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Implications of Palestinian Displacement from Gaza Impact on Human Rights and Neighboring States



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Introduction

With the onset of the second term of US President Donald Trump, controversial statements regarding the Palestinian issue have intensified, complicating the current situation in the region. Notably, some statements hinted at the possibility of displacing Palestinians from the Gaza Strip as part of a broader plan to reshape the demographic and political landscape in the Middle East. These remarks elicited widespread reactions from the international community, with many human rights and UN experts condemning them as blatant violations of the basic rights of Palestinians and a disregard for international conventions.

This rhetoric coincided with an unprecedented escalation in implementing what is known as the "Deal of the Century," which seeks to redefine the borders of a Palestinian state while disregarding the Palestinians' right to self-determination. Amid these developments, fears have escalated regarding large-scale forced displacement, potentially leading to a humanitarian disaster not only for the residents of the Gaza Strip but also for neighboring countries like Egypt and Jordan, which are already grappling with significant humanitarian and economic challenges.

These statements emerged more than 15 months after the war launched by Israel on the Gaza Strip, which resulted in tens of thousands of casualties, predominantly among women and children, and caused near-total destruction of the region's infrastructure. While the international community anticipated efforts focused on reconstruction and urgent humanitarian aid, these statements exacerbated the plight of Palestinians by calling for their forced displacement and depriving them of their basic rights, including the right to remain on their lands in accordance with international conventions.

This report aims to analyze these statements from a comprehensive human rights perspective, highlighting the legal and humanitarian dimensions. It will review the legal status of the Palestinians' right to remain on their lands and assess the consistency of these statements with international humanitarian law. Additionally, the report will discuss the potential regional and international repercussions of such forced displacement, providing practical recommendations to the international community and human rights organizations to safeguard the basic rights of Palestinians and prevent further violations.

First: Legal Framework for Rights of the Palestinian People to Self-Determination

The rights of the Palestinian people are a central concern for the international community, intertwining humanitarian, political, and legal dimensions that pose significant challenges to achieving justice and peace in the region. Among the fundamental rights guaranteed by international law is the right to self-determination, which is an essential human right.

The legal framework surrounding the Palestinians' right to self-determination serves as a pivotal axis in the Palestinian-Israeli conflict. It encompasses various international covenants affirming the Palestinians' right to live in freedom and independence, to return to their lands from which they were forcibly displaced, and to preserve their political and civil rights. This legal framework extends beyond documents drafted after the occupation of Palestine; it encompasses the historical development of Palestinian rights from the issuance of the Universal Declaration of Human Rights in 1948 to recent international resolutions.

It includes a robust legal foundation comprising the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Fourth Geneva Convention, and various United Nations resolutions concerning the Palestinian issue. All these documents affirm the rights of Palestinians to return to their homes and to establish an independent, sovereign state.

The right to remain in one's national territory is a fundamental aspect of human rights as outlined in numerous international conventions. For the Palestinian people, this right is under significant threat due to ongoing Israeli occupation policies. The recent statements and threats from the U.S. President regarding the displacement of Gaza residents and the seizure of lands under security and political pretexts further escalate these risks, echoing the forced displacement faced by Palestinians since the Nakba of 1948. International human rights law and humanitarian law categorically criminalize forced displacement and the seizure of indigenous peoples' lands, deeming them war crimes that necessitate international accountability.

1. International Conventions Protecting Palestinian Rights

Article 13(1) of Universal Declaration of Human Rights¹ stipulates that "Everyone has the right to freedom of movement and residence within the borders of the State." This right

¹ Universal Declaration of Human Rights, United Nations. <https://www.un.org/about-us/universal-declaration-of-human-rights>

guarantees Palestinians the ability to remain in their lands, making any attempt to force them to leave a blatant violation. While Article 13(2) stipulates "Everyone has the right to leave any country, including his own, and to return to his country." This directly applies to Palestinians displaced from their lands, affirming their right to return to their homeland. Any threats of displacement exacerbate the longstanding Palestinian refugee crisis.

International Covenant on Civil and Political Rights² guarantees the rights of individuals to move, reside, and self-determination, which are directly incompatible with Trump's statements about the displacement of Palestinians from the Gaza Strip. Article 1 stipulates: "All peoples have the right to self-determination. By virtue of that right, they freely determine their political status and pursue their economic, social, and cultural development." Displacement threats undermine this fundamental right, denying Palestinians their self-determination and imposing forced demographic changes. Article 12(1) stipulates: "Everyone lawfully within the territory of a State shall, within that territory, have the right to freedom of movement and freedom to choose his residence." Threats of forced displacement violate this provision, as Palestinians face coercion to leave their lands under the threat of violence or siege. Article 12(4) stipulates: "No one shall be arbitrarily deprived of the right to enter his own country." This obligates states to allow Palestinians to return to their homeland, and any displacement-related statements or plans that contradict this article are clear violations of international law.

