



Palestinian refugees: facts and figures

May 15, 2020

This month marks the 72nd anniversary of the Palestinian Nakba [Catastrophe], which saw the expulsion of Palestinians from their homes in 1948. It also signifies the ongoing suffering of Palestinian refugees since then, who continue to live in camps inside Palestine and in the Diaspora. Throughout this time, there have been continuous attempts to eradicate their cause and nullify their individual and collective right to return to their original homes. These efforts have taken on a new intensity in light of the US-designed “Deal of the Century” which aims to eliminate the entire Palestinian cause, first and foremost the refugee right of return, which is considered the backbone of the Palestinian cause and the foundation of any just solution to the conflict.

The UN protected the right of return for Palestinian refugees to their original homes and villages immediately after their expulsion in UNGA Resolution 194. This resolution is reaffirmed annually in various UN sessions, granting it a solid position in binding customary international law.

The Palestinian refugee cause is considered one of the most complex international causes, something which prompted the UN to issue Resolution 302 on 8/12/1949 stipulating the establishment of UNRWA, an independent UN international agency with a mission to care for and rehabilitate Palestinian refugees in their five areas of refuge (the West Bank, Gaza Strip, Jordan, Syria and Lebanon). The existence of an international UN agency that specializes in offering support to Palestinian refugees is extremely important given that it expresses the continuation of the international community’s responsibility towards these refugees and keeps their cause alive at the international level. It also distinguishes Palestine’s refugees from other refugees in the world who fall under the jurisdiction of UNHCR, thus preserving the exclusivity of their cause.

In this context, Israel and more recently, the United States, have sought to undermine the existence of UNRWA including cutting funding and inciting against it with the ultimate goal of dissolving the agency and ending international commitments to Palestinian refugees and their cause.

The struggle and resistance of the Palestinian people has contributed to turning the refugee cause into a political one, based on the right of the Palestinians to self-determination and liberation from Israeli settlement colonization, rather than being framed as a mere humanitarian and relief cause. This prompted the UN to adopt dozens of resolutions pertaining to the right of return for Palestinian refugees.

There is no doubt that the Nakba of the Palestinian people is ongoing due to Israel's continuous colonialist and long-term policies based on a premise of expelling the people and settling the land. Since Israel expelled over 66% of the Palestinians in 1948, it has not stopped employing these same policies, which led up to the 1967 "Naksa" (or setback) which in turn displaced around a quarter of a million Palestinians. Israel's forced expulsion of Palestinians has continued in several ways since then.

Following are Israel's most employed forced expulsion policies:

1. The widespread use of war crimes with the objective of expelling Palestinians from their land such as during the 1948, 1956 and 1967 wars. These resulted in the destruction of over 500 villages, the depopulation of several others such as Deir Yassin and Kufr Qassem and in Israeli massacres of indigenous Palestinians such as in the village of Dawaymeh. The outcome has been one of the most complicated refugee problems in the world in addition to creating thousands of internally displaced Palestinians.
2. Manipulating legal personal status inside the occupied Palestinian territories in a manner that deprives ordinary residents or those with the right of residency to live in their own homes.
3. Discriminatory urban planning which encourages Jewish settlement expansion and inhibits Palestinian construction in certain areas such as Jerusalem, the Jordan Valley and the Negev Desert. Due to this policy, homes and entire villages are demolished under the pretext of "illegal construction."
4. Stripping Palestinians of their properties according to discriminatory laws and regulations resulting in the forced evacuation of families from their homes.
5. Expulsion under security pretexts and military emergency law. This method has been widely used in the Palestinian territories since the start of the occupation and continues to be used to this day.
6. Creating intolerable circumstances in certain areas that eventually prompt residents to leave their homes and move to other areas. ¹

The Right of Return and International Law:

- The right of return within the context of international human rights law

Everyone has the right to leave any country, including his/her own, and to return to his/her country. This is a right guaranteed by international human rights treaties and agreements. The same status is applied to the right to work, the right to health and to education, all of which are basic and fundamental rights guaranteed by international human rights law for individuals.

In this context, Article 13/2 of the 1948 Universal Declaration of Human Rights stipulates that "Everyone has the right to leave any country, including his own, and to return to his country". This declaration indicated to the right of return of people and not citizens and to their

¹ <https://al-shabaka.org/briefs/%d8%b9%d9%82%d9%88d8%af%d9%8c-%d9%85%d9%86-%d8%aa%d9%87d8%ac%d9%8a%d8%b1-%d8%a7%d9%84d9%81d9%84d8%b3d8%b7d9%8a%d9%86d9%8a%d9%8a%d9%86-%d8%a7d9%84d8%a3d8%b3d8%a7d9%84d9%8a%d8%a8-%d8%a7/>

country and not their state. That is, even if the said person is not a citizen of the state that was established on his land, his right to return to his land of origin is guaranteed. Furthermore, the principles stipulated by the Universal Declaration of Human Rights are binding principles according to the prevailing opinion in jurisprudence given that they express the customary rules binding to states.

Moreover, Article 12/4 of the 1966 International Covenant on Civil and Political Rights stipulates the following: *No one shall be arbitrarily deprived of the right to enter his own country*. The wording uses the broad terms (individual – country), which guarantees the right of any person who forcefully leaves his/her country to return to it. It did not use constricting language such as (citizen and state) in order to safeguard human rights and so there is no excuse by any state to claim that this right is only preserved for its own nationals. Furthermore, the right of return is included in the 1965 International Convention on the Elimination of Racial Discrimination in Article 2/d/5 as one right that must be guaranteed for individuals without subjugation to policies of racial discrimination between them.

