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## World Refugee Survey 2008 - Israeli Occupied Territories

### Introduction

*The West Bank and Gaza Strip housed nearly 1,792,200 refugees, all of them Palestinian, most of them descendants of some 700,000 refugees who fled what is now Israel after its war of independence in 1948. Jordan and Egypt held these respective territories until the 1967 war in which Israel seized them. In 2005, Israel withdrew its forces from the Gaza Strip but retained control over the entry and exit of people and goods, airspace, territorial waters, tax revenue, utilities, and population registry. These refugees constitute nearly half of the population of the West Bank and the majority of the population of Gaza.*



### Refoulement/Physical Protection

As Israel did not permit the return of Palestinian refugees, *refoulement* was not an issue and neither Israel nor the Palestinian Authority (PA) forcibly deported anyone from the territories. Israeli security forces, however, killed nearly 400 Palestinians in 2007, including 53 minors. Just fewer than 100 of the total were from the West Bank and nearly 300 from the Gaza Strip. At least 131, or about 35 percent, were civilians taking no part in hostilities. The total was down from nearly 700 the year before, when 140 of the victims were minors and 54 percent civilians. According to the Israeli nongovernmental organization *B'Tselem*, the primary reasons for these deaths were Israeli policies easing the military's rules of engagement, faulty transmission of regulations to the field, disproportionate attacks, and failure to investigate in killings of civilians.

Israeli authorities conducted nearly 400 search campaigns in the 19 West Bank refugee camps, killing 12 refugees, injuring nearly 100 and detaining more than 400. Israeli authorities killed nearly 100 Palestinians and injured nearly 1,200 in the West Bank altogether. In addition, factional strife and clan feuds killed 33 Palestinians and injured more than 200. In January, when the Israeli Defense Forces (IDF) sought to arrest seven Palestinians in Nablus, it placed all 20,000 residents under curfew for about 4 days, strictly controlled entrance to the main hospitals, closed all educational facilities, killed one Palestinian, injured 24, arrested about 70, and damaged nearly 300 houses and shops. In February, they used at least one Nablus resident as a human shield at gunpoint as they searched houses. In March, IDF opened fire in Al Jalazun camp, killing a girl aged nine and a boy aged 11 in schools sponsored by the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA). In June, IDF killed two children and badly wounded a 16-year-old on the beach in Gaza 100 yards from the border. The troops said they saw the boys crawling toward the fence, warned them over a loudspeaker, fired warning shots, and then shot them. Others said they had been flying a kite. In August, IDF entered Al Naqar neighborhood in Qalqilia,

looking for six Hamas militants, demolishing five homes and destroying other property of 13 families, including 86 refugees. Also in August, an IDF tank killed three children outside Beit Hanoun in Gaza who had been playing near rocket launchers.

Conflict with IDF resulted in more than 300 Palestinian fatalities and nearly 700 injuries in Gaza. Factional and internal Palestinian violence in Gaza claimed the lives of nearly 500 and injured more than 2,500. In June alone, armed Palestinian groups killed nearly 200 Palestinians in factional violence, 85 percent of them in Gaza. Lack of government in Gaza led many to seek protection from individual clans and family groups, causing 72 deaths in family disputes in 2006 and the first half of 2007.

At least five patients died at checkpoints and at least four women gave birth at them after authorities delayed or refused passage to hospitals in Israel.

### **Detention/Access to Courts**

Israeli authorities held nearly 8,400 Palestinians in one form of detention or another at year's end but only just over 5,000 of them were serving sentences. By November, Israel held nearly 900 Palestinians in administrative detention without charges, including 13 minors and two women. During the year, the number of such detainees averaged more than 800 per month, about a hundred more than the previous year. The Military Order Regarding Administrative Detention allowed military commanders in the West Bank to detain people for up to six months if they had "reasonable grounds to presume that the security of the area or public security" required it and to extend detentions for additional six-month periods indefinitely. Within eight days, authorities brought detainees before military judges at the Ofer army base, near Ramallah, or next to Ketziot prison, inside Israel, to determine whether the detention was lawful. Security or common law detainees could challenge their detention before Israeli civilian courts. At the end of the year, Israel held nearly 900 Palestinians from Gaza in prison outside the Gaza Strip in six main locations, limiting the ability of family members to visit.

Detainees complained of position abuse, slapping and beating during arrest and transfer, threats of house demolition or harm to family members, and lack of contact with lawyers or family. Israel allowed the International Committee of the Red Cross to monitor the detention of political prisoners, including refugees.

UNRWA issued registration cards to refugee families. Israeli authorities granted identity documents to individual refugees according to their place of residence. Palestinians residing in East Jerusalem and other Israel-annexed areas held permanent residence status, as did some of their descendents.

In March, IDF lawyers opened an investigation into IDF's 2006 killing of Nafia Abu Musaid, a Palestinian shepherdess in Gaza. Authorities also announced an investigation into the 2006 IDF shelling of Beit Hanoun in Gaza that killed 19 Palestinians but released no results.

