IRREGULAR MIGRATION IN THE OCCUPIED PALESTINIAN TERRITORIES (OPT):
SOCIO-POLITICAL PERSPECTIVES

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Socio-Political Module

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Irregular Migration in the Occupied Palestinian Territories (oPt)
Socio-Political Perspectives
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These papers will also be discussed in another meeting between Policy Makers and Experts on the same topic (25 - 27 January 2009). The results of these discussions will be published separately. The entire set of papers on Irregular Migration are available at the following address: http://www.carim.org/ql/IrregularMigration.
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The CARIM carries out the following activities:
- Mediterranean migration database;
- Research and publications;
- Meetings of academics;
- Meetings between experts and policy makers;
- Early warning system.

The activities of CARIM cover three aspects of international migration in the Region: economic and demographic, legal, and socio-political.

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Abstract

Covering the issue of irregular migration in the occupied Palestinian territories (oPt) must take into consideration: Palestinian refugees, the Palestinian labour force in the Israeli labour market and the illegal Israeli settlements in the West Bank including Jerusalem.

A number of interrelated factors contribute to Palestinian migration. Some of them are structural and are related to the historical and political conditions of Palestine, mainly occupation and the coercive displacement and uprooting and the absence of an independent state, while others can be considered policy-related and are linked to Israeli policies and measures in its occupation of the West Bank and the Gaza Strip including Jerusalem from 1967 to the present day. Finally, there are some internal policy-related factors that relate to the economic and social policies adopted by the Palestinian National Authority (PNA).

In general, we can argue that irregular migration is not evident as a phenomenon within the oPt, rather it characterizes displaced Palestinians. But a predominant phenomenon within the oPt are the Israeli settlements and Jewish settlers who live in the oPt as part of the Israeli occupation and Israeli control over the Palestinian territories.

Résumé

Pour aborder la thématique de la migration irrégulière dans les territoires palestiniens occupés, la présente note de synthèse analyse le statut des réfugiés palestiniens, celui des travailleurs migrants palestiniens en Israël et la problématique des colonies israéliennes.

Dans un deuxième temps, l’auteur propose de cerner les facteurs multiples qui influent sur la migration palestinienne. En premier lieu, il aborde les facteurs historiques et politiques qui ont façonné le conflit Palestinien: l’occupation, le déplacement coercitif, le déracinement et l’absence d’un état indépendant. En deuxième lieu, il analyse les facteurs découlant des politiques mises en place par l’Israël après l’occupation de la Cisjordanie et de la bande de Gaza depuis 1967 jusqu’à nos jours. En troisième lieu, il met en relief les facteurs découlant des politiques mises en place par l’autorité palestinienne.

En général, la présente note souligne que la migration irrégulière dans les territoires palestiniens occupés n’est pas un phénomène évident en tant que tel et qu’il faudrait plutôt tenir compte de la problématique des palestiniens déplacés.
Introduction

This paper focuses on the study of the socio-political dimensions of irregular migration in the occupied Palestinian territories (oPt). It will try to show the specificity of the Palestinian situation, as the oPt is under Israeli occupation and Israel controls the border crossing procedures, leaving the area in a situation of insecurity lacking political, social, and economic stability. As a result, it can be ascertained that there are no irregular migrants in the oPt: if, that is, we adopt the definition of irregular migrants being those people who are living on the territory of a State without completing the legal procedures for residence in this country, as a result of a change in policies, laws or regulations in that State. However, due to the Israeli occupation, there are half a million Jewish settlers, who reside in the oPt and cannot be dealt with as migrants, rather they are part of the Israeli occupation and of its control over Palestinian territories and resources.

Conversely, it can be argued that most Palestinian migrants are irregular, as the bulk of them are refugees who were forced to leave their homes by the Israeli authorities. The specificity of the Palestinian case is that some Palestinian refugees live in neighboring countries, while others reside in the oPt, and those are the Palestinians who were forced out of their communities (of what is known today as Israel) back in 1948. Palestinian refugees have Palestinian citizenship and reside legally in the oPt, but are uniquely distinguished as the majority of them live in camps with UNRWA overseeing services for them, and according to international law, they are entitled to return to their homes.

In addition to Palestinian refugees, Israeli occupation policies put in place in the oPt have turned the Palestinian Economy into a dependent economy, hence the phenomenon of Palestinian employment in the Israeli economy. Palestinian employment in Israel has passed through several stages, as it was considered an internal Israeli matter and part of Israeli economy until the outbreak of the first Intifada. Israel imposed a permit system in 1993, after the outbreak of the Second Gulf War, and then imposed a comprehensive closure in 2000 after the outbreak of the second Intifada, which led to them being workers without permits in the Israeli Economy.

In general, we can argue that irregular migration is not evident as a phenomenon within the oPt, rather it characterizes displaced Palestinians. But the predominant phenomenon within the oPt are the Israeli settlements and Jewish settlers who live in the oPt as part of the Israeli occupation and Israeli control over the Palestinian territories.

This paper will address the phenomenon of Palestinian refugees both in and outside the oPt, as well as temporary labor migration in the Israeli labor market. Moreover, the paper will cover Israeli settlement in the Palestinian territories and will also set out the factors behind the migration or displacement of Palestinians.

