

# **Association for the Defence of the Rights of Internally Displaced Persons in Israel**

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## **Introduction:**

After the convening of the Madrid conference in 1991 in which the Israeli government and Arab countries and the PLO participated, it became clear to the Palestinian community in Israel that their problems would not be addressed by any accord or compromises that might result from the political process which was getting under way. Despite the fact that this minority is an integral part of the Palestinian people and the Arab nation, the cases of this minority were not presented either by the PLO which was recognised as the legitimate representative of all the Palestinian people. nor by the Israeli government, which recognised us as Israeli citizens. This led to the community starting, on a community level, to focus on raising their own voices and demanding suitable solutions for their problems and issues.

The refugees of 1948, including the internal refugees still living in Israel are the principal victims of the Israeli policy through the Zionist-Arab conflict. Further, they were disappointed by the negotiations when it became clear that their major issue had been neglected also in the Oslo Accords of 1993, and in all the subsequent agreements and accords. All these agreements did not guarantee the just implementation of their rights, despite the fact that they were recognised by the UN General Assembly in Resolution 194 in 1948. This led to the development of local initiatives to organise the uprooted communities into local avid national committees to struggle for their right to return to their home villages.

## **The Uprooted Communities in Israel**

The internal refugees or uprooted communities are Palestinians who were uprooted and expelled from their villages during the 1948 war and afterwards, and who live in and are citizens of the State of Israel 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; in 1957, 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 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 "unrecognised 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. Also that from 1948 until the present day, the Israeli government has refused to build even one Arab village, although the Palestinian population in Israel has increased from 150.000 at that time to almost a million today, and that hundreds of Jewish villages were built with the support of the Israeli government. It is also important to mention here that since 1948 the Israel government has used different laws to confiscate Arab lands which affected more than 95% of Arab lands.

The number of the Uprooted is calculated to be about 250.000. The majority live in the Galilee and the others in the central triangle the mixed cities in the centre, and in the Negev.

## **Legal Status:**

In the beginning, it is important to stress the fact that the State of Israel has committed to respect and implement all UN resolutions, these include the General Assembly Resolution 194 which guarantees the right of all the refugees to return to their villages. Until today the State has not respected this resolution. Neither has it implemented Security Council Resolution 181 (1949) which ordered for the return to their homes of the villagers from Krad Al-Baqara and AJ-Ghanami. The Israeli government did permit the the villagers of these two villages to return for two years, and then after these two years they evicted them once again. The Israeli government also did not respect or implement its own Supreme Court decisions which ordered for the return of the villagers of Ikrith Kufr Binem, Al-Farada, Kufr Anan, and Al Ghabislyya. All these court decisions were issued in the early fifties and still have not been implemented.

After the military activities stabilised, the Israeli authorities started to take legal and political steps to consolidate the eviction and their control of the lands and villages which had been evicted and confiscated. To this end, the authorities issued new laws and regulations and used old British mandatory laws, including using the military rule which was imposed on the Arab community from 1948 until 1966. It also initiated the building of hundreds of Jewish settlements on the lands of evicted villages and the demolition of the remaining Arab houses.

There are a number of examples of the legal measures that were used to discriminate against the Arab community: the British mandatory law which gave the Minister of Agriculture the authority to confiscate untended lands and use them for the State's benefit, and the Absentee Property law, which confiscated all the properties of the refugees and absentees and put them under the government appointed custodian.

According, to the Authorities' definitions these absentees included those who were still living inside the State of Israel but whom the State had evicted from their homes. In the 50s, a special law was passed which authorised the custodian to use these properties, and later, the custodian started to transfer them to the ownership of the development authority that was established in 1950 to control them. This authority started to sell the lands to the Jewish National Fund and the National Land Authority which were then used only for the benefit of the Jewish community in Israel.