### **Freedom of Movement and Residence**

The entire Palestinian population, including refugees, was subject to severe movement restrictions. They required Israeli permits to travel between the West Bank and Gaza, to enter East Jerusalem, to enter Israel, or to travel abroad, and authorities could deny permits for any or no reason without meaningful appeal.

There was an average of more than 100 checkpoints permanently staffed by soldiers, border police or civilian security companies in the West Bank at any given time, two-thirds of them deep in the territory (16 inside Hebron). The army also set up dozens of temporary checkpoints every week – for example, about 70 a week in November and 141 in May. In addition, Israeli authorities blocked access to main roads with nearly 500 dirt piles, concrete blocks, rocks, trenches, fences, and iron gates to divert Palestinian traffic to the checkpoints with no one present to remove them in cases of emergency. At almost all checkpoints, authorities required people to show identity cards or passage permits, some of which allowed people to enter, or stay in, particular areas in the West Bank that Israel generally closed to Palestinians (such as the "seam zone" or the Jordan Valley), while other permits pertained to a specific checkpoint. The Israeli Civil Administration did not answer a request to clarify the procedure to obtain permits and the criteria for authorizing them.

Holders of West Bank identity documents needed permits to enter Jerusalem and the area between

the barrier and the Green Line (i.e., the 1949 armistice line). One young man suffering from brain cancer died at Jubara/Kafriat checkpoint. Even though he had a permit, IDF prevented him from crossing to go to a hospital. In August, an elderly woman died at Barta'a/Rihan gate when IDF prevented an ambulance from crossing the terminal to assist her. In February, authorities allowed people to cross the container checkpoint south of the Ma'ale Adumim settlement, which controls movement between the south and center of the West Bank, without permits, but still checked vehicles and travelers. Lengthy delays were frequent. In April, the Defense Ministry announced it would no longer require Palestinians to obtain permits to enter the Jordan Valley but this applied only to pedestrians and travelers on public transport (which required a permit in itself) and only at two of the four checkpoints that control access to the Valley. Between March and May, without an official army order, Israel imposed a sweeping prohibition on Palestinians crossing the Almog checkpoint to the north of the Dead Sea, an important industrial and tourism area. Israel restricted movement in and out of Nablus to four staffed checkpoints and, between January and August, prohibited all men aged 16 to 35 from leaving for at least 45 days. For at least 46 days in that same period, Israel barred males of the same age group from Jenin and Tulkarm from traveling south.

Since June, Israel obstructed the arrival of international observers at the Rafah crossing, the only Gazan border crossing it did not operate directly, closing it almost permanently. About 5,000 Gazans on their way back from abroad were stuck on the Egyptian side of the border for two months in harsh conditions, until Israel allowed them to reenter in late July. In December, approximately 750 pilgrims to Mecca left Gaza via the Rafah crossing – according to media reports, as a result of an agreement between Hamas and the Egyptian Government. In December, Israel allowed about 900 Palestinians with permits for work abroad or students to exit Gaza after lengthy delays. Israeli authorities did not generally allow the population of the Gaza Strip to enter Israel or access the West Bank. Israel allowed no Gazan to pass through the Erez crossing to work in Israel and, since June, allowed only five traders to cross compared to about 270 per month in the first half of the year. Also in the first half of the year, the authorities allowed an average of nearly 300 people per month to depart through the Rafah crossing and about 250 per month to enter, down from more than 400 in 2006. After June, Israel allowed no one in or out of Rafah terminal except about 2,000 pilgrims to go to Mecca in December.

In 2002, Israel began erecting a physical barrier in the West Bank consisting of an electronic fence with dirt paths, barbed-wire fences, and trenches on both sides with an average width of 66 yards (60 m). In some areas, the barrier was up to 28 feet (8.5 m) high. By year's end, the Government had completed 57 percent of the 450-mile (723-km) planned route of the barrier. The route would leave about 9 percent of West Bank territory, including East Jerusalem and dozens of disconnected enclaves, in the seam zone between the barrier and Israeli territory, which Israeli authorities required Palestinians to obtain special permits to enter. Some included entire villages. The barrier would enclose about 30,000 Palestinians in these enclaves.

Israel continued to bar or restrict Palestinian traffic on 185 miles (300 km) of roads throughout the West Bank reserved for Israelis, mostly settlers, which completely separated one part of the West Bank from the other. As the Israeli High Court discussed a June petition against one of these roads, the army declared it would allow 80 vehicles from the petitioning villages to use the road during the daytime through one checkpoint. The Civil Administration would allow nighttime travel in humanitarian cases and only with advance coordination. The petition remained pending. Also in June, the army took down a 25-mile (41-km) concrete barricade in the southern Hebron hills in response to a High Court order from December 2006 after plaintiffs filed another petition that the High Court enforce its verdict. Israel expropriated private lands and paved or nearly completed at least 11 alternative roads for Palestinian use alongside the roads from which it barred them, allowing the army to monitor Palestinian traffic without disturbing Israeli drivers.