Definitions: Differences in Concepts

There are some variations in the definition of Palestinian refugees. According to the Palestinian position, the reference to refugees is in United Nations Resolution 242 and includes the 1948 refugees and the 1967 emigrants, whereas the United Nations Resolution 338 refers to the 1973 war. In addition Palestinians define refugees as all those who have been displaced from their homeland since the establishment of Israel, including those who were expelled from their homeland during and immediately after 1967 war (MIFTAH, 1999).
The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)¹ gives an operational definition to Palestinian refugees, under UNRWA’s operational definition, “Palestine refugees are persons whose normal place of residence was Palestine between June 1946 and May 1948, who lost both their homes and means of livelihood as a result of the 1948 Arab-Israeli conflict.”² It is worth mentioning here that UNRWA’s definition is circumscribed by its services and operations. This does not mean that UNRWA fails to consider other displaced Palestinians as refugees.

While the vast majority of Palestinian refugees fall under the UNRWA mandate, UNRWA believes that there are still a large number of Palestinian refugees living in other countries, such as the Gulf States, Egypt, Iraq, Yemen, Australia, Europe and America (UNRWA, 2007). This gives an indicator that UNRWA’s definition is operational and includes only the five fields that UNRWA covers with its services.

The Office of the United Nations High Commissioner for Refugees (UNHCR) definition of Palestinian refugees is closer to the Palestinian definition. It considers that "two groups of Palestinian refugees fall within the scope of article 1D of the 1951 Convention: (i) Palestinians who are “Palestine refugees” within the sense of UN General Assembly Resolution 194 (III) of 11 December 1948 and other UN General Assembly Resolutions, who were displaced from that part of Palestine which became Israel, and who have been unable to return there. (ii) Palestinians who are “displaced persons” within the sense of UN General Assembly Resolution 2252 (ES-V) of 4 June 1967 and subsequent UN General Assembly Resolutions who have been unable to return to the Palestinian territories occupied by Israel since 1967. A third group of Palestinian refugees consists of individuals who are neither “Palestine refugees” nor “displaced persons”, but who, owing to a well-founded fear of being persecuted on one or more of the 1951 Convention grounds, are outside the Palestinian territories occupied by Israel since 1967 and are unable or, owing to such fears, unwilling to return there. Such Palestinians can qualify as refugees under Article 1A(2) of the 1951 Convention”(UNRWA, 2007).³

Palestinian workers in the Israeli labour market can be divided into two categories: those who have permits and who are treated by the Israeli side as legal workers, and those who have no permits and who are treated by the Israeli side as illegal workers who should be punished for entering Jerusalem or Israel and its settlements on the West Bank without a permit.

In relation to the Israeli settlements on the West Bank including Jerusalem, the Palestinian side treats these as illegal in terms of international law and as part of the Israeli occupation. The Israeli side treats them as legal localities and as part of Israel, and they do not refer to settlements, but to cities, towns and villages.⁴

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¹ UNRWA was established by United Nations General Assembly resolution 302 (IV) of 8 December 1949 to provide humanitarian relief to the refugees and displaced persons who had been forced to flee their homes in Palestine as a result of the 1948 Arab-Israeli war. Today, the Agency provides education, health care, social services, shelter, micro-credit loans and emergency aid to Palestinian refugees in its five fields of operations: Jordan, Lebanon, Syria, the Gaza Strip, and the West Bank, including East Jerusalem (See: http://www.un.org/unrwa/publications/pubs07/UN&PR_en.pdf).

² See UNRWA’s operational definition, source: http://www.unrwa.org/refugees/whois.html.


⁴ One of the considerations that the Israeli side put to the plan of unilateral disengagement from Gaza shows that Israel defines its settlements in the West Bank as cities, towns and villages. This consideration says: “The assumption that, in any future permanent status arrangement, there will be no Israeli towns and villages in the Gaza Strip. On the other hand, it is clear that in the West Bank, there are areas which will be part of the State of Israel, including cities, towns and villages, security areas and installations, and other places of special interest to Israel.” (See: http://www.knesset.gov.il/process/docs/DisengageSharon_eng.htm).
Palestinian Refugees

Available data on Palestinian refugees is uneven and shifting, due primarily to the absence of a comprehensive registration system, frequent forced displacement, and the lack of a uniform definition of what a Palestine refugee is (BADIL, 2008).

According to PCBS, and as reflected in the table below, the total number of Palestinians in the world at the end of 2007 was around 10.4 million. The estimations suggest that more than one half of Palestinians lived outside the historic (Mandate) Palestine.

<table>
<thead>
<tr>
<th>Number of Palestinians Around the World</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number</td>
</tr>
<tr>
<td>Palestinian Territory</td>
</tr>
<tr>
<td>Israel</td>
</tr>
<tr>
<td>Jordan</td>
</tr>
<tr>
<td>Other Arab Countries</td>
</tr>
<tr>
<td>Foreign Countries</td>
</tr>
<tr>
<td>Total</td>
</tr>
</tbody>
</table>


According to UNRWA official records, the number of registered Palestinian refugees in its five working fields amounted to 4.6 million people by the end of 2007. Of these 42% live in Jordan, 10% in Syria, 9% in Lebanon, 16% in the West Bank and 23% of in the Gaza Strip. UNRWA data also show that 30% of registered refugees are living in 58 camps (10 in Jordan, 9 in Syria, 12 in Lebanon, 19 on the West Bank, and 8 in the Gaza Strip).

