

PALESTINE: FOR LAND AND LIFE

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# ... I WILL BECOME A KITE AND FLY OVER THE WALL

HOLDING ON TO THE KEY: LIFE IN AIDA REFUGEE CAMP





## Location: Aida Refugee Camp

*The Palestinian refugees and Internally Displaced Persons (IDPs) are the largest and longest-standing case of displaced persons in the world today. Approximately 8 million out of 12.1 million Palestinians worldwide are forcibly displaced persons (66 percent). This number includes more than 6 million refugees and their descendants from 1948; more than one million 1967 refugees; and 720,000 IDPs on both sides of the Green Line (1949 armistice line).<sup>1</sup>*

## THE NAKBA – CATASTROPHE (1947-1949)<sup>2</sup>

On November 29, 1947, United Nations (UN) Resolution 181 called for Palestine to be partitioned between Arabs and Jews to form the Jewish state of Israel. Following the resolution, Plan Dalet, created in 1948 by Haganah, the main Zionist militia, employed violent tactics to generate fear and panic, with the aim of forcibly removing Palestinians from their homes and encouraging flight.

One stark example of this was the massacre of Deir Yassin. On April 9, 1948, around 120 fighters from the Zionist paramilitary groups Irgun and Lehi attacked Deir Yassin, a Palestinian village of roughly 600 people near Jerusalem. While there are conflicting reports of the number of residents killed – ranging from 100 to over 250 – on April 13, 1948, the *New York Times* reported that 254 Arabs were killed at Deir Yassin.<sup>3</sup> News of the killings sparked terror among the Palestinians and they fled from their towns and villages, making the massacre of Deir Yassin a key incident that led to the flight of the Palestinians during the *Nakba*.

The establishment of Israel on May 14, 1948 coincided with the withdrawal of British forces from Palestine and the collapse of the UN partition plan. The entry of Arab forces into Palestine on May 15, 1948, marked the start of the first Arab-Israeli



Aida refugee camp as it looks today; Separation wall along the cemetery © The Oakland Institute

war. During the war, Palestinian villages were systematically destroyed to prevent refugees from returning to their homes. The destruction of homes and villages was accompanied by large-scale looting and, depending on the sources and the definition, reportedly 10 to 70 massacres occurred during the 1948 war.<sup>4</sup> Soon after, a series of laws passed by the first Israeli government prevented the Palestinians from returning to their homes, or claiming their property.

Between 750,000 and 900,000 people – between 55 and 66 percent of the total Palestinian population at that time – were forcibly displaced between the end of 1947 and early 1949.<sup>5</sup> Eighty-five percent of the Palestinian population who lived in the territory that became the state of Israel was displaced.<sup>6</sup> Most refugees fled to what became the Gaza Strip and the West Bank or to neighboring Arab countries.

They and their descendants remain refugees.

#### WAITING FOR RETURN: AIDA REFUGEE CAMP

About a quarter of the nearly 775,000 registered refugees in the West Bank live in 19 refugee camps.<sup>7</sup> Of these, Aida Refugee Camp, established in 1950, is situated two kilometers north of the historic center of Bethlehem and one kilometer north of Beit Jala in the central West Bank. The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) leased the land from the government of Jordan for displaced villagers from 27 villages in western Jerusalem and western Hebron in 1948. Despite the fact that their homes are just a few kilometers away from the camp, it has been made illegal and virtually impossible for the refugees to even visit their villages.<sup>8</sup>

“A Palestine refugee camp is defined as a plot of land placed at the disposal of UNRWA by the host government to accommodate Palestine refugees and set up facilities to cater to their needs. Areas not designated as such are not recognized as camps. The plots of land on which the recognized camps were set up are either state land or, in most cases, land leased by the host government from local landowners. This means that the refugees in camps do not own the land on which their shelters were built, but have the right to use the land for residence.”<sup>9</sup>

The entrance of the camp is marked by the nine-meter long Key of Return– the symbol of Palestinian refugees’ right of return, as guaranteed by the UN Resolution 194, passed by the UN General Assembly in December 1948, and endorsed by both the United States and the United Kingdom.<sup>10</sup> Sixty-seven years after the camp was established, the refugees await their right of return to be honored.