Article 11 of International Covenant on Economic, Social and Cultural Rights³ recognizes "the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing, and housing, and the continuous improvement of living conditions." The threats of forced displacement against residents of the Gaza Strip would lead to the destruction of livelihoods, thus contradicting this legal provision. Article 12 affirms "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health." The blockade of Gaza and the threat of displacement contribute to the collapse of the health system, constituting a violation of this article. Article 15 recognizes "the right of everyone to take part in cultural life." Any attempt to displace Palestinians or alter the cultural character of the Gaza Strip deprives them of practicing their cultural identity, thereby violating this right.

² International Covenant on Civil and Political Rights, Office of the United Nations High Commissioner for Human Rights. <https://www.ohchr.org/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

³ International Covenant on Economic, Social and Cultural Rights, Office of the United Nations High Commissioner for Human Rights. <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>

Article 49 of Fourth Geneva Convention⁴ prohibits "individual or mass forcible transfers of protected persons from occupied territory to other territories." This provision directly applies to the residents of Gaza, and any project aimed at forcibly displacing them is considered a war crime under international law. The systematic policy of displacement threatened by recent statements is a clear violation of the Fourth Geneva Convention, particularly amid increasing discussions of mass displacement plans disguised as military operations or forced resettlement programs.

The Convention not only safeguards Palestinians' rights to remain in their lands but also mandates the protection of Palestinian civilians during armed conflicts. The occupying state (in this case, Israel) is obligated to ensure the safety of the civilian population and guarantee their basic rights. However, violations against Palestinian civilians by Israel have persisted.

According to Article 7 of Rome Statute of the International Criminal Court⁵, forced displacement constitutes a crime against humanity if carried out systematically or on a large scale against civilians. Principles of customary international law, binding on all states, also criminalize forced displacement. Consequently, the forcible or coercive displacement of the Gaza population amounts to ethnic cleansing, a form of international crime punishable under international law.

2. United Nations Resolutions Related to the Palestinian Issue

The United Nations has issued several resolutions affirming the rights of Palestinians to self-determination and return to their lands: Resolution 194 (1948)⁶: Stipulates that "Palestine refugees wishing to return to their homes should be permitted to do so at the earliest practicable date, and those who do not wish to return should be compensated." This resolution legitimizes the Palestinian right to return and considers forced displacement a violation of this right. The UN continues to affirm this right despite the international community's failure to implement it. Resolution 242 (1967)⁷: Calls on Israel to withdraw from territories occupied during the 1967 war, including the West Bank and Gaza Strip. The resolution emphasizes the need to "withdraw from territories occupied in the conflict while ensuring the rights of all states to live in peace within secure and

⁴ Fourth Geneva Convention, 1949, International Committee of the Red Cross. <https://www.legal-tools.org/doc/3822e4/pdf/>

⁵ Rome Statute of the International Criminal Court, United Nations. [https://legal.un.org/icc/statute/arabic/rome_statute\(a\).pdf](https://legal.un.org/icc/statute/arabic/rome_statute(a).pdf)

⁶ Resolution 194 of 1948. <https://zt.ms/J2Z>

⁷ Resolution (242) of 1967. <https://digitallibrary.un.org/record/90717?ln=ar&v=pdf#files>

recognized boundaries." Resolution 242 recognizes the right of Palestinians to self-determination and affirms their right to live within the borders of their state, deeming the Israeli occupation of Palestinian territories illegal.

Resolution 3236 (1974)⁸ further affirms the rights of the Palestinian people to self-determination, including the right to return to their lands. In Resolution 3379 (1975)⁹, the United Nations General Assembly classified Zionism as a form of racism, thereby enhancing international recognition of the Palestinian struggle against occupation.

Additionally, the advisory opinion of the International Court of Justice from July 2024 obliges all countries, including the United States and Arab nations, to "not recognize the legitimacy of the situation resulting from the illegal presence of Israel in the occupied Palestinian territory." It also calls for an end to any aid that maintains this situation and requires that all States Parties to the Geneva Convention ensure Israel's compliance with international humanitarian law. Thus, the ongoing Israeli occupation, in violation of relevant international resolutions and the rulings of the International Court of Justice, alongside actions amounting to ethnic cleansing, apartheid, and crimes against humanity—including genocide against the population of the Gaza Strip since October 7—constitutes serious violations of international law that do not expire by statute of limitations.