<table>
<thead>
<tr>
<th>UNRWA Registered Palestinian Refugees as of 31 December 2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registered Refugees</td>
</tr>
<tr>
<td>Number</td>
</tr>
<tr>
<td>Number</td>
</tr>
<tr>
<td>Percent</td>
</tr>
</tbody>
</table>


The BCBS estimated that the number of Palestinian refugees amounted to more than half of the Palestinian population all over the world. The PCBS built these estimates by taking into consideration the non-registered refugees, while UNRWA figures are only for those who comes under its definition and do not include the Palestinians who were displaced between the 1949 and the 1967 war or the refugees who left or were driven out during the 1967 war (PCBS, 2008b).

BADIL resource center for Palestinian residency and refugee rights put the number of Palestinian refugees by mid-2007 at more than 7 million, in addition to 450,000 internally displaced, representing more than 70% of the entire Palestinian population worldwide. BADIL stated that “this figure includes Palestinians and their descendants whose “country of origin” is the historic (mandate) Palestine (now

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divided into Israel and the oPt)” (BADIL, 2008).

Accurate data about the number of Palestinian refugees inside the oPt is available in the preliminary results of the PCBS population, housing and establishment census 2007. The data shows that the total number of individuals in the oPt was 3.76 million by 1 December 2007 (PCBS, 2008c). The results of the census also showed that 44.6% of the Palestinians in the oPt are refugees (PCBS, 2008b).

According to IOM, Palestinian refugees have lacked protection since the UN Conciliation Commission for Palestine (UNCCP) and its protection mandate collapsed in the mid-50s. Thus, “UNRWA does not deal with protection issues, and no international agency currently has an explicit mandate regarding the protection of the basic human rights of Palestinian refugees and the search for durable solutions to their problems. A protection gap is thus evident for Palestinians, with the most severe situations persisting in Lebanon, the West Bank and the Gaza Strip. In particular, UNRWA refugees are not protected and do not enjoy basic rights, including freedom of movement and acquisition of identity documents. This also restricts UNHCR’s role to assistance concerning travel documents, renewal of registration cards for refugees outside the area of UNRWA operations and facilitation of interim solutions for Palestinian refugees in case of forced departure.” (IOM, 2005).

After all, Palestinian refugees are the largest and longest-standing refugee population in the world. According to IOM, the number of refugees in the world by 2000 was 16.6 millions; 4.6 millions of them are registered by the UNRWA (IOM, 2005). Those numbers show that Palestinian refugees are the largest refugee population even without adding non-registered refugees. By adding the non-registered, the total would be around 6-7 million, which means more than one third of refugees all over the world. Despite this fact, Palestinian refugees have not their basic human rights protected by any international organization, and still face displacement inside and outside of Palestine.

Temporary Labour Migration to the Israeli labour Market

Palestinians in the oPt also face migration issues. According to IOM, in 1970-93, Palestinian labour flows to Israel were crucial for integrating the economy of the West Bank and the Gaza Strip into the Jewish state. But, after the Oslo Peace Accord in 1993, labour flows from the oPt into Israel no longer played the same role as before (IOM, 2005).

From the beginning of the occupation, in 1967, to the establishment of the Palestinian National Authority (PNA) in 1994, Israel administrated the oPt economy. Its policy during these years was aimed at underdeveloping the Palestinian economy and at encouraging Palestinians to integrate themselves into the Israeli workforce. As a result, income from work in Israel formed a major part of Palestinian domestic output. Over the years, and particularly since the outbreak of the second Intifada, Israel has imposed harsh restrictions on the movement of Palestinians within and from out of the oPt and prevented the PNA from obtaining vital funding. These measures led to a Palestinian economic crisis. The lack of resources in the oPt increased Palestinian dependence on wages earned from work in Israel (Btselem, 2008).

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6 Working in the Israeli labour market enables Palestinian workers to secure employment and income for their families that would not otherwise be available (ILO, 2008). According to Btselem, “under international humanitarian law, as well as human rights law, the State of Israel is required to ensure the livelihood of the Palestinian residents in the Occupied Territories under its effective control, and guarantee their right to work and to an adequate standard of living. These obligations especially apply in this case given that, since the beginning of the occupation, Israel has deliberately prevented the creation of an independent Palestinian economy and has contributed to the grave economic hardship now existing in the West Bank and the Gaza Strip. Rather than help rectify the problem it caused, the State of Israel continues to deny many Palestinians their right to work and earn a livelihood.” (Btselem, 2008).
Ignoring international and human rights laws, Israel imposed a closure on the oPt. The closure and the restrictions on Palestinian entry to the Israeli labour market began with the second Gulf War in 1991. It continued after the establishment of the PNA in 1994, and it became stricter following the eruption of the second Intifada in September 2000.

Israeli policies towards Palestinians were behind the phenomenon of Palestinian workers without permits in the Israeli labour market. Before 1991, Israel used to deal with Palestinian workers in its labour market as an internal issue. Israelis though changed this policy in 1991, and added new measures related to the closure imposed on Palestinian workers, in which they have to request permits from the Israeli authorities to work in the Israeli labour market. Some workers received permits; others could not because of refusals from the Israeli side.

Given the economic crises that the Palestinians suffer, and the lack of job opportunities in their labour market - problems which were originally created by Israeli policies - thousands of Palestinian workers kept working in the Israeli labour market, mostly, without permits due to lack of other options.

