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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by BADIL Resource Center for Palestinian Residency and Refugee Rights, a non- governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[23 May 2022]

* Issued as received, in the language of submission only. The views expressed in the present document do not necessarily reflect the views of the United Nations or its officials.



The Ongoing Phenomenon of Palestinian Internal Displacement

By the end of 2021, about 9.1 million (65.5 percent) of 14 million Palestinians worldwide were forcibly displaced persons. Among them are approximately 812,000 internally displaced persons (IDPs) that include 439,171 displaced inside what is now Israel since 1948 (and their descendants), while 372,793 have been internally displaced in the Palestinian territory occupied since 1967.¹

Palestinian internal displacement is ongoing through the implementation of distinct Israeli policies and practices aimed at fostering a coercive environment. Such policies and practices include: denial of residency rights, imposition of a permit regime, land confiscation and denial of use, discriminatory zoning and planning, segregation, fragmentation and isolation, denial of natural resources and access to services, suppression of resistance and state complicity with non-state actors.²

Between January 2019 and May 2022, Israel displaced some 12,000 Palestinians (including 6,501 children) in the West Bank, including east Jerusalem as a result of home demolitions and eviction. Following a recent judgement of the Israeli Supreme Court, around 1,200 Palestinian residents of Masafer Yatta in the South Hebron Hills, including 500 children, face imminent risks of forced evictions, arbitrary displacement and forcible transfer, in serious breach of international humanitarian and human rights laws.³

In the West Bank, including Jerusalem, forcible transfer policies (demolitions, military and colonizer violence and harassment, restrictions on movement and access to services and to humanitarian assistance) are implemented by Israel as a mean to gain territorial control and allocate land for colony construction. In the year 2021 alone, forced evictions, demolitions and the seizure of Palestinian homes and other property by Israel resulted in more than 1,200 people living in forced displacement in the West Bank, around 660 of them involving children.⁴ Over the last 10 years, 2,000 of the forced displacements recorded in the West Bank have taken place in Jerusalem, the most affected neighborhoods being Beit Hanina, Jabal al Mukabir and Silwan.⁵

In the Gaza Strip from 2012 up until May 2021, Israeli assaults have triggered large numbers of displacements and aggravated the already dire humanitarian situation caused by Israel's blockade of basic goods and services. The war on Gaza in 2014 caused 500,000 new displacements, equivalent to more than a quarter of Gaza's population.⁶ After the 2014 Israeli aggression on Gaza, nearly 2,000 people were still living in displacement.⁷ Between 10 and 20 May 2021, at the height of the war, 117,000 Palestinian IDPs were recorded in the Gaza Strip: 77,000 of took shelter in UNRWA schools, others took refuge with host families or in informal settlements.⁸ It was the highest number of internal displacement since 2014 and the most significant displacement of the year in the whole region.⁹ The airstrikes destroyed 1,663 homes and damaged another 58,000. According to the Shelter Cluster, 8,250 people remain displaced, as their houses were destroyed or so severely damaged that they are uninhabitable. With the impact of the Covid crisis as well as recurrent conflict and violence, a total of around 10,500 were still living in internal displacement in the Gaza Strip at the end of 2021.¹¹

In the Naqab, Israel's planning and building policies are a prime example of its intent to forcibly displace Palestinians and "judaize" the region. Since 1948, various policies including designating large areas as nature reserves or military firing zones, or refusing to recognize Palestinian villages, have had devastating consequences for the tens of thousands of Palestinian Bedouins living on their ancestral lands for centuries. Thirty-five Palestinian Bedouin villages, home to 68,000 people, are currently "unrecognized" by Israel, which means they are deliberately cut off from all the basic and essential services such as electricity and water supply, but they are also constantly and repeatedly targeted for demolitions.¹² In 2019, 2,241 structures in Palestinian Bedouin communities were demolished by Israel, which in comparison with the demolition rate recorded in 2013, amounts to a 221 percent increase.¹³ As a striking example of the clear intent to displace its inhabitants, on 22 March 2022, Israel demolished the village of Al Araqib for the 200th time.¹⁴

The current size of the Palestinian IDP population and their socio-economic situation are based on best available data, which, if existing, is irregular and fluctuating. This is due

primarily to the absence of a comprehensive monitoring and registration system, reoccurring forced displacement, and the lack of a body or organization dedicated to the issue. As such, they are not able to access or receive the protection and rights due to them by international law.