Murals at the entrance of the camp © The Oakland Institute

#### THE LAW OF RETURN AND THE RIGHT TO RETURN

The right of return is a “universal right that is binding under international law, enjoyed by people regardless of where they come from,”<sup>11</sup> which establishes the right of all people to return to their place of origin or habitual residence.<sup>12</sup> It is enshrined in the Universal Declaration of Human Rights<sup>13</sup> and the International Covenant on Civil and Political Rights,<sup>14</sup> as well as in numerous UN resolutions.<sup>15</sup> UN Resolution 194 (III) of 1948 “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.”<sup>16</sup>

In 1950, the State of Israel passed the Law of Return, providing Israeli citizenship to any Jewish person. A 1970 amendment extended this right to offer citizenship to “a child and a grandchild of a Jew, the spouse of a Jew, the spouse of a child of a Jew and the spouse of a grandchild of a Jew.”<sup>17</sup> According to the Jewish Agency for Israel, “this addition not only ensured that families would not be broken apart, but also promised a safe haven in Israel for non-Jews subject to persecution because of their Jewish roots.”<sup>18</sup>

Initially, the refugees lived in tents and then moved into small single-room containers set up by UNRWA. Today, over 5,000 camp residents – 50 percent of them children – live in houses they built. Following the Oslo Accords, the majority of the camp came under Palestinian control (Area A).<sup>19</sup> Some of its periphery, however, including the main road is under Israeli control (Area C). Surrounded by the West Bank Barrier (the wall) on two sides – built in 2005, the camp is close to two large Israeli settlements, Har Homa and Gilo, both illegal under international law according to the UN.<sup>20</sup>

In 2000, Lajee (meaning refugee) Center was established as a cultural and arts community center to serve the youth of Aida, just 100 meters from the army base and the wall.<sup>21</sup> In its effort to ensure children’s fundamental rights, including a safe place to play, Lajee purchased the only available land near the camp in 2012. A playground and a beautiful garden were built on 2,000 square meters for free use by the Aida refugees. The Center welcomes “anybody who wishes to come and have fun with us.”<sup>22</sup>

Located in a small area of 0.71 square kilometers, the Aida camp has not grown in size despite the increase of the refugee population since 1950.<sup>23</sup> The unemployment rate in Aida soars as high as 43 percent, and the wall has limited resident’s access to job opportunities in Israel and East Jerusalem.<sup>24</sup> The wall also cut off the camp’s access to an olive grove, “formerly a place to play, a source of income, and an escape from the overcrowded camp.”<sup>25</sup> The small space, severe water shortages – residents face water cuts for three weeks in the summer – and lack of medical facilities and open space, however, are the least of the challenges that the residents face.

Enclosed on two sides by the wall,<sup>26</sup> and six military towers overlooking the camp, the refugees are subject to regular invasions by the Israeli soldiers.

“Just last week, we were raided and as always, no reason was given. But this is a regular occurrence. They put snipers on the roof. They tear gas the Center while children are inside here. They come for no reason, just to disrupt our work and scare children so that the children will be afraid to come to Lajee,” Mohammad Al-Azza, Media Unit Director at the Lajee Center, told the research team.<sup>28</sup>

On February 7, 2017, for the second time in three days, Israeli soldiers entered the Lajee Center, demanding access to the computers. When staff members refused to give them

“...the constant military presence and the camp’s proximity to the main checkpoint between Jerusalem and Bethlehem, have made the camp vulnerable to a number of protection concerns. These include regular incursions by Israeli Security Forces (ISF), clashes involving camp residents, many of whom are children, and an increasing number of injuries as a result of excessive force by the ISF.”  
– AIDA Camp, UNRWA<sup>27</sup>



Playground built by Aida refugees to offer children escape from an overcrowded camp © The Oakland Institute

passwords without a court order, the soldiers searched the center, confiscated two computers and ordered the director of the Center to come for interrogation the next day.<sup>29</sup>

The raids on the Center and the Aida Refugee Camp are endless.