Before the closure, the Palestinian workers in the Israeli labour market represented a third of the Palestinian labour force and generated over a quarter of West Bank and Gaza Strip GNP. The number of Palestinian workers going to Israel on a daily basis was more than 116,000 in 1992; it declined after that year and with the second Intifada, Israeli closures on the oPt brought the movement of labour and goods between Israel and the West Bank and Gaza Strip to a virtual halt for extended periods (IOM, 2005).

Labour Force surveys conducted by the Palestinian Central Bureau of Statistics showed that during the first quarter of 2008 the Palestinian active labour force (who are employed or not employed and actively seeking a job) stood at 44.2 of the population above 15 years old, equivalents to 914,456 persons, of which around 23% are unemployed and 77% are employed. The data showed that 11.2% of employed Palestinians were employed in the Israeli economy (PCBS, 2008d).

As we mentioned before, work in Israel went through several stages. After having an average of 116,000 workers in 1992 who were considered as legal workers by the Israeli side, it decreased by the closure to 58,000 in 1996, of which 35,000 had permits and 23,000 were without permits and thus illegal workers according to the Israeli side. However Palestinian workers always had their ways around the regime. The gap between the number of actual workers and the number of granted permits was widening and reached a peak of almost 104,000 workers (145,950 workers versus 41,000 permits) in the third quarter of 2000. At the start of the second Intifada in the third quarter 2000, this gap started shrinking, with fewer granted permits (an average of 12,000) and fewer workers able to access the Israeli labour market (an average of 62,000). It is anticipated that the gap will be bridged upon the completion of the wall (See Chart 1 and Chart 2 below).

Looking at the oPt data does not tell the whole story of work in Israel for Gaza Strip citizens as the closure regime differs significantly between the West Bank and the Gaza Strip. The following two paragraphs will shed light on these differences.

The Gaza Strip has been surrounded by a fence sealing it off completely from the outer world, including the West Bank and Israel. Workers commuting from the Gaza Strip to Israel have to have permits or otherwise were denied entry. However, as figure 1 shows, the number of permits varied significantly, depending on the political situation. In fact in some quarters, the average number of permits exceeded the average number of workers commuting to Israel, which could be explained by the fact that on some days a complete closure was imposed on the Gaza Strip crossing and that even permit holders were denied access to the Israeli labour market. In addition, figure 1 shows that after the Palestinian Legislative Council election in January 2005, and the win of Hamas, the work force flow from Gaza to Israel declined to almost zero.
The situation on the West Bank is completely different. Despite the imposed closure, workers used lengthy alternative routes and dirt roads to circumvent closures. They sometimes had to leave in the middle of the night and cross in the dark to be able to reach their workplaces in Israel, despite the dangers, the fines and the prison that they would face if they were caught. This would explain why employment numbers exceeds permits granted in figure 2.

Since all those employed in the Israeli Market are West Bankers. Statistics shows that 15.9% or 74,000 thousand employed West Bankers worked in the Israeli labour market in the first quarter 1 of 2008. However, looking back at the historical data, we see how the number employed in that market varied with the political situation and the closure regime imposed on the West Bank.

According to ILO and Bteslem, Palestinian workers in the Israeli labour market lack protection, particularly workers without permits. The ILO mission to the oPt noted that workers in Israel and the Israeli settlements are exposed to hazardous conditions and poor health and safety conditions. The pension coverage in Israel extended to include Palestinian workers by January 2008, but Palestinian workers face difficulties when claiming such compensation because medical reports from the oPt are...
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not recognized in Israel, in addition to the Israeli permits regime that prevents access to a medical facility in Israel in the event of a work accident (ILO, 2008).

According to Btselem, Palestinian workers in the Israeli labour market are suffering cruel and abusive treatment. Taking the risk of entering Israel without a permit, thousands of Palestinian workers are caught by Israeli security forces. Most are returned to the West Bank or Gaza Strip, but others are sentenced to imprisonment or fined. In many instances, Palestinians fall victim to violent assaults and maltreatment by police officers and soldiers. In addition, Israeli employers often exploit the hardship of Palestinian workers, especially workers who do not have permits, and pay them low wages and provide them with dismal conditions, while denying them their statutory rights (Btselem, 2008).

**Israeli Settlements**

Israeli settlement construction on the West Bank, including Jerusalem, has taken place under every government since the beginning of Israel’s occupation in 1967 (OCHA, 2007). Data about Israeli settlements and settlers in the West Bank including Jerusalem reveal that there were 144 to 149 settlements and 450 to 476 thousand settlers in the year 2007, equivalent to 16% of the total population of the West Bank including Jerusalem (See the Table Below). But the PCBS in its report on the 60th anniversary of Nakba estimated that the number of settlers up to May 2008 was around half a million living in 144 settlements (PCBS, 2008b).

It is worth mentioning that the CBS only release data on settlements and settlers in the West Bank without Jerusalem due to the Israeli position of dealing with Jerusalem as a unified Israeli city. The CBS data claim that there were 261,600 settlers in the West Bank living in 119 settlements (ILO, 2008). This means that most settlers live in Jerusalem. PCBS data also claims that most settlers live in the Jerusalem governorate which represents 54.6% of the total settlers on the West Bank, including 42% in J1 (those parts of Jerusalem which were annexed by Israel in 1967 (PCBS, 2008b).