In situations in which states are unwilling or unable to respect and protect international law subjects, it is incumbent on third party and UN Member States to intervene and provide protection.¹⁵ It is clear that, as the ongoing Nakba enters its 74th year, Israel continues to shirk its responsibilities as the occupying power, and its international responsibilities as a Member State of the UN, which are dictated in numerous international conventions and UN resolutions.¹⁶

Therefore, BADIL calls on:

1. The UNHRC, member states and the Special Rapporteur on the human rights of internally displaced persons to take concrete steps to address Israel's policies and practices that create the coercive environment and result in the ongoing forcible transfer of Palestinians across Palestinian territories and take immediate action to prevent the impending forcible transfer of Masafer Yatta residents;
2. The Special Rapporteur on the human rights of internally displaced persons to investigate the issue of Palestinian internal displacement in Palestinian territories and submit the findings to the UNHRC;
3. The UNHRC to establish a body to monitor and register Palestinian internal displacement and provide the necessary protection to Palestinian IDPs as entitled to them according to international law.

1 Palestinian Central Bureau of Statistics, 2021

2 See BADIL, Series on Forced Population Transfer: The Case of Palestine, working papers no. 15 - 23, available at: <https://www.badil.org/press-releases/612.html> (accessed: 16.06.2022)

3 OHCHR, Press release, "UN experts alarmed by Israel High Court ruling on Masafer Yatta and risk of imminent forcible transfer of Palestinians", 16.05.2022, Available at:

<https://www.ohchr.org/en/press-releases/2022/05/un-experts-alarmed-israel-high-court-ruling-masafer-yatta-and-risk-imminent> (accessed: 18.05.2022)

4 OCHA, Data on Demolition and Displacement in the West Bank, Available at:

<https://www.ochaopt.org/data/demolition> (accessed: 18.05.2022)

5 The Internal Displacement Monitoring Centre (IDMC), "Internal Displacement in the Middle East and North Africa Region 2010-2019", 2021, p46. Available at:

https://www.internal-displacement.org/sites/default/files/publications/documents/IDMC_MenaReport_final.pdf

6 IDMC, 2021, supra note 5, p44.

7 The Internal Displacement Monitoring Centre (IDMC), "Children and youth internal displacement" 2022, p49.

8 Shelter Cluster Palestine, Update: Escalation of hostilities – May 2021, 15 October 2021

9 IDMC, Palestine Country Information, 31 December 2020

10 OCHA oPt, "Overview November 2021"

11 Shelter Cluster, Shelter Cluster Snapshot – Gaza, 18 January 2022

12 Amnesty International, "Israel's apartheid against Palestinians: a cruel system of domination and a crime against humanity", February 2022, Available at:

<https://www.amnesty.org/en/latest/news/2022/02/israels-apartheid-against-palestinians-a-cruel-system-of-domination-and-a-crime-against-humanity/> (accessed 20.05.2022)

13 Negev Coexistence Forum For Civil Equality, "House Demolitions", Available at:

<https://www.dukium.org/articles-reports/house-demolitions-and-destruction-of-crops/house-demolitions/> (accessed 20.05.2022)

14 Negev Coexistence Forum For Civil Equality, see supra note 13

15 International Law Commission, Draft articles on Responsibility of States for Internationally Wrongful Acts, with commentaries, Art 41 para 1, available at:
https://legal.un.org/ilc/texts/instruments/english/commentaries/9_6_2001.pdf.

16 Israel is bound, inter alia, by the Universal Declaration of Human Rights (UDHR), international customary law, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), UNGA Resolution 194 of December 1948 and UNSC Resolution 237 of 1967, just to name a few.