## **The National Committee for the Defence of the Rights of the Uprooted in Israel:**

Since the beginning or 1992. a group of young people, themselves uprooted, started to develop contacts with local community activists to raise the issue or the internal refugees In Israel. This was motivated by the fact that this issue had not been dealt with in the Madrid peace conference in 1991. As a result of these contacts, in April 1992 a meeting was held in Nazareth which resulted in the creation of an initiative committee which aimed to work for the promotion and protection of the rights of the Uprooted in Israel. This committee strengthened its contacts with local groups and raised their demands for return: it started to work with local communities, Knesset members, political parties and NGOs.

As a result of intensive work, in March 1995 a community conference was held in which representatives from more than 30 uprooted villages participated as well 25 representatives from other local councils, and members of political parties. This conference established the National Committees for the Defence of the Rights of the Uprooted in Israel.

Since its establishment, the National Committee has been recognised as the legitimate body of the struggle of the Uprooted to return to their villages. It has worked both at the local and national level through campaigns and organising community activities, using local media and encouraging volunteers to maintain the buildings and sites which remain in the evicted villages.

## **The National Committee for the Rights of the Internally Displaced Palestinians in Israel**

### **Internally Displaced Palestinians in Israel on the Eve of the Peace Settlement The Right of Return of the (1948) Internally Displaced is Non negotiable**

#### **1. Introduction:**

The experience of Palestinians before, during and after the 1948 al-Nakba is the result of the Zionist policies of occupation, violence and military eviction. The policy of eviction created the question of Palestinian refugees and the plight of all those Palestinians who for more than half a century have lived in the camps of the Diaspora or as forcefully displaced persons in their homeland. Palestinian refugees continue to sacrifice and fight for their legitimate right to return.

Consecutive Israeli governments have robbed refugee properties and homes, destroyed our villages and confiscated our lands by means of discriminatory, ethnic legislation and by denying our right of return to our homeland, based on UN resolution 194 of 1948 which asserts:

*"[The General Assembly] Resolves 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."*

Ironically, Israel's admission to the United Nation was conditioned by Israel's adherence to this resolution. Until now, and irrespective of all consecutive UN resolutions addressing this issue, Israel has refused to comply. Israeli governments continue to legitimize their existence built on the remains of another people's land. A study of Professor Israel Shahak (*The destroyed Arab Villages, 1975*), among others, shows the depth of the Arab Palestinian catastrophe. It includes a list of 385 destroyed villages (from among the 475 villages existing before 1948). They were invaded and destroyed by Israel, a fact for which the Israeli leadership and its allies must be condemned.

#### **2. Displaced in the Homeland**

In the course of the Palestinian catastrophe, tens of thousands of Palestinians were displaced inside their homeland. Most of them fled to neighboring Arab villages, that were not effected by the eviction operations, in order to stay near their villages of origin. The internally displaced are scattered. Many families have been divided because they found refuge in more than one village. However, the majority are concentrated in northern Palestine and in the Galilee. A 1995 study by the Preparatory Committee for the Defense of the Internally Displaced Palestinians in Israel shows the devastation of displacement that the Palestinians have suffered. Of the 162 villages that were destroyed in Northern Palestine and the Galilee during al-Naqba, residents of only 44 of these villages still remain in Israel as displaced persons. Among the displaced from these 44 villages, only 11 communities have continued to remain in Israel as communities in exile, living sometimes only a few kilometers from their destroyed villages. Of the 33 remaining communities, the majority of Palestinians have fled the country. Only between 1 and 17 percent of these people still live in Israel, albeit as internally displaced refugees.

Israel continued its ethnic expansion policy after the declaration of the state of Israel on May 15<sup>th</sup> 1948. Israel has occupied, destroyed and evacuated many additional villages. While accurate statistics are not available, the current number of internally displaced is estimated to be 250,000 (in the early 1980s, Professor Samouha estimated their number to be 150,000), living in around 80 villages and towns. These people share common memories of their towns and villages of origin, memories which have withstood time and the policies of ethnic discrimination directed against the Palestinian Arab minority.