**Number of Israeli Settlements and Settlers in the West Bank Including Jerusalem**

<table>
<thead>
<tr>
<th>Source</th>
<th>West Bank</th>
<th>East Jerusalem</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>PCBS</td>
<td>274,621</td>
<td>118</td>
<td>201,139</td>
</tr>
<tr>
<td>OCHA</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>CBS</td>
<td>261,600</td>
<td>119</td>
<td>-</td>
</tr>
</tbody>
</table>

Source: ILO, 2008

According to OCHA, the Israeli settler population on the West Bank increased between 1987 and 2004 by nearly 150% (5.5% average annual growth rate). Between the Oslo Accords in 1993 - which left the issue of settlements to final status negotiations - to 2004, it increased 63% equivalent to 163,000 settlers. The average annual growth rate was 4.6%, which far exceeds the growth rate inside

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7 Settling an occupied territory is illegal under international law. By its very nature, military occupation is seen as temporary. The Fourth Geneva Convention explicitly prohibits the transfer of the Occupying Power’s civilian population into the territory it occupies since such settlement makes terminating the occupation more difficult. The illegal status of Israeli settlements has been confirmed by the United Nations Security Council and the International Court of Justice (OCHA, 2007).
Israel at the same period, a growth rate that stands at 1.8% (OCHA, 2007). It is worth mentioning that the average annual growth rate in the oPt is around 3.5%.

In addition to the confiscation of land for building settlements, a network of 1,661 Kms of roads link settlements, military areas and other infrastructure on the West Bank with Israel. Via these roads Israelis move freely, but Palestinian access is restricted by a closure regime and a permit system for Palestinian vehicles. The impact on Palestinian life has been profound (OCHA, 2007).

Factors behind Palestinians Irregular Migration

The process of coercive displacement and the ensuing uprooting and dispersion of more than half the Palestinian people has left, since 1948, its imprint on the size of irregular migration and also on economic, social and political realities in both the oPt and the Diaspora communities. Thus, any study of the factors behind Palestinian migration must take as its starting point the background of the Palestinian people, their collective banishment, their continued dispersion, and the military occupation and settlement of their land, all that deprived the Palestinian people of its right to self-determination and the right to return.

There are a number of interrelated factors that contribute to Palestinian migration, both the refugees and the Palestinian labour force in the Israeli labour market. Some of these are structural and are related to the historical and political conditions of Palestine, occupation, coercive displacement, uprooting and the absence of an independent state, while others can be considered policy-related and are linked to Israeli policies and measures during its occupation of the West Bank, including Jerusalem, and the Gaza Strip, from 1967 to the present.

There are also some internal policy-related factors that relate to the economic and social policies adopted by the PNA: the absence of an overall and sustainable development plan and poor development planning, which lead in turn to problems in empowering Palestinians, and then increase the number of persons who are looking for migration or for job opportunities in the Israeli labour market. But, due to sovereignty and security considerations, we have to remember how difficult it is for the Palestinian side to produce policies equal to the challenges that the occupation force have produced.

Structural Factors: Wars, the Israeli Occupation and the absence of an Independent Palestinian State

The continuous wars witnessed by Palestine and the whole region have had catastrophic results on the Palestinian people. The 1948 war and the establishment of the state of Israel shattered Palestinian society, and large numbers of Palestinians became refugees. Thus, “Palestinians call this forced migration Al-Nakba or catastrophe, meaning dispossession, dispersal, the shattering of their society and continued statelessness” (Hilal, 2007). The war and the period that followed led to more than half of Palestinians becoming refugees. More than 800,000 out of 1.4 million Palestinians (the Palestinian population in 1948) were driven out of their homeland to the West Bank and Gaza Strip, neighbouring Arab countries and other countries around the world (Khawaja in Jacobsen, 2003 & PCBS, 2008 b).

With the 1967 war, Israel occupied the West Bank and the Gaza Strip and annexed Jerusalem. Around 350-400 thousand Palestinians were displaced in 1967 to Jordan, Syria and Lebanon where...
they became refugees, some of them for the second time after the 1948 war.\(^9\) The Israeli occupation started establishing settlements in the oPt, that meant the annexation of land, the marginalization of the Palestinian economy that was then appended to the Israeli economy, and the transformation of the West Bank and the Gaza Strip into warehouses for cheap labour and markets for Israeli products. Such measures led to more dispersal of the Palestinians.

The civil conflict in Jordan and Lebanon increased the dispersal of the Palestinians who live in those two countries (Khawaja in Jacobsen, 2003). Then the second Gulf War directly and indirectly contributed to the dispersal of more Palestinians especially from Kuwait to the oPt and to other countries. According to IOM, the number of Palestinians in Kuwait prior to the Iraqi invasion was about 400,000, but was reduced to just over an eighth of that in the mid 1990s (IOM, 2005).\(^10\)

Aggressive Israeli policies and measures, which accompanied the first and second Intifada, led to more displacement and increased the number of migrating Palestinians. This increased, in turn, the number of persons searching for job opportunities in the Israeli labour market, and contributed to the collapse of the Palestinian economy. We are speaking, after all, of the closure and isolation of Palestinian villages and cities, Israel insulating the West Bank from the Gaza Strip, intensifying land confiscation and the building of settlements, annexation and expansion walls, the depleting of agricultural land, attempts to prevent Palestinians from working in Israel, excessive military force against civilians and cruel collective sanctions.

