

PREFACE

Normally, every individual belongs to a national community and feels himself a part of it. He enjoys the protection and assistance of the national authorities. When he is abroad, his own national authorities look after him and provide him with certain advantages. The organization of entire legal and economic life of the individual residing in foreign country depend upon his possession of nationality. The fact that the stateless persons have no nationality places him in an abnormal and inferior positions which reduces his social value and destroys his own self-confidences. The stateless persons are denied vehicle for access to fundamental rights and access to expression as person under the law. Most important, a stateless person cannot undertake international travel as he is usually without passport. Further more, a stateless person actually has no country to take him back nor to issue passports to enter other foreign countries.

In West Asia, the problem of stateless persons arose after the creation of state of Israel in May 1948 on a part of Palestine. Hundreds of thousand of Palestinian fled from their homes with the creation of the Jewish State. The exact number of stateless persons created by the 1948-1949 hostilities has been a matter of dispute. The Clap Mission estimated that 726,000 had been dislocated as a direct result of the first Arab-Israeli war. These Palestinians took refuge in

Egypt, Syria, Jordan, Lebanon, and in the West Bank and Gaza Strip. In June 1967, thousands of Palestinian were rendered homeless for a second time when Israel occupied the West Bank and Gaza Strip after the June 1967 war. These Stateless refugees have gone through untold sufferings during the past five decades and their struggle to establish a homeland of their own countries till this day. The five decades of their statelessness has been marked by extreme, political and social marginality and officially sanctioned repression. Social and political control over Palestinian by their host government was maintained through a variety of measures: work permit requirements the presence of police and intelligence force in the camps and pass laws. The host government response to political expression and activity was often arrest. Palestinians were subject to restriction on their travel abroad and within the host country. Such measures made it difficult for broken families to be reunited with their kith and kin. Because of official restriction on their employment refugee often provided black market labour at wages below the minimum established by the government. While the Palestinian living in the camps in the host country had no passport, no work and future, those who remained in the Israeli occupied West Bank and Gaza Strip were subjected to degrading and often inhuman treatment. Israel resorted to illegal and brutal means to spread terror, reduce opposition and force the submission of the civilian Arab population even though such means

constituted grave violation of human rights Israel use of an array harsh measures against Palestinians in the Occupied Territories such as deportation, arbitrary arrest, policy of torture, demolition or sealing of houses, settlements of Jews on Palestinian land and denial of adequate water to Palestinians Palestinians in the Occupied Territory have enjoyed since 1967 no rights and no representative institutions There is no authority to which they can appeal, no protection which they can invoke

The stateless Palestinian refugees are keenly interested to return back to their homeland and to create new lives for themselves These stateless Palestinian are fully depend upon assistance from host country and UN agency and voluntary organization

In order to tackle the problem of stateless Palestinian refugees more effectively and co-ordinate relief and rehabilitation work in a systematic and organized way, the need was felt to setup a broad-based international organization which could deal with the problem of stateless Palestinian in its totality The result was the creation of UNRWA, which is exclusively a refugees welfare organization established in 1950 by UN and designated as a temporary non-political organ of the UN General Assembly

The aim of this study is to analyse and highlight the problems of stateless Palestinian refugees in West Asia It looks into the legal political and socio-economic dimension of the refugee problem and the

measures that have so far been taken by the international community to ameliorate the flight of the Palestinians.

The thesis is divided into 7 chapters including conclusion

Chapter I Which is by way of an introduction discusses statelessness and relevant International Law and International Covenants dealings with stateless persons. The statelessness is a phenomenon as old as the concept of nationality. This chapter then goes on to deal with the types of stateless persons and the causes of stateless persons and rights of statelessness.

The Second Chapter highlights the process through which the indigenous people of Palestine were reduced step by step to the status of stateless refugee. Under the Ottomans, Palestine was an integral part of Ottoman Empire and Palestinian were not treated as subject but as a citizen of sovereign and independent country. The Palestinians enjoyed full civil and political rights equally with the Ottoman citizens. The Balfour Deceleration was first step in the systematic campaign to usurp Palestine from its indigenous inhabitants and reduced them into stateless refugees. The Zionist moment, British Mandate, large scale Jewish immigration to Palestine and its consequences, UN partition plan and consequences of 1948 war have all been dealt with in this chapter.

The third Chapters begins with a discussion of the condition of stateless refugees in Jordan, Lebanon and Syria. It then discuss the

condition of Palestinians who have remained in West Bank and Gaza Strip.

The Chapter IV narrates briefly the rights of stateless Palestinian refugees. It also throw lights on the more specific aspect of residency status of Palestinians, right to return, right to self determination, right to compensation, UN and Palestinian rights.

The Chapter V opens with a discussion of the human rights situation in the Occupied Territories. Israel use of draconian laws to force the Palestinians into submission, Israel settlements policies, its water policies, its response to the *Intifada* and the Israeli labour policy in the Occupied Territories have been deed with in this chapter. The chapter thus goes on to briefly discuss the human rights violations after the setting up of the Palestinian Authority.

The Chapter VI deals with the role of UNRWA in Jordan, Lebanon, Syria, West Bank and Gaza Strip. UNRWA has become an established institution in its area of operation and plays an important role in the lives of Palestinian refugees. It is not only an agency which provides valued services in the field of education, health and social welfare but is also the symbol of international commitment to the welfare of Palestinians and to adjust resolution of their plight

The concluding section brings together the various issues raised in the context of stateless persons in West Asia.