- **The Right of Return in the context of international humanitarian law**

International humanitarian law guarantees the right of all displaced persons because of war or military operations to return to their homes, according to Articles 45, 49 and 147 of the Fourth Geneva Convention. Furthermore, the collective displacement of the indigenous population from their land is considered a war crime and crime against humanity in accordance with Articles 7 and 8 of the ICC Rome Statute.

The right of return is considered part of customary international law binding on states. In the Palestinian context, several international resolutions were passed, guaranteeing the right of return for the Palestinian people both individually and collectively, to their original lands, considering this an inalienable right. This means there is no statute of limitations on it and cannot be conceded given that it is particular to the Palestinian people's right to self-determination. Most significantly, this includes UN General Assembly Resolution 194/11 of 1948, which became part of customary international law as a result of its annual reconfirmation.

Most significant international resolutions on the cause of Palestinian and Palestinian refugees

In 1949, around 30 resolutions were issued, which confirmed Paragraph 11 of UNGAR194. Furthermore, the legal department of the UN General Secretariat issued six studies between 1949 and 1950 offering an explanation and application of Paragraph 11 as assistance to the conciliatory committee in carrying out its duty. One of the studies addressed the historical testimonies and international resolutions on refugee affairs in various parts of the world.

On 10/12/1969 and after discussion of the annual report by UNRWA's Commissioner General, the General Assembly voted on Resolution 2535/b (Session 24), which stated: *"The General Assembly,*

Recognizing that the problem of the Palestine Arab refugees has arisen from the denial of their inalienable rights under the Charter of the United Nations and the Universal Declaration of Human Rights”.

This resolution expressed a change in the UN’s perspective of the Palestinian issue by considering that the refugees are a people with the right to live as other peoples and not just a group of people who need sustenance. Instead, they are a part of the cause of a people who has the right to self-determination.

On 8/12/1970, also after the discussion of UNRWA’s annual report, the General Assembly voted on Resolution 2672 (Session 25), which clearly confirmed the right of the Palestinian people to regaining their full rights. It maintained the need to assume the principle of equality of rights among peoples, including their right to self-determination, enshrined in Articles 1 and 55 of the UN Charter. This right is reiterated in the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter.

On 4/11/1970, the General Assembly voted on Resolution 2628 (Session 25) of which Paragraph 3 stipulated that the General Assembly, *“Recognizes that respect for the rights of the Palestinians is an indispensable element in the establishment of a just and lasting peace in the Middle East.”*

In UNGAR2649, passed in the same session on 30/11/1970, the General Assembly confirmed, *“Emphasizing the importance of the universal realization of the right of peoples to self-determination and of the speedy granting of independence to colonial countries and peoples”.*

The General Assembly continued to pass other resolutions that reaffirm the legitimate right of the Palestinian people to self-determination and the right of Palestinian refugees to return and compensation. On 22/11/1974, it issued Resolution 3236 which stipulated in Paragraph 2 that the General Assembly *“Reaffirms also the inalienable right of the Palestinians to return to their homes and property from which they have been displaced and uprooted, and calls for their return.”* In Paragraph 1, it *“reaffirms the inalienable rights of the Palestinian people in Palestine, including: (a) the right to self-determination without external interference; (b) The right to national independence and sovereignty.”*

The UN also continued to pass subsequent resolutions against illegal settlements in the Palestinian territories, considering them a key factor in the continued displacement of Palestinians. One of the most decisive legal turning points in this regard was the advisory resolution issued by the International Court of Justice in 2004, which confirmed the illegality of settlements, in addition to UN Security Council Resolution 2334 passed in 2016.

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In 1948, Zionist gangs expelled and displaced approximately 800,000 of a total of 1,400,000 Palestinians, comprising 66% of the Palestinian people living in Palestine in that year.

These displaced persons became refugees in the West Bank, Gaza Strip and the neighboring countries of Jordan, Syria and Lebanon in particular.

Today, the number of refugees registered with UNRWA in its areas of operation (West Bank, Gaza Strip, Jordan, Syria and Lebanon), is 5,340,443 as of January, 2017, according to the latest statistics released by the PLO Refugee Affairs Department and the Palestinian Central Bureau of Statistics.

UNRWA-registered Palestine refugees distributed according to country:

Geographic location	Number of Refugees	Number of camps
Lebanon	463,664	12
Jordan	2,175,491	10
Syria	543,014	9
West Bank	809,738	19
Gaza Strip	1,348,536	8
Total	5,340,443	58

Number of registered Palestine refugees by country

Total	5,851,355	5,340,443	510,912
Jordan	2,286,643	2,175,491	111,152
Lebanon	513,795	463,664	50,131
Palestine	2,432,789	2,432,789	2,432,789
West Bank	997,173	809,738	187,435
Gaza Strip	1,435,616	1,348,536	87,080

- **Other registered persons include those qualified to receive services and who are registered as non-refugees with UNRWA**

Registered Palestine refugees residing in Palestinian camps according to country

Country	No. of camps	No. of registered Palestine refugees residing in Palestinian camps	Percentage of population of camps to overall number of registered refugees
Total	58	1,665,654	28.4
Jordan	10	397,739	17.4
Lebanon	12	260,106	50.6
Syria	9	186,858	30.2
Palestine	27	820,951	33.7
West Bank	19	242,257	24.3
Gaza Strip	8	578,694	40.3

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