The wars and the Israeli occupation of the oPt are the main structural factors behind Palestinian irregular migration. The second factor, which is one of the sequences of the occupation, is the absence, from 1967, of an independent Palestinian state: this absence associated with the imposition of a complex system of political and legal controls on the part of the occupier. The Israeli military regime, which became known as the “civil administration” in 1981, acquired authority and jurisdiction over all aspects of the Palestinian population.

In general, the long-lasting Israeli occupation and the deprivation of Palestinians’ right to establish an independent state led to the Palestinian refugee problem, which must be solved according to international law and the related UN resolutions, mainly #194.

**Policy-Related Factors**

The second type of factor relates to Israeli policies and measures as they have been carried out since 1967. The Israelis control the borders and crossings, surround Palestinian localities with Israeli settlements, control Palestinian land and water resources, impose economic dependency on the Palestinian economy, impose closure and annex land for settlements through the construction of the annexation and expansion wall.

**Restrictions on Palestinians Traveling (In and Out)**

Since its occupation of the West Bank, including east Jerusalem, the Gaza Strip in June 1967, Israel has unilaterally controlled the civil registration of the Palestinian population, and has restricted movement in and out of the oPt for Palestinians and other non-Israelis. Even after the PNA was


\(^10\) Many of the Palestinians in the Gulf as elsewhere are actually holders of Jordanian passports. Estimates for 2002, Jordanian citizens of Palestinian origin resident in the Gulf for work purposes numbered about 0.5 million, including 270,000 in Saudi Arabia, 110,000 in the UAE, 50,000 each in Qatar and Kuwait, and smaller numbers in Bahrain and Oman (IOM, 2005).
established, it could not issue travel documents to resident and non-resident Palestinians without Israeli approval (Hilal, 2007).

As a result of the Israeli measures, an average 20 thousand Palestinians migrated from the oPt every year from 1968 to the 1980s (Maliki and Shalabi, 2000). According to Hanafi, net migration in the oPt has remained negative since 1968, excluding two periods: the first between 1990-1992, the period of the second Gulf War when many Palestinians returned home from the Gulf States; the second in 1994 when the PNA was established and many Palestinians returned under the leadership of Palestine Liberation Organization (PLO) (Hanafi in Fargues, 2007).

Closure
In March 1993, Israel imposed a general closure on the oPt. Under the closure, Palestinians without a permit were not allowed to enter Israel. After the second Intifada erupted, Israel imposed a comprehensive closure on the oPt and for several months from October 2000, prohibited Palestinians from moving between the oPt and Israel and between the West Bank and the Gaza Strip. The comprehensive closure was lifted, but the general closure has remained in effect, and periodically Israel has imposed a comprehensive closure (Btselem, 2008).

According to OCHA, movement and access for 2.4 million Palestinians living in the West Bank has been gradually restricted by the Israeli authorities since the beginning of the second Intifada in September 2000 through the implementation of the internal closure regime. In April 29, 2008 there were 607 physical closure obstacles in the West Bank (OCHA, 2008).

After the closure was imposed, Israel issued a limited number of permits. But most Palestinian workers in Israel entered and stayed inside Israel without a permit. This is changing though for while Gaza is surrounded by a fence, workers cannot enter Israel. On the West Bank, after the completion of the wall, fewer workers without permits are expected (Btselem, 2008).

According to the World Bank (WB), the closure and the restrictions that Israel imposed on Palestinians have a negative impact on the Palestinian economy. In its report, the WB technical team wrote: “in economic terms, the restrictions arising from the closure have not only increased transaction costs but have also led to a level of uncertainty and inefficiency which has made the conduct of business difficult and therefore has stymied the growth and investment which is necessary to fuel economic revival” (World Bank, 2007). On the basis of this, the Palestinian economy will not be able to generate job opportunities; this will lead to an increase in the number of persons searching for migration or for a job opportunity in the Israeli labour market.

In general, closure and other measures damaged the Palestinian economy to the extent that it was on the verge of break-down. Measures directly targeting the Palestinian economy were behind the closure of a large number of establishments and economic activities. Large areas of agricultural land were razed, infrastructure was severely damaged and the closure and siege resulted in isolating Palestinian areas from each other. In particular, closing the Israeli labour market from Palestinian workers, controlling raw materials and the marketing of Palestinian products had a negative effect on the Palestinian economy. It was mirrored in the decline in a number of economic investment activities and enterprises, as well as decline in gross domestic product. This led to an increase in unemployment and poverty and a decline in standards of living and life quality in the oPt.

Poverty in the oPt
PCBS data shows that 56.8% of Palestinian households in the oPt were income poor in 2006, while 30.8% were consumption poor. When it comes to deep poverty, 44.1% of the households were in deep
income poverty, while 18.5% were in deep consumption poverty. The data also shows that there are differences between the West Bank and Gaza Strip, the situation in Gaza is worst, which gives an indicator that refugees are poorer than non-refugees (See Table Below).

