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## Human Rights Council

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**Human rights situation in Palestine and other  
occupied Arab territories**

**Joint written statement\* submitted by International  
Organization for the Elimination of All Forms of Racial  
Discrimination, Association Ma'onah for Human Rights and  
Immigration, International-Lawyers.Org, Meezaan Center  
for Human Rights, Union of Arab Jurists, non-governmental  
organizations in special consultative status, International  
Educational Development, Inc., World Peace Council, non-  
governmental organizations on the roster**

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

[11 August 2024]

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\* Issued as received, in the language of submission only.



# **Palestinians Internal Displacement Worsening Humanitarian Crisis**

## **Introduction**

Since 7 October 2023, the situation in the Occupied Palestinian Territory has deteriorated into a humanitarian crisis. Ever since Israel's retaliation on the Gaza strip, previous tensions have exacerbated and basic human rights of Palestinians are being completely ignored.

Access to essential humanitarian aid is restricted, leaving over 90% of the population in dire need of food and other necessities. The conflict has led to an alarming death toll of over 39000 Palestinian civilians. Many Palestinians have been forcibly displaced from their homes and are now living in precarious conditions in areas they were assured were "safe." However, no matter where they seek refuge, they are never truly safe due to the relentless attacks from Israeli Occupying Forces.

The crisis escalated with a massive migration wave as Israeli Occupying Forces tightened their grip, surrounding critical areas and demolishing infrastructure such as housing and hospitals, while ordering civilians from northern Gaza to vacate their homes and go south. The UN Secretary-General has labelled Gaza as a "graveyard for children," highlighting the lack of safety and the escalating tragedy faced by the civilian population.

## **Denial of the Right to Return**

When attacks against Gaza started, millions were forced to abandon their homes under orders from the Israeli Occupying Forces, who directed them to move south to avoid imminent bombings. This massive displacement is a continuation of a long history of Palestinian expulsion and internal displacement that has profoundly affected the population for decades.

In Gaza there were already at least 1.7 million Palestinian refugees as a result of the Nakba in 1948. These Palestinians and their descendants now make up 81% of the Gaza Strip's population. In 1948, during the Nakba, hundreds of thousands were expelled from their homes. Many fled to neighbouring countries, while others became internally displaced within the newly established borders of Israel. This initial displacement laid the groundwork for a prolonged refugee crisis that has persisted through generations.

It is important to note that refugees have a special status as Palestinian refugees within the State of Palestine according to the United Nations Relief and Works Agency (UNWRA), which defines them as "persons whose normal place of residence was the State of Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict." This definition underscores the significant and lasting impact of the 1948 Nakba on Palestinian lives, as many have remained in refugee camps or have struggled to integrate into their host communities due to their unique status and ongoing tragedy.

Internally displaced Palestinians and refugees have continuously fought for their right of return to what is now Israel. This right is enshrined in international law and supported by numerous United Nations resolutions, yet it has been repeatedly denied by the Israel. Denial of this right has not only violated the human rights of Palestinians but has also fuelled ongoing hostilities and tensions in the region. The struggle for the right of return remains a central issue in the Israeli-Palestinian conflict, symbolizing the broader struggle for Palestinian self-determination and justice.

Each new wave of violence and displacement further entrenches the division and mistrust, making a peaceful resolution increasingly elusive. The international community's response to these crises often falls short of addressing the root causes, focusing instead on short-term solutions that fail to bring about lasting peace and security for Palestinians.

Displacement continued with the 1967 war, when many Palestinians from the West Bank and Gaza Strip were again forced to flee their homes, creating a new wave of internal displacement. Those affected have similarly been unable to return to their properties, further compounding the refugee crisis.

The recent escalation and forced migrations underscores a tragic repetition of history for Palestinians, who face an enduring struggle for their right to live in peace and security. For the millions of displaced Palestinians, the hope of returning home remains a distant dream, overshadowed by the persistent violations of Israeli occupation.

### **Non-Compliance with International Law**

Israel's violations of international human rights law, particularly regarding Palestinians' right of return, have significant implications under international legal standards. Article 13 of the Universal Declaration of Human Rights asserts that everyone has the right to freedom of movement and residence within the borders of each state and the right to leave any country, including their own, and to return. This principle is further reinforced by UN General Assembly Resolution 194 and the International Covenant on Civil and Political Rights. These international statutes maintain that the right of return remains valid even when sovereignty over a territory changes hands.