To issue international travel documents, the PA required applicants to have Israeli-issued identity cards but refugees who had lived outside of the territories for more than three years were not eligible for them. As there were no commercial flights from the territories and Israel denied permits to use Ben Gurion airport, travelers had to leave by land to Jordan or Egypt. Palestinians residing in Jerusalem needed special documents to travel abroad. Jordan also issued passports to eligible Palestinians in the West Bank and East Jerusalem.

In January 2008, some 1,000 Palestinian refugees were stuck in Egypt after they fled there when militants blew a hole in the border wall between Gaza and Egypt.

### **Right to Earn a Livelihood**

Movement restrictions (see above) split the economy into smaller local markets and raised travel

expenses. Authorities allowed only a limited number of commercial vehicles to move freely throughout the West Bank, and many workers could not reach workplaces on a regular basis. In the West Bank, more than a quarter of the working age population was unemployed – compared with 17 percent prior to the second *intifada* – with the highest rates among refugee camp dwellers. In September, only 66,800 Palestinians worked in Israel or in Israeli settlements, compared to 116,000 at the beginning of the *intifada*.

The barrier's construction had already isolated over 88 square miles (230 km<sup>2</sup>) of the West Bank's most fertile land – about 15 percent of all West Bank agricultural land. Palestinian communities east of the barrier had difficulties reaching farm and grazing land. Based on its current route, the barrier would isolate the 60,500 Palestinians living near it or between it and the Green Line from the rest of the West Bank and their main sources of livelihoods, and would completely encircle some 31,400. The telephone company and others refused to carry out maintenance in Shu'fat refugee camp, located inside the municipal boundaries of Jerusalem but cut off by the barrier.

In the last half of the year, Israeli Navy patrols limited fishing to less than 6 nautical miles (11 km) off the Gazan coast and in only one area, shooting at those who strayed and arresting them. IDF made some fishermen strip naked and swim 100 yards to its warships in January temperatures, physically abused them on board, and then made them swim back.

Israel closed several Gaza crossing points for months, cutting the entry of goods by nearly three quarters since June. About 90 percent of Gaza's factories had to close by the end of the year because they were unable to import raw materials or export finished goods and agricultural products. The Ministry of Agriculture estimated export losses at \$34 million.

Refugees had the legal right to acquire, hold title to, and transfer property and assets within the territories. During military incursions into Gaza, Israeli tanks and bulldozers partly or completely destroyed the means of livelihood, including farmland, irrigation systems, and citrus, olive, and date groves of more than 6,100 land owners in Gaza, stating that someone was firing rockets from those areas. In September, IDF levelled land and uprooted 25 acres of olive trees east of Al Bureij camp.

In March, the Ministry of Finance seized 7.5 acres of olive orchards in East Jerusalem and the Government leased it to a settler group. In September, IDF confiscated over 62 acres from two Palestinian villages near Bethlehem to construct the separation barrier, restricting farmers from their land. Also in September, IDF confiscated nearly 300 acres in three villages next to Jerusalem. The Government demolished 68 houses in East Jerusalem it deemed illegal and 37 homes in the territories for military purposes, leaving 145 Palestinians homeless. IDF demolished another 36 homes in the West Bank because they lacked permits, leaving 209 homeless. In September, IDF demolished a building and two houses in Ayn Beit al Ma camp and a building in Nablus, displacing 77, including 23 children.

### Public Relief and Education

The Gaza Strip lacked clean water, steady electricity, medicines, and primary and secondary medical equipment. One-fifth of essential medicines and 31 percent of essential medical equipment were unavailable in October. Movement restrictions impeded UN agencies from implementing more than \$200 million in humanitarian projects.

UNRWA services and PA schools and health facilities were free for refugees in the West Bank. UNRWA ran one hospital, 40 clinics, 94 elementary and preparatory schools, and 3 vocational training centers in the West Bank. Movement restrictions (see above) inhibited access to health services and prevented essential staff from reaching facilities.

On over 200 occasions involving nearly 1,500 UNRWA employees, Israeli authorities denied access and/or delayed accomplishment of their duties in the West Bank and, reportedly on 36 occasions, fired upon medical personnel and ambulances. Authorities refused entry to 70 percent of ambulances carrying Palestinians to East Jerusalem for medical treatment.

UNRWA operated 19 primary clinics in the Gaza Strip and provided food, cash, and housing aid. IDF operations closed UNRWA health centers for 5 days, preventing up to 1,472 consultations. UNRWA also operated more than 200 elementary and preparatory schools and two vocational training centers in the Gaza Strip. During the year, Israeli military incursions cost more than 243 hours of education for about 12,400 school children. Violence between Palestinian factions also interrupted

education.

Palestinian poverty reduction strategies and development plans targeted both refugees and non-refugee populations in Gaza. The UN's Humanitarian Appeal 2008 included mention of refugees in the territories but did not specify any programs for them or their protection.

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