Legal and Humanitarian Dimensions of Trump Statements

Trump's threats to displace residents of the Gaza Strip and seize land represent a systematic violation of international law, directly contradicting the principles of international humanitarian law, particularly the Fourth Geneva Convention of 1949. This Convention prohibits the forcible transfer of civilians from their places of residence, except in exceptional and temporary cases that serve their interests and ensure their safety. **Article 49** of the Fourth Geneva Convention explicitly prohibits any form of forcible transfer. As such, any attempt to move Gaza residents from their homes qualifies as a war crime under the Rome Statute of the International Criminal Court. In this context, UN Secretary-General Antonio Guterres has emphasized that "any attempts to change the demographic status of the occupied Palestinian territories, including the

⁸ Resolution (3236) of 1974. <https://zt.ms/Hs6>

⁹ Resolution (3379) of 1975. <https://zt.ms/8PO>

forcible displacement of their population, are considered a flagrant violation of international law."¹⁰

UN resolutions have consistently underscored the protection of Palestinian rights in occupied territories, guaranteeing the right of Palestinian refugees to return to their homes and to receive compensation for damages incurred. These resolutions also declare illegal any measures aimed at altering the demographic composition or geographical character of the occupied Palestinian territories, including East Jerusalem.

Consequently, any plan for mass transfer of the Gaza population is not only a violation of international law but also constitutes a systematic crime of **ethnic cleansing**. This crime, classified by the United Nations as one of the most serious violations against humanity, evokes the atrocities witnessed during the twentieth century, particularly during World War II. Forced displacement dismantles the social and economic fabric of targeted communities, stripping them of their natural right to self-determination as guaranteed by the United Nations Charter and the International Covenant on Civil and Political Rights.

From a humanitarian perspective, the implementation of such plans will precipitate an **unprecedented humanitarian catastrophe**. The uprooting of hundreds of thousands of Palestinians from their homes would transform them into refugees living in harsh and unstable conditions, devoid of legal protections or rights to return. The International Committee of the Red Cross, in its 2023 report, highlighted that “forced displacement exposes the civilian population to severe risks, including violence, famine, and lack of basic services.”¹¹ This scenario threatens to destabilize the region, creating complex humanitarian crises that extend beyond Palestine’s borders, affecting neighboring countries and the international community.

In this context, Michael Fakhri, the Special Rapporteur on the Right to Food, addressed the UN General Assembly, questioning how Israel could have starved 2.3 million Palestinians in Gaza so **rapidly and comprehensively**. He characterized the operation as “the fastest starvation campaign in modern history.” Fakhri emphasized that discussions of reconstruction must prioritize how to prevent famine and genocide,

¹⁰ Secretary-General stresses importance of two-state solution, rejects ethnic cleansing, UN News, 5 February 2025.

<https://news.un.org/ar/story/2025/02/1138841>

¹¹ ICRC Annual Report 2023, <https://zt.ms/i5w>

asserting that Israel is “destroying food systems and creating conditions of hunger that will last for generations.”¹²

Silence or indifference to these dire warnings risks legitimizing the apartheid policies and systematic oppression that have characterized the Israeli occupation since 1948. These policies—encompassing land confiscation, mass sieges, and excessive use of force against civilians—align with the **definition of apartheid** as outlined in the 1973 Apartheid Convention and contradict the fundamental values of the United Nations system.

Any attempt to forcibly displace the population of Gaza will represent a grave moral failure of the international community if not addressed decisively. Protecting civilians in occupied territories is not merely a legal obligation of the occupying state; it is also a moral and legal duty of the international community, which must intervene to prevent these crimes and ensure accountability for those planning or advocating such actions.

The continuation of proposals for forced displacement reflects a profound misunderstanding of the Palestinian-Israeli conflict's history and a deliberate disregard for the rights of millions of Palestinians. This stance poses a genuine threat to international peace and security. Now more than ever, the international community must uphold principles of justice, activate accountability mechanisms, and take concrete actions to prevent further crimes against the Palestinian people. These statements underscore the ongoing Israeli settlement project, supported politically by the United States, which aims to enforce forced demographic changes, deepening Palestinian suffering and leading to serious human rights violations.

Third: Impact of Forced Displacement on Neighboring Countries

The repercussions of proposals for the forced displacement of Palestinians extend beyond the Palestinian people, threatening to exacerbate humanitarian and political crises throughout the region. Countries like Egypt and Jordan, already grappling with complex economic challenges, would face a humanitarian disaster if they were required to absorb millions of additional Palestinian refugees. This devastating step would jeopardize regional security, potentially escalating tensions in a region already marked by instability. Such displacement would not only alter the demographic landscape but could also ignite new conflicts, deepen sectarian and ethnic divisions, and worsen the humanitarian situation in these countries.

¹² The Secretary-General stresses the importance of the two-state solution and the rejection of ethnic cleansing, op. cit.

