

Palestinian refugees—exile or return?

C A A B U

- ◇ Who are the Palestinian refugees?
- ◇ What was the source of the Palestinian refugee problem?
- ◇ Who is responsible for the Palestinian refugees?
- ◇ Where should the refugees go?
- ◇ What is the Right of Return?
- ◇ What are the Palestinian refugees' rights?
- ◇ Who is responsible for ensuring that those rights are respected?

Although the Palestinian-Israeli conflict is on the news almost every day, most people know very little about the Palestinian refugees themselves. Refugees make up about 70% of the Palestinian population today, and the issues surrounding them are among the most difficult and important in the conflict. The Palestinians have long asserted that the refugees have a moral and legal right to return to what was once Palestine - known as the **Right of Return**.

Who is a refugee?

This is the UN definition:

"Any person who ... owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership in a particular social group, or political opinion, is outside the country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that country..."



- ◆ The United Nations Convention on Refugees (1951) was the first international agreement relating directly to refugees. It is the key legal document defining who is a refugee, their rights and the obligations of states. It recognised the international scope of refugee crises and the necessity of international cooperation, including burden sharing among states, in tackling the problem.
- ◆ Host governments are primarily responsible for protecting refugees.

Something to think about when discussing Palestinian refugees and the Right of Return... The rights of refugees enshrined in the United Nations Convention on Human Rights include freedom of movement, the right to work, education, and accessibility to travel documents. In the 1966 International Covenant on Civil and Political Rights, freedom of movement has two main components: an internal aspect, relating to freedom of movement within a country and an external aspect referring to freedom of movement between states, which includes the rights to leave and return to one's own country.



Many Palestinian refugees have been living in camps since 1948



Who are the Palestinian refugees?

According to the UN Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), Palestinian refugees are those people who lived in Palestine between June 1946 and May 1948, and “lost both their homes and means of livelihood as a result of the 1948 Arab-Israeli conflict,” as well as their descendents. However, this definition was later expanded to include Palestinians who lost their homes and livelihood as a result of the 1967 war as well. Some people were actually made refugees twice, having to flee what little they had made for themselves after 1948 in 1967.



How did Palestinians become refugees?



The Palestinian refugee crisis arose due to two conflicts:

- ◆ The creation of Israel in 1948, and the Arab-Israeli war that followed
- ◆ The Six-Day war of 1967

The origins of the Palestinian refugee problem have been the subject of much argument since 1948. Most pro-Israelis claim that the Palestinian became refugees because their leaders ordered them to flee. This version of events was always denied by the Palestinians, who say that they fled in fear from the Zionist militia. No conclusive proof has been produced showing that Arab leaders did order Palestinians to flee. Historical archival research has found evidence of attacks on civilians, looting, massacres, destruction of property (including entire villages) and forced expulsion. More than 500 villages were destroyed to prevent the return of refugees.

? Why do you think the causes of the refugee crisis is such a source of controversy?

A lot of Palestinians expected to return to their homes very soon— they left everything but the bare essentials, and fled to the “temporary” camps established in neighbouring lands. There are many stories of families that left kettles on the stove, and even more who still possess the keys to their houses in what is now Israel. Of course, today, millions of Palestinians were simply born refugees. Many have never had a chance to know anything but the squalid, overcrowded camps where they live.

Where do the Palestinian refugees live?