#### **3. Legislation and Administrative Practices against Internally Displaced and their Villages:**

After the termination of the military confrontation in 1948, Israel continued to apply legislative and administrative procedures aimed at confiscating lands and destroying villages in order to prevent the return of the internally displaced. Successive Israeli governments used the Emergency Regulations of the British Mandate and issued new

laws and unjust regulations -such as the imposition of military closure - to prevent the internally displaced and others from entering these areas without previous permission for "security reasons". One of these unjust laws is the 1950 Absentee Properties Law that defined internally displaced Palestinians as "Present Absentees". According to Atty Tawfiq Jabareen, this law was used after 1948 to transfer Palestinian properties to Jewish hands via an illegal guardian (the Custodian of Absentee Properties) who transferred them to the Israeli Development Authority.

One of the administrative steps taken by Israeli governments was the destruction of the villages of origin. In large measure, the purpose of this policy has been to permanently uproot the displaced Palestinians from their land. The inhabitants of Iqrit and Kufr Bir'am serve as an unfortunate example of this policy. Indeed, in 1951, the Israeli Supreme Court confirmed the displaced persons' right to return to Iqrit. But since that time the government has effectively bypassed the court's decision and the military razed the villages to the ground. To this day, the Israeli authorities have postponed implementation of the court decision; the villages remain in rubble.

In 1979, there was a popular protest conference in Nazareth against the policies of the Israeli state. Atty Hanna Nakara, an important leader of this movement issued a manifesto condemning the Israeli leadership and its ethnically motivated policies aimed at denying the right of the internally displaced Palestinians to return to their villages. The manifest lamented:

Tens of thousands of Arabs are still far away from their destroyed villages and stolen lands. There is an army of local refugees from Safouria, al-Mjedil, Ma'loul, Andour, Hiteen, Namareen, al-Shajara, Arab al-Khasas Arab al-Baqaara, al-Kabri, al-Mansoura, al-Zeib, Dier Al-Qasi, al-Bassa, Amka, al-Sheikh Daoud, al-Berwa, al-Damoun, al-Rouwais, al-Khabsia, Iqrit, Kufr Bir'am, Kufri Anan, Faradia, Kwaikat, al-Manshiya, Mei'ar, Sha'ab, al-Naher, al-Sam'iria Suhmata, Tarbekha, Um al-Farraj, and others more. This army of local refugees was created by the policies of consecutive ethnic governments, existing and working for the eviction of the native people and the planting a new people.

#### **4. From Spontaneous Towards Organized Action**

All efforts by the internally displaced to resist eviction and to return to their homes have failed because of the discrimination of ethnically based Israeli policies. For the first twenty years after 1948, from 1948 to 1965, internally displaced Palestinians suffered full-scale Israeli military rule. They could not visit their villages. The right of assembly, even between brothers, was strictly denied by the military authority. The struggle of the displaced was obstructed by fierce oppression. Yet the dream of return remains, despite these long years. The displaced have tried their best to return, individually and as committees, desperately, but without success.

In these circumstances, the Preparatory Committee for the Rights of the Internally Displaced Palestinians in Israel was established in 1992 in an attempt to unify Palestinian efforts and to make our issue a common cause. From the beginning, the Committee realized the special situation of internally displaced Palestinians in Israel.

Despite the national, historic, and geographic ties between the Palestinian people and the internally displaced, we must highlight the unique position of the internally displaced who have remained in the homeland. This is a special situation which is shared by all of the Palestinian minority in Israel. Internally displaced Palestinians hold Israeli citizenship, a fact which distinguishes us from all other refugee communities. The Israeli authorities deal with us as Israeli citizens, and apply Israeli laws to us. Yet, at the same time, we are subject to ethnic discrimination policies, despite this citizen status, and our rights as citizens are no equal to those of other Israeli citizens.

The status of the internally displaced Palestinians inside of Israel is an example of the type of injustice that is becoming increasingly unacceptable to the international community. We live in a historical period in which the international community is noteworthy in its insistence in the implementation of international law. And yet, Israeli governments continue to violate our right of return to our homes.

