable in all situations, including times of war and peace, even in the absence of a binding treaty. Furthermore, they apply not just to persons living under the jurisdiction of their own national authority, but also to "persons living in territories under belligerent occupation".

While there are international recognitions of the magnitude of the problem, there remains a considerable lack of popular knowledge about the crisis of the world's largest refugee population (Rempel, 2006). There is in fact serious impact of Israeli occupation on issues of human rights in the OPT. The relentless process of the Israeli government to exploit security concerns to squeeze Palestinians into ever-tightening areas, consolidate settlements on the West Bank, expel Palestinians from East Jerusalem, and seize Palestinian land is obvious (Guest, 2007). Israel cannot annex East Jerusalem because it does not have sovereignty over the OPTs. In addition, within occupied East Jerusalem, Israel in principle cannot implement projects that support annexation, such as the JLR, the Ring Road and settlements.

Such measures need to be complemented by the withdrawal of settlers from the OPTs, by the abolishment of permits regarding residency and home construction, and by the return to pre-1967 conditions of Jerusalem (Ramzy, 2003). If Israel is allowed to continue on its current course of annexation, East Jerusalemite Palestinians and other Palestinians under occupation will continue to be indefinitely denied self-determination as an occupied people, and as an occupied people without their due rights. As previously mentioned, the international community was able to stop the Veolia company from its participation in the JLR project, and with more advocates and awareness, the international community can continue to bring international law to the forefront as a means to enforce change in the way that Israel occupies East Jerusalem. Indeed, occupation is only indefinite (Ramzy, 2003) when the international community fails to advocate for the enforcement of international laws that ultimately call for the right of Palestinians to live in a sovereign state.

While forced displacement is not a new concept for Palestinians, it has often been placed on spotlight as a historical and predominantly an issue of refugee. However, Palestinians-- refugee and non-refugee-- continue to face displacement. As discussed above, displacement results mainly from Israeli military operations, which tend to be large in scale and has often, displaced thousands of people at a time. Palestinians living in the West Bank -- including Jerusalem -- are displaced by house demolitions; forced evictions; land confiscation; lack of access to essential services; the Separation Wall and its associated regime; revocation of civil documentation and family reunification policies. All those unilateral imposition could have been better addressed should the UN including other international communities play objective and bold roles. As an example, the decision taken in 1951 to exclude Palestinians from the international protection regime under the logic that they were already been assisted by the UNRWA is not fair (in my opinion) given the capacity of the UNRWA to handle this world's largest and most complex refugee crisis. Advocacy has also become important in demanding that Israel recognizes its occupation of East Jerusalem and that it denounces previous policies of annexation. However, most importantly, such advocacy needs to come from the international community, which can help change the fate of Palestinians by holding Israel accountable for its occupation of the Occupied Palestinian Territory.