### Likelihood of Being Poor in the oPt by region

<table>
<thead>
<tr>
<th>Region</th>
<th>Consumption</th>
<th>Income</th>
<th>Consumption</th>
<th>Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Bank</td>
<td>24.0</td>
<td>49.1</td>
<td>13.0</td>
<td>36.4</td>
</tr>
<tr>
<td>Gaza Strip</td>
<td>50.7</td>
<td>79.3</td>
<td>34.8</td>
<td>66.7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30.8</strong></td>
<td><strong>56.8</strong></td>
<td><strong>18.5</strong></td>
<td><strong>44.1</strong></td>
</tr>
</tbody>
</table>

Source: PCBS (2007b)

The data available on poverty levels according to the type of locality ensure that refugees are poorer than non-refugees. The data (see the table below) show that households living in refugee camps are more likely to be poor than households living in localities categorized as urban or rural. In addition to that, the data show that 62.2% of the refugee households in the oPt (in or out camps) are income poor comparing to 53.1% of the non-refugee households, and it also show that 50.6% of the refugee households are in deep income poverty compared to 39.7% of non-refugee households.

### Likelihood of Being Poor in the oPt by Locality Type

<table>
<thead>
<tr>
<th>Locality Type</th>
<th>Consumption</th>
<th>Income</th>
<th>Consumption</th>
<th>Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban</td>
<td>29.3</td>
<td>53.6</td>
<td>18.3</td>
<td>41.0</td>
</tr>
<tr>
<td>Rural</td>
<td>29.5</td>
<td>58.0</td>
<td>15.4</td>
<td>29.0</td>
</tr>
<tr>
<td>Refugee Camp</td>
<td>38.6</td>
<td>66.4</td>
<td>25.6</td>
<td>18.5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>30.8</strong></td>
<td><strong>56.8</strong></td>
<td><strong>18.5</strong></td>
<td><strong>44.1</strong></td>
</tr>
</tbody>
</table>

Source: PCBS (2007b)

### Unemployment in the oPt

According to PCBS data, using the ILO standards, the unemployment rates in the oPt was around 23% in the first quarter 2008. This rate increases to 29% when using the relaxed definition of unemployment. The data showed that unemployment among those aged 15-29 years is high, the highest percentage was for the 15-19 age group and reached around 37%, followed by age group 20-24 with 37%, then 25-29 age group with 27% (PCBS, 2008d). The high percentage of unemployment among the young could be an indicator of pushing factors in the oPt increasing the number of persons searching for migration or a job opportunity in the Israeli labour market.

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11 The relaxed definition of unemployment is the percentage of persons who do not work whether or not seeking a job while according to ILO standards, it is the percentage of persons who do not work, but who are seeking jobs.
Annexation and expansion wall\textsuperscript{12};

The annexation and expansion wall which the Israelis began to construct in 2002 has had catastrophic social, economic and humanitarian effects. The wall extends around the West Bank and the northern parts of Jerusalem and is mostly located within the West Bank. It contains two main parts; the western and the eastern.

The total length of the western wall is 770 kilometres. At the end of April 2008, 57% (409 km) of the announced route of the wall was completed, 9% (66 km) was under construction, and construction had not yet begun on the rest of the wall (34%, 248 km) (OCHA, 2008). The Western wall isolates 733 square kilometres of the West Bank. The eastern wall, which runs from the north to the south, is estimated at 200 kilometres. This wall allows Israel to isolate and control the Jordan Valley, which is considered as the food basket of Palestine and the main source of food for the Palestinian people (PCBS, 2008b). One of the impacts of the wall is the decreasing job opportunities on the West Bank, above all in the agriculture sector, and it also affects the livelihoods of thousands of Palestinian families.

Continued construction will lead to an increase of suffering. And once the wall is completed, the number of Palestinian workers in the Israeli labour market will drop further. In turn, this will result in an increase in the number of families that will be deprived of their main sources of income, hinder a conducive environment to reproduce, and generate more poverty and deprivation while expanding the circle of economically vulnerable families on the West Bank. The impact of the wall will increase the number of persons travelling outside the country or attempting to enter Israel for work. And finally, the wall will not, by having these socio-economic side-effects, support the peace process in the region.

Israeli Settlements

Israeli settlements in the West Bank including Jerusalem use land, water and other resources that are not available to Palestinian farmers, workers and enterprises. The continuous expansion of settlement areas, infrastructure and settlement populations leads to direct competition for resources. Over 80 per cent of settlements are established fully or partially on private Palestinian land (ILO, 2008). For example, the average per capita water consumption in the oPt is 30-50 liters per day, while it is 300 liters for an Israeli settler and 150 liters for Israelis inside Israel (PCBS, 2008b).

The Israeli measures; Israeli settlements, outposts, cultivated areas, military infrastructure, nature reserves and 'closed areas' West of the wall, have effectively placed 38.3% of the West Bank beyond the reach of Palestinians. As a result, the West Bank has been considerably narrowed for Palestinians, limiting their potential for growth and development. Moreover, in those areas remaining for Palestinians, a road system linking Israel with the settlements, and an accompanying system of closures, further fragments the West Bank and restricts Palestinian movement and activity (OCHA, 2007).