The National Committee for the Rights of Internally Displaced re-affirms what was stated in our Preparatory Committee historical manifesto:

Responsibility lies on the shoulders of the Palestinian Arab people in general and its political leadership in particular: the rights of the internally displaced must be protected. Our issue symbolizes the core of ethnic discrimination and of the violation of Palestinian national rights. The solution of this issue will strongly impact the establishment of coexistence based on proper parameters and standards.

Raising both local and international awareness of the issue of the internally displaced Palestinians will lead to the realization of international responsibility for one of the most critical issues faced by Palestinians today. As Israel remains unwilling to recognize our rights, it is the responsibility of the international community and human rights organizations to apply pressure for the implementation of UN resolutions and commitments supporting our right to return and rebuild our destroyed villages.

### **5. The First Meeting of the Internally Displaced, March 11, 1995**

The Preparatory Committee called for a general meeting of the internally displaced at Qasr al-Salam (Shafa 'Amr road, Tamra) on March 11, 1995. Nearly 300 persons representing 29 destroyed villages attended this meeting which gave birth to the National Committee for the Rights of the Internally Displaced Palestinians in Israel. The Higher Arab Monitoring Committee also adopted our cause in 1995, reaffirming our right of return to our destroyed villages.

### **6. Manifesto - National Committee for the Rights of the Internally Displaced**

(November 19, 1999. Galilee Society, Shafa'Amr)

As we enter the third millennium, the Palestinian refugee issue created by the Zionist conspiracies and occupation institutions has remained unresolved. Fifty-one years after the 1948 Nakba, Palestinians still live in exile and are displaced in their homeland. Since the establishment of the Israeli state, gained with the support of international Zionism and imperialist forces, consecutive Israeli governments have rejected our internationally legitimized right of return. These governments have continued to destroy our villages and desecrate our holy sites, and have transformed us from a people with land into a people without land. By means of ethnic legislation, they have confiscated our land, robbed our properties, changed the historical sites of our homeland, and built on the remains of our villages. Our people have struggled, during these long years, against the Zionist policies and sacrificed for our legitimate right of return.

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". On March 16, 1995 the Higher Arab Monitoring Committee adopted our cause and re-affirmed our right of return to our destroyed villages.

Since the 1993 Oslo Accord and the follow-up agreements, the terms of peace have been defined and spread by the Israeli governments and their allies, terms which reject the implementation of the collective Arab-Palestinians rights, especially the right of return. We internally displaced stand at the threshold to the third millenium, deeply concerned of a so-called final status solution which will cancel our rights. Aware of what might be cooked behind the screen, and knowing that Barak's "no" to j ust peace will not bring justice, we wish to re-affirm the following:

- We the some 250,000 internally displaced, part of the Palestinian Arab minority, citizens of this state, did not fall from the sky. We are not immigrants, but natives in our land. The Israeli government is not allowed - on ethic, moral, legal, and political grounds - to keep us displaced in our homeland, far from our towns and villages of origin. International law and principles protect our natural right of return.
- We warn the Israeli government not to neglect our issue and demand that our file will be opened. We demand the cancellation of the Absentee Property Law which defines us a., "Present Absentees", as well as the cancellation of all other laws providing for ethnic discrimination, and to return the displaced to their homes.
- The National Committee demands to maintain the holy sites in all destroyed villages and to protect our historic sites.
- We call upon all political institutions, national parties, our people, and all people of conscience to stand with us.

As pan of the entire Arab-Palestinian people, we wish to declare:

- The refugee issue is the heart of the Palestinian cause and the Palestinian-Israeli conflict.
- The Palestinian refugees' right to return to their homeland and homes is a sacred right whose implementation must be based on UN Resolution 194.
- We warn of the consequences of conspiracies against Palestinian refugee rights, whether conducted openly or behind closed doors. We state with loud voice that there will be no just solution without a solution of-issues of the refugees and the internally displaced.