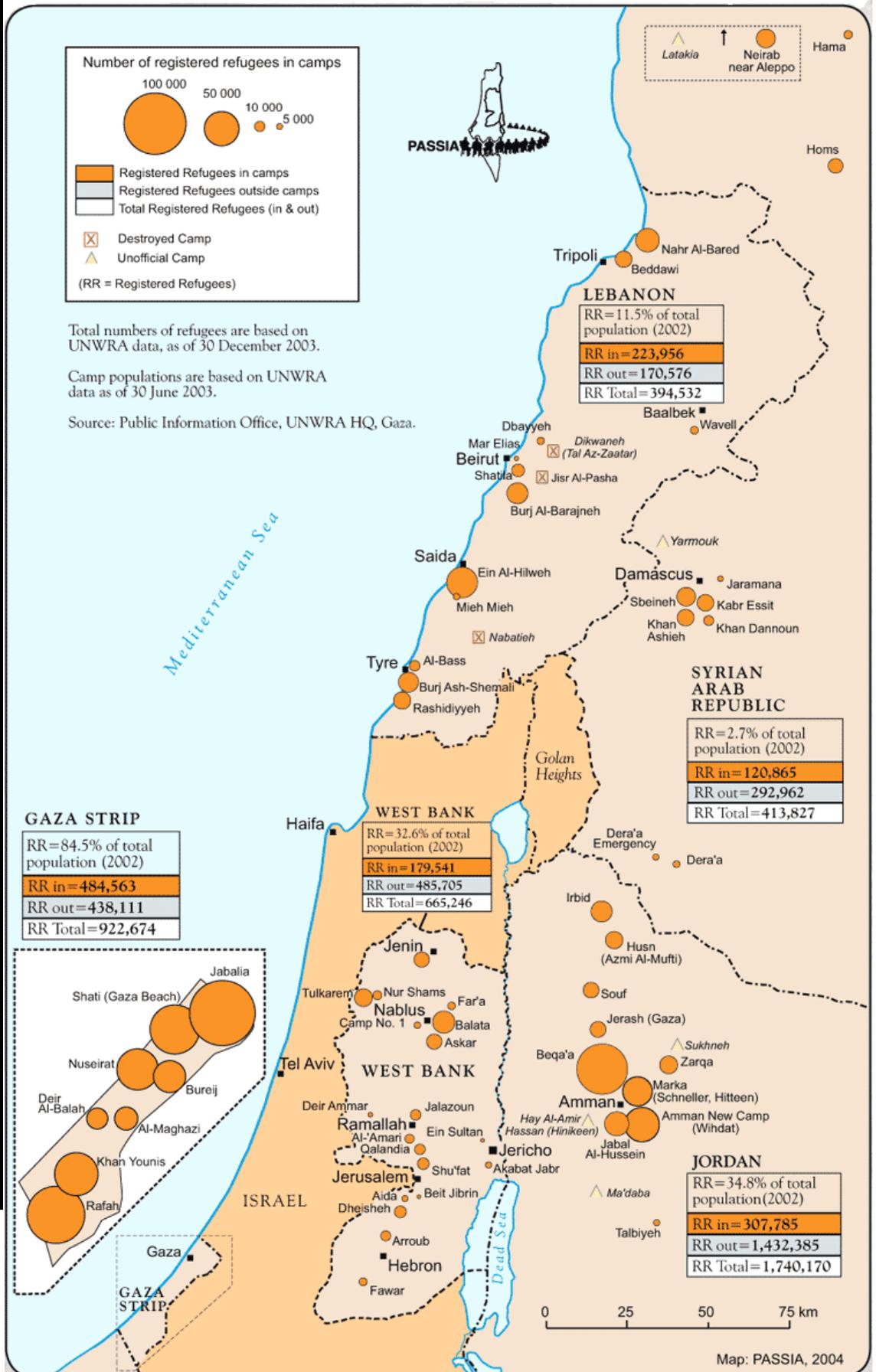


About one-third of all Palestinian refugees still live in camps in the Occupied Territories, Lebanon, Syria, and Jordan. Originally, these camps looked the way you’d probably imagine a refugee camp to look—thousands upon thousands of tents pitched in a field. However, after many years of living in tents, the Palestinians and UNRWA started to realise they might be staying in the camps longer than they had thought at first, and began to build more permanent structures. Gradually, tents were replaced by mud-brick or concrete shelters. However, the camps remain overcrowded and poor. Although living conditions are generally worst in the camps, things aren’t a whole lot better for most of the remaining two-thirds, who live in and around the camps and cities in their host countries.



Palestinian Refugees - Area of UNRWA Operations

- 70% of all Palestinians are refugees—which means that over one in three Palestinians is a refugee.
- There are over **4 million Palestinian refugees** registered with the United Nations Relief Works Agency (UNRWA).
- Palestinian refugees make up **18% of the world's refugee population**—the world's largest refugee population.
- Most Palestinian refugees live in 59 official camps in the region.





Who is responsible for the Palestinian refugees?



Sometimes we all take our government's support for granted. The government makes sure we have food, shelter, health care and education. When we have problems, we can write a letter to our MPs, or even just call them on the phone! And if we disagree with something the government is doing, once we're 18 we can cast our votes to say what policies and politicians we do or not support.

A lot of Palestinian refugees don't have these rights. Although the Palestinians now technically have their own government, Palestinian refugees living outside the Occupied Territories have no representatives in it. They are also not allowed to vote in the government's elections, even though it "represents" them in the international community, and is their only voice in negotiations with the Israelis.