References

- Al – Haq. 40 Years after the Unlawful Annexation of East Jerusalem: Consolidation of the Illegal Situation Continues Through the Construction of the Jerusalem Light Rail. Al-Haq Press Release. June 28, 2007;21
- APJP (Architects and Planners for Justice in Palestine). Israel Evicts Palestinian Families In Sheikh Jarrah In East Jerusalem Sunday, August 02, 2009. Download on 10 December 2010 from <http://www.israelnationalnews.com/News/News.aspx/134469>
- Benny M. The Birth of the Palestinian Refugee Problem 1947-48. Cambridge: CUP, 1988.
- B'Tselem. Planning and Building: Statistics on demolition of houses built without permits in East Jerusalem. August 2008.
- Cernea, M. "Risks, Safeguards and Reconstruction." In Michael Cernea and Christopher McDowell, eds, Risks and Reconstruction: Experiences of Resettlers and Refugees. World Bank. Washington, DC. 2000.
- Colin C, Whose Promised Land? Tring: Lion Publishing, 2nd edn. 2002.
- David H. The Gun and the Olive Branch: the Roots of violence in the Middle East. New York: Nation Books, 2003.
- EMHRN (Euro-Mediterranean Human Rights Network). Note on the Human Rights Situation in Israel and the OPT in View of the Fourth Meeting of the EU-Israel Informal Human Rights Working." September 3, 2009.
- EMHRN (Euro-Mediterranean Human Rights Network). Note on the Human Rights Situation in Israel and the OPT: In view of the EU-Israel Association Council. Denmark. June 16, 2008.
- Guest Iain. Defending Human Rights In The Occupied Palestinian Territory – Challenges And Opportunities. A Discussion Paper on Human Rights Work in the West Bank and Gaza Strip.. The Friedrich Ebert Foundation. February 2007.
- Haaretz Daily. Jerusalem rail operator jumps ship, Tel Aviv group isn't even responding. Newspaper Israel. June 9, 2009.
- HPCR (Harvard Program on Humanitarian Policy and Conflict Research). The Separation Barrier and International Humanitarian Law: Policy Brief." July 2004.
- Human Rights Watch (HRW). New Arrests Highlight Abuses by Hamas, Fatah: Palestinians in Gaza and West Bank Suffer From Factional Strife. 30 July 2008.
- ICRC (International Committee of the Red Cross). Convention (IV) respecting the Laws and Customs of War on Land and its annex: Regulations concerning the Laws and Customs of War on Land." The Hague, 18 October 1907.
- ICRC (International Committee of the Red Cross. Geneva Convention Relative to the Protection of Civilian Persons in Time of War (Fourth Geneva Convention)." 12 August 1949; 287.
- IDMC (Internal Displacement Monitoring Centre) and the Norwegian Refugee Council. "Internal Displacement: Global Overview of Trends and Developments in 2008." April 2009. Geneva.
- IDMC. 2008. Occupied Palestinian Territory: Forced displacement continues. Geneva.
- Ingela K. Is the house demolition policy legal under international humanitarian law?" Diakonia. October 24, 2009.
- Joseph H. The Stern Gang: Ideology, Politics and Terror 1940-1949. London: Frank Cass, 1996.
- OCHA. UN Office for the Coordination of Humanitarian Affairs (UNOCHA). Humanitarian Impact of the West Bank Barrier. Crossing the Barrier: Palestinian Access to Agricultural Land. 2006.
- OHCHR. International Human Rights Law. 2010. Downloaded on 30 November 2010 from: <http://www.ohchr.org/EN/ProfessionalInterest/Pages/InternationalLaw.aspx>.
- Omar B. Victory! Veolia Abandons Jerusalem Light Rail Project under Political Pressure." MRZINE. June 6, 2009.
- PASSIA (Palestinian Academic Society for the Study of International Affairs, Jerusalem). Facts and Figures. Jerusalem. 2009. Downloaded on 5 December 2010 from http://www.passia.org/palestine_facts/facts_and_figures/0_facts_and_figures.htm
- Ramzy B (ed). Searching Jenin: Eyewitness Accounts of the Israeli Invasion 2002, (Seattle: Cune Press, 2003.
- Rempel TR. Who are Palestinian refugees? Forced Migration Review. 2006;26.
- Tom S. One Palestine, Complete (New York: Henry Holt, 2001: p 464.
- Tzvi B G. Jerusalem Light Rail on Fast Track to Keep Capital United. Israel National News (Arutz Sheva). November 17, 2009.

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- UNGA (United Nations General Assembly). Resolution 40/144 Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live. December 13, 1986. Downloaded from <http://www.un.org/documents/ga/res/40/a40r144.htm>
- UNHRI (United Nations International Human Rights Instruments). Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, Addendum: General Recommendation No. 30 of the Committee on the Elimination of Racial Discrimination on Discrimination against Non-Citizens, 65th Session. April 5, 2005. HRI/GEN/1/Rev.7/Add.1. May 4, 2005.
- UNHCHR (United Nations Office of the High Commissioner for Human Rights). The Guiding Principles on Internal Displacement. UN Doc. E/CN.4/1998/53/Add.2. February 11, 1998. http://www.reliefweb.int/ocha_ol/pub/idp_gp/idp.html
- UNSC (United Nations Security Council). Resolution 242. November 22, 1967.
- United Nations Security Council (UNSC), 19 May 2004, Resolution 1544 (2004) S/RES/1544. 2004.
- United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). The humanitarian emergency in Gaza - "A shocking and shameful situation." 30 April 2008.
- Walid K. From Haven to Conquest: Readings in Zionism and the Palestine Problem until 1948. Beirut: Institute for Palestine Studies, 1971.
- Yarden, Sarah. East Jerusalem. Diakonia. November 11, 2009. Downloaded on 01 October 2010 from <http://www.diakonia.se/sa/node.asp?node=841>