## **7. Towards the Return Rally in Support of the Internally Displaced Palestinians' Right of Return**

A significant question raised in the meeting of local associations and committees (Galilee Society/Shafa 'Amr, November 19,1999) was: what is the level of awareness of our rights among the broad internally displaced community in this critical period for the Arab-Palestinian people?

Several years have passed since the establishment of our organized activities in 1992. We had decided to handle our case alone, especially after the Madrid conference, which excluded the refugees in the homeland, an exclusion which was repeated by the Oslo Accords. We realize that we are walking a difficult road. This road, which will lead us to our right of return, is blocked by the discriminatory ethnic policies practiced in government circles. Thus our struggle needs to confront these discriminatory ethnic policies, policies that are replacing the displaced Palestinians with Jewish immigrants from abroad.

In this climate of discrimination, we have succeeded in building local committees and associations which struggle under the umbrella of the National Committee for the Rights of the Internally Displaced Palestinians in Israel. We have organized many activities inside the destroyed villages and lectured in schools about our case. Among the most significant activities were the march in the destroyed al-Khabsia village, and our active participation in the 50<sup>th</sup> anniversary of al-Nakba on the lands of Safouria in 1998.

Some villages began an initiative for children summer camps in the villages of origin, in order to pass our message from one generation to the other. Suhmata play had a major role in promoting the refugees/displaced issue. The first show was presented on Suhmata land in August 1998 against the background of the destroyed houses. This play traveled widely, presenting more than 90 shows. The National Committee for the Rights of the Internally Displaced Palestinians in Israel received recognition by the Higher Arab Monitoring Committee. As a result of these efforts, the local Arab press has started to raise our issue. In addition, the issue of displacement has also begun to be raised by some of the Hebrew language newspapers and media.

Today, after all these achievements, we are aware of some shortcomings in our work. We thus decided to make a renewed and strong effort in order to expand our local committees and associations in which the displaced are active and to improve their work.

Our internally displaced people remain committed to the right of return and continue to hold the last will of their grandparents who died with the dream of return. They have suffered for decades and continue to suffer from the violations of the Israeli governments that confiscated our land. The dispossessed Palestinians in Israel are aware of the developments in the Diaspora and in the refugee camps, and they are aware of the work, that others employ against the right of return. At the meeting the local committees and associations expressed their trust in the National Committee and decided unanimously that the National Committee is the legitimate representative of the internally displaced in Israel. The representatives of our local committees and associations, who are the source of legitimacy for the National Committee, emphasized their support until a just solution - return - is achieved.

The message is clear and legitimate because it comes from the native people. We did not come from behind the oceans, and we did not fall from the sky. Our people, all national institutions, and all conscious individuals, will support us in our struggle.

Today, on the eve of the "final status solution", we need to make our voice heard. We cannot remain the silent Palestinians of Kanafani's Men in the Sun who perish, baked alive for lack of voicing our needs for justice. We

demand the implementation of UN Resolution 194: the right of return and compensation. Without its implementation, there will never be a just and comprehensive peace.

With great eagerness, the participants adopted the suggestion of the National Committee for the Rights of the Internally Displaced Palestinians in Israel, to conduct our Return Rally in support of the internally displaced and their right of return. The National Committee in its meeting on January 12, 2000 decided to hold the Return Rally in the Sports Center/Nazareth Municipality on Saturday March 11, 2000 at 2pm.

To our displaced brothers and sisters,  
To all our people.

We will not surrender our right of return.

Our displaced child can pronounce the name of his/her village or town of origin before s/he learns to talk. Let us be united in one stream and let us raise our voice to be heard by all. Let us be committed to our right to return to our homes.

Youth, adults, men, women,  
National and democratic forces,  
All are invited to participate in the Return Rally, and the return of the right to its people!

**The National Committee for the Rights of the Internally Displaced in Israel,  
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