The right of return is a cornerstone of Palestinians' right to self-determination. The systematic fragmentation of the Palestinian population, both geographically and politically, through administrative control methods based on residency and race, amounts to practices akin to apartheid. These actions have significantly hindered the realization of the right to return and self-determination for Palestinians. Such practices are part of the broader settler-colonial strategy pursued by Israel. Consequently, Gaza's internally displaced people should be allowed to return to their homes, a right that is unequivocally safeguarded by international law.

Moreover, the ongoing war in Gaza has led to further accusations of war crimes. Statements by Israeli officials instructing Gaza residents to evacuate the Strip falls under forcible displacement, which is classified as a war crime under international humanitarian law. The forced relocation of millions of Palestinians, under the guise of security measures, exacerbates the humanitarian crisis. Forced displacement of people from one area to another, through expulsion or coercive acts, even within the same territory, can be considered a crime against humanity as set out under Article 7 of the Rome Statute of the International Criminal Court. One of the elements of the crime of forced displacement as a crime against humanity is that it is a "part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack." The forced displacement we are currently witnessing in Gaza is neither incidental nor limited to the current armed hostilities.

The persistence of such violations underscores the urgent need for the international community to enforce these laws and ensure that the rights of displaced Palestinians are upheld, thereby addressing both historical injustices and current humanitarian emergencies.

### **Deepening Humanitarian Crisis: The Right to Life at Risk**

Due to indiscriminate attacks by Israel, civilians are forced to flee their homes, some not for the first time. This forced displacement is a direct violation of international law, especially when residents are urged to evacuate on short notice, knowing attacks are imminent. These strikes have been carried out in a blind and disproportionate manner, with people trapped inside plastic tents that caught fire, resulting in a horrific number of casualties, like in camps of internally displaced people in Rafah. Shelters are cramped, and sanitary conditions are disastrous. In Rafah and Khan Younis, sewage is flowing out in every corner, creating a "ticking time bomb for an epidemic".

The appalling conditions of shelters in the south, overcrowding, insufficient food, drinking water, medication, and the ongoing severe threat of attacks do not fulfil the conditions of safety for internally displaced persons. Indeed, Israel has made it a point to target major refugee camps, where Palestinians sought refuge.

United Nations Relief and Works Agency for Palestine Refugees' shelters are overcrowded, and over 2 million rely on UNRWA for their survival. The fragility of these shelters is alarming, considering Israel forces' internal influence.

The densely populated environment, coupled with precarious living conditions, raises significant concerns about the impact on the right to life for those residing in camps. The devastating impact on families, with entire lineages being disrupted and annihilated, is a stark manifestation of the toll on the right to life.

## **Recommendations**

We urge the international community to prioritize immediate humanitarian aid and hold those responsible for these atrocities accountable. We call for a unified global response to alleviate the suffering of the Palestinian people and uphold the principles of human dignity and justice. Recognizing Israel's persistent efforts to undermine the rights of Palestinian refugees and displaced persons, including the right to return, we reaffirm that these rights remain fundamental and must be central to any future resolution of the Palestinian issue. We therefore urge Israel and the international community to:

- End the Israeli occupation of the occupied Palestinian territories and cease all hostilities in the Gaza Strip.
- Increase support to UN agencies operating on the ground including UNRWA and UNHCR, which is essential to mitigate the suffering of Palestinian refugees and displaced persons and protecting human rights.
- Ensure the protection and prioritize care for women and children in conflict zones.
- Facilitate the unrestricted return of Palestinian refugees and internally displaced persons.
- Initiate thorough investigations and enforce an oversight by United Nations experts and agencies on Israel Occupying Forces operations and war crimes.

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Geneva International Centre for Justice (GICJ), Arab Lawyers Association-UK, Human Rights Defenders (HRD), Brussels Tribunal, Iraqi Committee for Human Rights (ICHR), Association of Humanitarian Lawyers (AHL), Association of Human Rights Defenders in Iraq (AHRD), Organization for Justice & Democracy in Iraq (OJDI), and Iraqi Centre for Human Rights, NGO(s) without consultative status, also share the views expressed in this statement.