On February 8, 2015, children playing in the park were tear gassed.<sup>30</sup> On July 14, 2016, soldiers searched the Center and detained a librarian and three other people in the library for several hours.<sup>31</sup> On July 16, 2016, two young men assembling a new playground structure were arrested.<sup>32</sup> Soldiers threw tear gas into the Center while children were present on September 19, 2016.<sup>33</sup> On December 17, 2016, soldiers harassed football players and then beat and detained the Media Unit Director when he tried to come to their assistance.<sup>34</sup> In the early morning of February 2, 2017, hundreds of Israeli soldiers entered the camp, breaking into several houses, waking, searching and harassing residents. They arrested 12 residents, including 17-year-old high school students who are active volunteers of the Environment Unit at the Center. According to the Center's staff, this invasion "is part of the routine disturbance and abuse caused by Israeli soldiers."<sup>35</sup>

The school or the presence of the UN offices has failed to make the camp a safe place for even the children. "The army shoots tear gas at the houses and the school without warning. The windows are boarded up."<sup>36</sup> On October 5, 2015, Abdel Rahman Shadi, a 13-year-old resident of the camp, was targeted by an Israeli sniper. He was fatally shot in the chest with live ammunition while standing beneath the United Nations flag, a meter from the UNRWA office at the entrance of Aida Camp.<sup>37</sup> An initial investigation by Defense for Children International (DCI) alleged that Abdel Rahman might have been unlawfully killed.<sup>38</sup>

Abdel Rahman was the seventh child from the camp who was killed by the Israeli soldiers since the camp's encirclement by the wall in 2005. During the same period, many others have received non-fatal gunshot wounds and more than 80 children of the Camp have been arrested by the Israeli military.<sup>39</sup>

### UNRWA FUNDING CRISIS

Palestine refugees are defined as "persons whose normal place of residence was 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."<sup>41</sup> When UNRWA



13-year-old Abdel Rahman Shadi was fatally shot in 2015 while standing beneath the United Nations flag.

*"...I will become a kite and fly over the wall said the boy!"*

*"If you become a kite and fly over the wall said his mother, then I will become a clever little child, the best in the neighborhood at kite-flying, and I will tie ribbons to you, and fly you high above the wall, all the way to Jerusalem!"*

*Or maybe I will become a mountain so that I can be bigger than the wall, and see over it," said the boy. "If you become the mountain and become bigger than the wall," said his mother, "I will become a farmer and plant olive trees and tend to you and live from the olives you bear."*

– The Boy and the Wall<sup>40</sup>



Initial refugee settlement in Aida

began operations in 1950, it was responding to the needs of about 750,000 Palestine refugees. Today, some 5 million refugees are eligible for UNRWA services.

Following the *Nakba*, UNRWA was established by General Assembly Resolution 302 (IV) of December 8, 1949 to carry out direct relief and works programs for Palestine refugees.<sup>42</sup> UNRWA began operations on May 1, 1950. In the absence of a solution to the Palestine refugee crisis, UNRWA's mandate has been renewed repeatedly – most recently, extended until June 30, 2017.

The Agency, however, repeatedly faces critical funding crises, a result of the voluntary nature of states' contributions to its core budget. Faced with a shortfall of USD 96.5 million in 2016, UNRWA Commissioner-General Pierre Krähenbühl appealed the delegates at the 146th session of the Arab League's Council of Ministries of Foreign Affairs.

“I stand before you with an urgent and simple message: the necessity to keep alive hope and dignity for Palestine Refugees...

And yet, time and time again, I am confronted with the question of why the world should care about the fate of Palestine refugees when there are so many other pressing issues to deal with.

The world should do so:

Because the conditions facing the 5.3 million refugees are now worse than at any time since 1948. Because the absence of political horizon is draining them of their resolve and creativity. Because fifty years of occupation and ten years of blockade in Palestine are etched into the soul and identity of the Refugee community...”<sup>43</sup>

The views and conclusions expressed in this publication are those of the Oakland Institute alone and do not reflect opinions of the individuals and organizations that have sponsored and supported the work.

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Cover photo: The Key of Return at the entrance of the camp © The Oakland Institute

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## ENDNOTES

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