In many camps social services are poor and underfunded. This means a lot of Palestinians can't find decent work, attend school, or get proper treatment when they're ill. Whilst UNRWA performs vital work, many resent having to depend on its handouts.

UNRWA

The United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) was established by the UN in 1949 to provide relief and social services for the Palestinian refugees. At the time, no one had any idea the conflict would last for so long! UNRWA has a lot of responsibilities: it provides education, health care, relief, and social services to Palestinian refugees. Today, UNRWA is the main support to approximately 4.1 million registered refugees in the Occupied Territories, Jordan, Lebanon, and Syria. There are 59 UNRWA camps across the Arab world. UNRWA depends on contributions from the international community to continue its work. It has been having to make cuts in services because it was unable to raise enough money.



Role play—the Palestinian refugees

- Split into groups of four. Each person takes a different role card each being careful not to show to other members of the group what is written on their cards.
- Students discuss the Palestinian refugee problem from the perspective that they have been given. Students should try not to give away all of the information that they have at once.
- In groups, decide on the following issues:
 - What was the source of the Palestinian refugee problem?**
 - Who is responsible for the Palestinian refugees?**
 - Where should the refugees go?**
 - What are the Palestinian refugees' rights?**
 - Who is responsible for ensuring that those rights are respected?**
 - Should the refugees get compensation? If so, how much and who from?**
- The groups should compare their answers with each other. Did the groups arrive at the same conclusions? What were the main points of controversy?





Role play—the Palestinian refugees

Israel

- The Palestinian refugee problem was created when the Arabs and Palestinians rejected the 1947 UN partition plan which proposed dividing up historic Palestine into two states—Israel for the Jews, and Palestine for the Palestinians
- When Israel declared independence in 1948, 5 Arab armies invaded, and Israel was forced to defend its new territory.
- The Arab leaders encouraged the Palestinian to flee—so how can Israel bear responsibility for the refugees?
- You are committed to Israel's status as a Jewish state. You will not accept the return of the Palestinian refugees, because their return would mean that Israel would cease to be a Jewish state.
- Israel is the only homeland for Jews, where they can live free from the persecution that has plagued them for centuries. There are 21 Arab countries - surely the Palestinians can live there?
- The Arab states are deliberately maintaining dismal conditions among the refugees in order to use them as a political weapon against Israel.
- You have support on this matter from the current US President George Bush, who is committed to Israel being a Jewish state. He thinks that Palestinian refugees should not be allowed to return to their original homes.



Israeli flag

Neighbouring Arab State

- You are a relatively poor country in the Middle East.
- In 1947 you rejected a plan to partition historic Palestine between the Zionist Jews and the Palestinians proposed by the United Nations because you believed that the land was being distributed unfairly. Israel, the proposed Jewish state, was to receive 56% of historic Palestine even though Palestinians owned 90% of the land. When Israel declared independence in 1948, you went to war on behalf of your neighbour, Palestine. The war was a massive victory for Israel, which gained even more land than it was promised in the partition plan. Palestinians fled to Syria, Jordan, Lebanon, Egypt, the West Bank and Gaza Strip.
- The massive influx of Palestinian refugees into your country since the establishment of Israel has led to a highly unstable situation for you.
- Palestinian refugees are very resentful at having been forced to leave their homes, and use your country as a base from which to launch raids against Israel. Every time this happens, Israel launches a massive retaliation against your country, which destabilises it.
- By now there are millions of refugees. You do not have the money or the infrastructure to cope with a massive influx of people.
- Palestinians should be allowed to return to their homeland. You do not think that you should have to cope with the fall-out from the creation of Israel.



Refugee camp



Role play—the Palestinian refugees

Palestinian refugee living in London

- 60 years ago, your family lived in a country called Palestine. Waves of Jewish immigrants called Zionists had been coming to Palestine for some time, with the aim of establishing a Jewish state called Israel. As Palestinians your family was completely opposed to this.
- In 1947, the United Nations proposed a plan to divide up the land. The Palestinians rejected it because they thought it was unfair.
- You refer to 1948 as 'al nakba' or meaning 'the catastrophe'. For your people it was a catastrophe—most of the population were made refugees and you lost your homeland.
- During the fighting, your family fled thinking that they would return when the violence was over. Your family were well-off and were able to make it to London.
- You feel quite disconnected from the Palestinians living in poverty in the Occupied Territories and in camps across the Middle East.
- You are settled in London and it is where you want to spend the rest of your life.
- Even if the Right of Return were granted, you would not go. But you strongly feel no-one can take your right to return to the family home away from you—your right of return is your right.