\textsuperscript{12} On the 9\textsuperscript{th} of July 2004, the International Court of Justice (ICJ), the principal judicial organ of the United Nations, issued an opinion that Israel’s construction of the Barrier in the West Bank and East Jerusalem, and its associated gate and permit regime, violated international law. The ICJ called on Israel to: 1- cease construction of the wall ‘including in and around East Jerusalem’, 2- dismantle the sections already completed, 3- ‘repeal or render ineffective forthwith all legislative and regulatory acts relating thereto’. Although this is an advisory, nonbinding legal opinion, on 20 July 2004, an overwhelming majority of UN member states voted for General Assembly Resolution ES-10/15, which called on Israel to comply with the ICJ opinion. The Court also concluded that Israel has an obligation to make reparation for the damage caused to all persons affected and that Israel is under a responsibility to return the land, orchards, olive groves and other immovable property seized for the purposes of the construction of the wall in the oPt. Israel has not complied with the ICJ opinion and Barrier construction continues (source: OCHA, 2007).
Settlements and their related infrastructure consist of spatial, social and economic arrangements that are in opposition and in competition with the Palestinian system. The settlements have expanded rapidly, annexing more and more Palestinian land. More water resources have also been taken over and their infrastructures enhanced at the expense of the Palestinian population. Such measures naturally result in more pressure on Palestinian land, water resources and the Palestinian economy in general. As so, the Israeli policies of building or expanding settlements create more pushing factors that lead to an increase in those who consider migration or a job opportunity in the Israeli labour market.

In general, the above factors constitute push factors in the oPt. The lack of control over natural resources by Palestinians, the weakness of investment in the oPt, and the inability of the Palestinian economy to create job opportunities lead to more poverty and unemployment in the oPt.

Those factors, in sum, increase the flow of migrants, or at least increase migration seekers, and work seekers in the Israeli labour market.

Weak Palestinian Strategies

The PA has prepared a three-year Palestinian Reform and Development Plan 2008-2010 (PRDP). The Themes of the plan are: governance; fiscal measures to reduce the deficit and increase development expenditure, social-sector development, and economic and private-sector development. The plan neglected the refugees issue and has no strategy towards this issue. The labour force issue was covered by the plan through the question of economic and private sector development, which leads in the longer term to a decrease in dependency on the Israeli labour market. But the plan itself stated that lifting the closure by the Israelis is a prerequisite for economic recovery.\(^{13}\)

One of the main effects of Israeli policies and measures in the years of occupation and the absence of an independent Palestinian state is the inability of Palestinians to deal with imposed challenges and obstacles. More unified and concerted efforts are needed on the governmental, non-governmental and popular levels to achieve that. Despite those challenges and obstacles, the PA must work with other parties; namely: civil society and the private sector, in order to develop a clear strategy toward the challenges that led to an increase in migration or Palestinians going after a job in the Israeli labour market. Since its establishment, the overall PA strategies were not able to motivate economic growth and provide citizens with social care and protection. This was and still is one of the main factors that has led to the feeling of economic vulnerability, insecurity with regard to employment and the perception of a lack of economic and social stability. In addition to this, the weak performance of the PNA on the political and development levels, weak public institutions and lack of an official social protection system capable of supporting poor and needy families, are all factors that make Palestinian society vulnerable and generate pushing factors, particularly among the young.

Moreover, Palestinians should be able to enhance self-dependency and reduce economic dependency on Israel, re-build Palestinian institutions on sound democratic and rational principles that allow for the optimal exploitation of resources and energies. Measures should also be adopted to address the results of Israeli aggression in the short and long term. There is a dire need to combat poverty and unemployment and low standards of living, as well as to answer long-term health, and educational needs. At the same time, there is a need to readjust the economic and social sectors, creating policies to address the long-term effects of Israeli policies and measures.

Conclusions

Irregular migration is not evident as a phenomenon in the oPt. The presence of the Israeli occupation, its control over the oPt, the absence of political and socio-economic stability and the absence of security are all factors behind the absence of irregular emigrants in the oPt from other countries. But there are half a million Jewish settlers, who reside in the oPt and cannot be dealt with as migrants. Rather, they are part of the Israeli occupation and its control over Palestinian territories and resources.

We can also argue though that irregular migration characterizes, at least in part, Palestinian migrants. The majority of Palestinian migrants are refugees whom have been displaced forcibly from their homes through wars or through policies and measures that the Israeli occupation imposed on the oPt. Those measures also create the context of underdevelopment, long-standing economic crises and generate poverty and unemployment, which all increase migration seekers or work seekers in the Israeli labour market. Thereby, Israeli occupation and the absence of an independent Palestinian state will remain the main pushing factors in the oPt.

Resolving the issue of Palestinian refugees requires the removal of historical and structural causes. This means the end of occupation, an independent Palestinian state that guarantees Palestinians control over their own land, borders and resources, the removal of Israeli settlements from the West Bank and the taking down of the annexation and expansion wall. These are the prerequisites which will lead to a comprehensive solution to the refugee issue along with the implementation of UN resolutions, mainly the right to return. But as things stand, there are no signs that the Palestinian refugee problem will be resolved in the foreseeable future.

The establishment of an independent Palestinian state with sovereign control over its own borders and control over its relation with other counties, in addition to control over natural resources - not to mention the end of dependency on the Israeli economy - will help to resolve the Palestinian labour force issue in the Israeli labour market. These measures will contribute to the recovery of the Palestinian economy that will, in turn, generate local job opportunities and alleviate poverty and unemployment.

Until then, all measures to resolve the Palestinian refugee problem and the issue of Palestinian workers in the Israeli labour market will treat only the disastrous effects resulting from intricate issues, but they will not be able to tackle the root causes and do away with the core problem itself.
References


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