From a legal standpoint, any plan mandating the hosting of more Palestinian refugees in Egypt and Jordan would impose additional burdens on these nations to provide basic resources and social guarantees. Although Jordan and Egypt have hosted significant numbers of Palestinian refugees for decades, an influx of larger numbers could strain their capacities to meet essential needs, including education, healthcare, and employment opportunities. The increased pressure could expose both refugees and local communities to risks that threaten their economic and social rights, potentially leading to deteriorating living conditions and heightened social tensions between refugees and local citizens.¹³

Statements from the U.S. President regarding the displacement of Palestinians to Egypt and Jordan reflect an attempt to "liquidate" the Palestinian refugee issue without recognizing their legitimate rights. This approach contradicts international standards that protect the rights of Palestinians globally. Such statements may serve as leverage to pressure Palestinians into accepting unjust solutions that deny their fundamental rights, especially the right of return to their lands as stipulated in UN Resolution 194. This could further marginalize the Palestinian cause on the international stage, overshadowing their demands for independence and sovereignty.

Regarding civil rights, while Palestinian refugees in host countries like Jordan may have access to education, healthcare, and job opportunities, an increase in their numbers could lead to a decline in these rights. Economic and social pressures on host countries may create inequalities and tensions between refugees and local communities.

Additionally, Palestinians residing in host countries such as Jordan and Egypt often face challenges in obtaining citizenship and fully participating in the political and social life of these nations. These restrictions threaten their rights to citizenship and equality, increasing their marginalization and unstable legal status, which deprives them of basic citizenship rights.

Legally, Egypt and Jordan are obliged to protect the rights of Palestinian refugees under international law and cannot impose solutions outside the framework of international agreements related to refugee rights, such as the 1951 Convention Relating to the Status of Refugees. The forced settlement of Palestinians is not a sustainable solution from a legal perspective; rather, it is a temporary measure that could exacerbate social and economic crises in host countries and threaten regional stability. An increase

¹³ Mahmoud Al-Hanafi, Trump's plan to displace Palestinians: legal dimensions and means of confrontation, Al Jazeera website, February 5, 2025. <https://zt.ms/zg6>

in the number of Palestinian refugees will significantly impact the legal systems in these countries, as governments may face pressure to grant citizenship or permanent refugee status. This could complicate legal frameworks and heighten local and regional tensions.

Internationally, Donald Trump's endorsement of forced displacement poses a risk to the political and diplomatic alliances that the United States has built over decades. Arab nations have strongly rejected this idea, as evidenced by a joint statement from the foreign ministers of the UAE, Egypt, Jordan, Saudi Arabia, and Qatar, emphasizing their complete opposition to any attempts to settle or displace Palestinians from the Gaza Strip. They view such actions as a blatant violation of Palestinian rights and a breach of international law.

These policies may compel Arab countries to reassess their relations with Washington, potentially leading to significant geopolitical shifts in the region. This could result in decisive diplomatic changes that affect security and political cooperation strategies between these countries and the United States. Such shifts may alter regional political balances and pave the way for new blocs advocating for political independence in dealing with regional issues.

This context indicates that support for forced displacement policies could have far-reaching international consequences that extend beyond the Palestinian issue, threatening the stability of the entire region. Therefore, it is imperative for the international community to take a firm stance to ensure adherence to international laws and charters that guarantee Palestinians' rights to return to their lands and reject any attempts to alter their status.

Conclusion & Recommendations

In light of the statements regarding the displacement of Palestinians from the Gaza Strip, it is evident that these declarations carry serious legal and humanitarian implications. Legally, forced displacement attempts constitute a flagrant violation of Palestinians' basic rights as outlined in international conventions, particularly the Geneva Conventions and UN resolutions. From a humanitarian perspective, such policies threaten to worsen the already dire situation in Gaza, exacerbating the suffering of the Palestinian people and increasing pressure on neighboring countries like Egypt and Jordan. It is crucial for the international community to remain vigilant against such plans and to take effective measures to protect Palestinians' rights and ensure regional stability. Therefore, Maat for Peace, Development, and Human Rights presents the following recommendations:

- 1. Immediate International Action:** The international community, including the United Nations, the European Union, and various countries, must act swiftly to prevent the implementation of any plans to displace Palestinians from the Gaza Strip and emphasize respect for their right to remain in their lands.
- 2. Strengthening Human Rights Protection:** Enhance the role of international human rights organizations to ensure the protection of Palestinian rights through continuous monitoring and documentation of any violations. Increased pressure should be applied to countries seeking to implement these harmful policies.
- 3. Supporting Neighboring Countries:** Supporting Egypt and Jordan in their positions rejecting the forced displacement process, and pressuring the United States and Israel to stop this plan that violates all international agreements.
- 4. Strengthening Coordination Between Humanitarian Organizations:** Encouraging coordination between international and local organizations to provide the necessary support to Palestinians in Gaza, and protecting the most affected groups such as women and children.