Olive trees are often used to represent Palestinians' attachment to the land of Palestine.

Palestinian Refugee living in camp in Lebanon

- About 60 years ago, you lived in a country called Palestine. Waves of Jewish immigrants called Zionists had been coming to Palestine for some time, with the aim of establishing a Jewish state called Israel. As a Palestinian you were completely opposed to this.
- In 1947, the United Nations proposed a plan to divide up the land, which you rejected because you thought it was unfair.
- You refer to 1948 as 'al nakba' or meaning 'the catastrophe'. For your people it was a catastrophe—most of the population were made refugees and you lost your homeland.
- During the fighting, you fled from your home, thinking that you would return when the violence was over.
- 60 years later, you are still living in the same refugee camp that you fled to in 1948. Although the tents have long been replaced by concrete buildings, the conditions that you live in are cramped and squalid. You very resent the fact that you have been made to leave all of your possessions and live like this. You are not even allowed to visit your home.
- You feel you have been side-lined by the peace process which labels you as a 'refugee problem' and not as a people with the right to self-determination.



Olive trees are often used to represent Palestinians' attachment to the land of Palestine.



Right of Return—dream, nightmare or possibility?

A Palestinian dream?

What symbolism can you see in this drawing by a young boy living in a refugee camp?



Palestinian assertions of the Right of Return are based on a moral standpoint and on a legal perspective including a number of resolutions issued by the United Nations. Some of the refugees still retain old deeds and keys to homes now occupied by Israelis.

Israel's Law of Return grants any Jew in the world, as well as those of Jewish heritage, the right to move to Israel and receive Israeli citizenship. Supporters of the Right of Return for Palestinians feel that it is grossly unfair that a Jew born in say America, France or Ethiopia has the right to immigrate to Israel, while a Palestinian expelled many years ago or born in a refugee camp is condemned to exile – often never to see their home again.



International law

UN Resolution 194, passed by the General Assembly in 1948, upholds the right of all Palestinian refugees to return, and the right of those who do not wish to return to receive compensation. The General Assembly has reaffirmed 194 almost every year since 1948, and 8 other UN resolutions have also expressed support for the Palestinian Right of Return. Major human rights instruments, including the Universal Declaration of Human Rights, the Fourth Geneva Convention, the Hague Convention, the International Covenant on Civil and Political Rights, and others all support the right to return and compensation.

According to Resolution 194,

the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date... compensation should be paid for the property of those choosing not to return

Should rights and international law form the basis of negotiations – or should they themselves be subject to negotiation during a peace process? Can the right of return be negotiated away?



Do you think that the fact that the Palestinians remain refugees is a failure of the international community? Do you think it reflects international community weakness, division, or the lack of a will to find a solution for the refugees?



An Israeli nightmare?

Israel refuses to assume responsibility in any way for the refugee problem and is adamant that Palestinians and their descendants cannot return. Israel was conceived of as a homeland for the Jews. Israel defines itself as a democratic and Jewish state. If the right of return were granted, Jews in Israel would be outnumbered and it would cease to be a Jewish state. People arguing for the Right of Return suggest it could be implemented in a way which took account of Israel's concerns. Many Israelis, however, equate the Right of Return with Israel's destruction, as Israel would cease to be a Jewish state.

 Do other states define themselves in this way? Should a country be entitled to preserve its ethnic or religious Majority any cost? What if this means violating international law and denying people their rights?

Alternatives to the Right of Return?



A lot of people tend to ignore the refugees when talking about the Palestinian-Israeli conflict. Many people think that the refugees should be willing to give up their right of return in exchange for financial compensation from Israel. Some also think that the Palestinians should be satisfied with a 'symbolic' right of return, in which a few elderly refugees are allowed to go back to their villages in Israel.

 What problems do you think a Palestinian refugee might have with these ideas? Would the majority of Palestinians be willing to give up their right of return in exchange for money? Would they be willing to live in their host countries, and would the host governments accept them?



Fighting for the principle?

The right of return is a collective right but the option to exercise it is an individual choice. A survey in 2003 of Palestinians living in the West Bank, Gaza Strip, Jordan and Lebanon, found that only 10% of those surveyed stated that they would become go to Israel given the choice. Why do you think someone might insist on the right of return being granted if they did not want to exercise it?

 Does it make a difference now that 60 years have elapsed? Can you think of any other events in the past that victims have received compensation for recently? Does a victim's claims get less with the passage of time?